

(2) Flashes for a period of at least 60 seconds but no longer than 90 seconds upon detection of any condition specified in S4.4(a) after the ignition locking system is activated to the "On" ("Run") position. After each period of prescribed flashing, the telltale must remain continuously illuminated as long as a malfunction exists and the ignition locking system is in the "On" ("Run") position. This flashing and illumination sequence must be repeated each time the ignition locking system is placed in the "On" ("Run") position until the situation causing the malfunction has been corrected. . . .

**V. Summary of AML's Analyses:** AML stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

(A) AML stated that although the malfunction indicator does not re-illuminate immediately after the vehicle is restarted, it generally will illuminate shortly thereafter, and in any event it will illuminate in no more than about 40 seconds, even in vehicles containing the noncompliance. Once a vehicle has started and is accelerating above 23 mph for a period of 15 seconds, the TPMS will seek to confirm the sensors fitted to the vehicle. If a sensor is not fitted, the TPMS will detect this within a further period of 15–20 seconds (up to a maximum of 25 seconds) and the TPMS malfunction indicator will illuminate correctly. Once the malfunction indicator is illuminated, it will remain illuminated throughout that ignition cycle, regardless of the vehicle's speed.

(B) AML also stated that if the TPMS fails to detect the wheel sensors, the TPMS monitor will display on the TPMS pressures screen "—" warning the driver that the status of the wheel sensor is unconfirmed. Once the vehicle starts moving, the system will then accurately determine if a sensor is present or not.

(C) AML says that the noncompliance is confined to one particular aspect of the functionality of the otherwise compliant TPMS malfunction indicator. All other aspects of the low-pressure monitoring system functionality are fully compliant with the requirements of FMVSS No. 138.

(D) AML is not aware of any customer complaints, field communications, incidents or injuries related to this condition.

AML has additionally informed NHTSA that all unsold vehicles in AML's custody and control will have the TPMS Electronic Control Unit reprogrammed prior to being sold.

In summation, AML believes that the described noncompliance of the subject vehicles is inconsequential to motor vehicle safety, and that its petition, to

exempt AML from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that AML no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after AML notified them that the subject noncompliance existed.

**Authority:** 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8.

**Jeffrey Giuseppe,**

*Director, Office of Vehicle Safety Compliance.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Information Collection Activities: Statutory Licensing and Consolidation Authority

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** 60-day notice and request for comments.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3519 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek from the Office of Management and Budget (OMB) an extension of approval for the information collections required from those seeking licensing authority under 49 U.S.C. 10901–03 and consolidation authority under §§ 11323–26.

Under these Title 49 provisions, rail carriers and non-carriers are required to file an application with the Board, or seek an exemption (through petition or notice) from the full application process under § 10502, before they may construct, acquire, or operate a line of

railroad; abandon or discontinue operations over a line of railroad; or consolidate their interests through a merger or common-control arrangement. The relevant information collections are described in more detail below.

Comments are requested concerning: The accuracy of the Board's burden estimates; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate; and whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

#### Description of Collections

**Title:** Statutory Licensing and Consolidation Authority.

**OMB Control Number:** 2140–0023.

**STB Form Number:** None.

**Type of Review:** Extension without change.

**Respondents:** Rail carriers and non-carriers seeking statutory licensing or consolidation authority or an exemption from filing an application for such authority.

**Number of Respondents:** 64.<sup>1</sup>

**Frequency:** On occasion.

TABLE—NUMBER OF RESPONSES IN FY 2011

Type of filing	Number of filings under 49 U.S.C. 10901–03 and 11323–26
Applications .....	2
Petitions * .....	18
Notices * .....	103

\* Under § 10502, petitions for exemption and notices of exemption are permitted in lieu of an application.

**Total Burden Hours** (annually including all respondents): 4,049 hours (sum total of estimated hours per response × number of responses for each type of filing).

<sup>1</sup> Approximately 40% of the filings were additional filings submitted by railroads that had already submitted filings during the time period. Therefore, the number of respondents (64) is approximately 40% less than the number of filings (106).

TABLE—ESTIMATED HOURS PER RESPONSE

Type of filing	Number of hours per response under 49 U.S.C. 10901–03 and 11323–26
Applications .....	524
Petitions * .....	58
Notices * .....	19

\* Under § 10502, petition for exemptions and notices of exemption are permitted in lieu of an application.

**Total “Non-hour Burden” Cost** (such as filing fees): None identified. Filings are submitted electronically to the Board.

**Needs and Uses:** Under the Interstate Commerce Act, as amended by the ICC Termination Act of 1995, Public Law 104–88, 109 Stat. 803 (1995), persons seeking to construct, acquire or operate a line of railroad and railroads seeking to abandon or to discontinue operations over a line of railroad or, in the case of two or more railroads, to consolidate

their interests through merger or a common-control arrangement are required to file an application for prior approval and authority with the Board. See 49 U.S.C. 10901–03 and 11323–26. Under 49 U.S.C. 10502, persons may seek an exemption from many of the application requirements of §§ 10901–03 and 11323–26 by filing with the Board a petition for exemption or notice of exemption in lieu of an application. The collection by the Board of these applications, petitions, and notices enables the Board to meet its statutory duty to regulate the referenced rail transactions. See *Table—Statutory and Regulatory Provisions* below.

**Retention Period:** Information in these collections is maintained by Board for 10 years, after which it is transferred to the National Archives as permanent records.

**DATES:** Comments on this information collection should be submitted by September 4, 2015.

**ADDRESSES:** Direct all comments to Chris Oehrle, Surface Transportation

Board, 395 E Street SW., Washington, DC 20423–0001, or to [PRA@stb.dot.gov](mailto:PRA@stb.dot.gov). When submitting comments, please refer to “Statutory Licensing and Consolidation Authority.” For further information regarding this collection, contact [PRA@stb.dot.gov](mailto:PRA@stb.dot.gov) or Chris Oehrle at (202) 245–0271. [Federal Information Relay Service (FIRS) for the hearing impaired: (800) 877–8339.] Filings made in responses to this collection are available on the Board’s Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

**SUPPLEMENTARY INFORMATION:** Under §§ 10901–03 and 11323–26, an application is required to seek authority under these sections, unless an applicant receives an exemption under 49 U.S.C. 10502. Respondents seeking such authority from the Board must submit certain information required under the Board’s related regulations. The table below shows the statutory and regulatory provisions under which the Board requires the information collections that are the subject of this notice.

TABLE—STATUTORY AND REGULATORY PROVISIONS \*

Certificate required	Statutory provision	Regulations
Construct, Acquire, or Operate Railroad Lines .....	49 U.S.C. 10901 .....	49 CFR Part 1150.
Short Line purchases by Class II and Class III Rail Carriers .....	49 U.S.C. 10902 .....	49 CFR 1150.41–45.
Abandonments and Discontinuances .....	49 U.S.C. 10903 .....	49 CFR Part 1152.
Railroad Acquisitions, Trackage Rights, and Leases .....	49 U.S.C. 11323–26 ..	49 CFR Part 1180.

\* STB regulations may be viewed on the STB Web site under E-Library > Reference: STB Rules ([http://www.stb.dot.gov/stb/elibrary/ref\\_stbrules.html](http://www.stb.dot.gov/stb/elibrary/ref_stbrules.html)).

Under the PRA, a Federal agency conducting or sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Under § 3506(c)(2)(A) of the PRA, Federal agencies are required to provide, prior to an agency’s submitting a collection to OMB for approval, a 60-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: June 29, 2015.

Jeffrey Herzig,  
Clearance Clerk.

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Information Collection Activities: Statutory Authority To Preserve Rail Service

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** 60-day notice and request for comments.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3519 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek from the Office of Management and Budget (OMB) an extension of the information collections required under 49 U.S.C. 10904–05 and 10907, and 16 U.S.C. 1247(d).

Under these statutory provisions, the Board administers programs designed to preserve railroad service or rail rights-of-way. When a line is proposed for abandonment, affected shippers, communities, or other interested persons may seek to preserve rail

service by filing with the Board: An offer of financial assistance (OFA) to subsidize or purchase a rail line for which a railroad is seeking abandonment (49 U.S.C. 10904), including a request for the Board to set terms and conditions of the financial assistance; a request for a public use condition (§ 10905); or a trail-use request (16 U.S.C. 1247(d)). Similarly, when a line is placed on a system diagram map identifying it as an anticipated or potential candidate for abandonment, affected shippers, communities, or other interested persons may seek to preserve rail service by filing with the Board a feeder line application to purchase the identified rail line (§ 10907). When a line is so placed on the map, the feeder line applicant need not demonstrate that the public convenience and necessity require or permit the sale of the line, but need only pay the constitutional minimum value to acquire it. Additionally, the railroad owning the rail line subject to abandonment must, in some circumstances, provide