

Notice of final action on the petition will be published in the Federal Register pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: August 29, 1996.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 96-22537 Filed 9-4-96; 8:45 am]

BILLING CODE 4910-59-P

[Docket No. 96-048; Notice 2]

Decision That Certain Nonconforming Mitsubishi Pajero Multi-Purpose Passenger Vehicles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of decision by NHTSA that certain nonconforming 1984 Mitsubishi Pajero multi-purpose passenger vehicles (MPVs) are eligible for importation.

SUMMARY: This notice announces the decision by NHTSA that 1984 Mitsubishi Pajero MPVs that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards, are eligible for importation into the United States because they are substantially similar to a vehicle originally manufactured for importation into and sale in the United States and certified by its manufacturer as complying with the safety standards (the 1984 Mitsubishi Montero), and they are capable of being readily altered to conform to the standards.

DATE: This decision is effective September 5, 1996.

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. § 30141(a)(1)(A) (formerly section 108(c)(3)(A)(i) of the National Traffic and Motor Vehicle Safety Act (the Act)), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. § 30115 (formerly section 114 of the Act), and of the same model year as the

model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR Part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the Federal Register of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the Federal Register.

Champagne Imports, Inc. of Lansdale, Pennsylvania ("Champagne") (Registered Importer No. R-90-009) petitioned NHTSA to decide whether 1984 Mitsubishi Pajero MPVs are eligible for importation into the United States. NHTSA published notice of the petition on May 20, 1996 (61 FR 25269) to afford an opportunity for public comment. As stated in the notice of petition, the vehicle which Champagne believes is substantially similar is the 1984 Mitsubishi Montero that was manufactured for importation into, and sale in, the United States and certified by its manufacturer as conforming to all applicable Federal motor vehicle safety standards.

The petitioner contended that it carefully compared the 1984 Mitsubishi Pajero to the 1984 Mitsubishi Montero, and found the two models to be substantially similar with respect to compliance with most applicable Federal motor vehicle safety standards.

Champagne submitted information with its petition intended to demonstrate that the 1984 Mitsubishi Pajero, as originally manufactured, conforms to many Federal motor vehicle safety standards in the same manner as the 1984 Mitsubishi Montero that was offered for sale in the United States, or is capable of being readily altered to conform to those standards.

Specifically, the petitioner claimed that the 1984 Mitsubishi Pajero is identical to the certified 1984 Mitsubishi Montero with respect to compliance with Standard Nos. 102 *Transmission Shift Lever Sequence* . . . , 103 *Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic Brake Systems*, 106 *Brake Hoses*, 107 *Reflecting Surfaces*, 113 *Hood Latch Systems*, 116 *Brake Fluid*, 119 *New Pneumatic Tires for Vehicles*

other than Passenger Cars, 124 *Accelerator Control Systems*, 201 *Occupant Protection in Interior Impact*, 203 *Impact Protection for the Driver From the Steering Control System*, 204 *Steering Control Rearward Displacement*, 205 *Glazing Materials*, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 209 *Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 211 *Wheel Nuts*, *Wheel Discs and Hubcaps*, 212 *Windshield Retention*, 219 *Windshield Zone Intrusion*, and 302 *Flammability of Interior Materials*.

Petitioner also contended that the vehicle is capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: (a) substitution of a lens marked "Brake" for a lens with a noncomplying symbol on the brake failure indicator lamp; (b) installation of a seat belt warning lamp that displays the appropriate symbol; (c) recalibration of the speedometer/odometer from kilometers to miles per hour.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) installation of U.S.-model headlamp assemblies which incorporate headlamps with DOT markings; (b) installation of front and rear sidemarker/reflector assemblies; (c) installation of U.S.-model taillamp assemblies.

Standard No. 111 *Rearview Mirrors*: replacement of the convex passenger side rear view mirror.

Standard No. 114 *Theft Protection*: installation of a buzzer microswitch in the steering lock assembly, and a warning buzzer.

Standard No. 115 *Vehicle Identification Number*: installation of a VIN plate that can be read from outside the left windshield pillar, and a VIN reference label on the edge of the door or latch post nearest the driver.

Standard No. 118 *Power Window Systems*: rewiring of the power window system so that the window transport is inoperative when the ignition is switched off.

Standard No. 120 *Tire Selection and Rims for Motor Vehicles other than Passenger Cars*: installation of a tire information placard.

Standard No. 208 *Occupant Crash Protection*: (a) installation of a U.S.-model seat belt in the driver's position, or a belt webbing-actuated microswitch inside the driver's seat belt retractor; (b) installation of an ignition switch-actuated seat belt warning lamp and buzzer. The petitioner stated that the vehicle is equipped at each front designated seating position with a

combination lap and shoulder restraint that adjusts by means of an automatic retractor and releases by means of a single push button. The petitioner further states that the vehicle is equipped with a combination lap and shoulder restraint that releases by means of a single push button at each rear outboard seating position, and with a lap belt at the rear center seating position.

Standard No. 301 *Fuel System Integrity*: installation of a rollover valve in the fuel tank vent line.

One comment was received in response to the notice of petition, from Mitsubishi Motors R&D of America, Inc. ("Mitsubishi"), the United States representative of Mitsubishi Motors Corporation, the vehicle's manufacturer. In its comment, Mitsubishi stated that based upon a review of the petition and a partial evaluation of the 1984 Mitsubishi Pajero, it believes that the vehicle may not be capable of being readily altered to conform to all applicable Federal motor vehicle safety standards. Mitsubishi noted that in addition to the nonconformities identified in the petition, the components on the 1984 Mitsubishi Pajero that are subject to Standard No. 203, *Impact Protection for the Driver from the Steering Control System*, are not identical to those found on the 1984 Mitsubishi Montero. As a result, Mitsubishi contended that the 1984 Mitsubishi Pajero would have to be modified to conform to the standard, and then tested in accordance with the standard to ensure that conformity. Mitsubishi also contended that the 1984 Mitsubishi Pajero does not conform to Standard No. 204, *Steering Control Rearward Displacement*, because it is not equipped with the same energy-absorbing steering shaft as that found on the 1984 Mitsubishi Montero. As a result, Mitsubishi contended that the steering shaft would have to be modified and tested in accordance with the standard.

NHTSA accorded Champagne an opportunity to respond to Mitsubishi's comments. In its response, Champagne observed that Mitsubishi did not furnish specifics to support its stated belief that the 1984 Mitsubishi Pajero may not be capable of being readily altered to conform to all applicable Federal motor vehicle safety standards. Champagne expressed complete confidence that the vehicle is capable of being so altered. To address the concern that Mitsubishi raised regarding the vehicle's compliance with Standard Nos. 203 and 204, Champagne stated that it will replace the steering wheel and steering

shaft on the 1984 Mitsubishi Pajero with U.S.-model components.

NHTSA has reviewed each of the issues that Mitsubishi has raised regarding Champagne's petition. NHTSA believes that Champagne's responses adequately address each of those issues. NHTSA further notes that the modifications described by Champagne have been performed with relative ease on thousands of nonconforming vehicles imported over the years, and would not preclude the 1984 Mitsubishi Pajero from being found "capable of being readily altered to comply with applicable motor vehicle safety standards."

NHTSA has accordingly decided to grant the petition.

Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP-170 is the vehicle eligibility number assigned to vehicles admissible under this decision.

Final Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that a 1984 Mitsubishi Pajero that was not originally manufactured to comply with all applicable Federal motor vehicle safety standards, is substantially similar to a 1984 Mitsubishi Montero that was originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. § 30115, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Authority: 49 U.S.C. 30141 (a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: August 29, 1996.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.
[FR Doc. 96-22538 Filed 9-4-96; 8:45 am]

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[Docket No. 96-094; Notice 1]

Notice of Receipt of Petition for Decision That Nonconforming 1995 Audi S6 Avant Quattro Wagons Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice of receipt of petition for decision that nonconforming 1995 Audi S6 Avant Quattro Wagons are eligible for importation.

SUMMARY: This notice announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that a 1995 Audi S6 Avant Quattro Wagon that was not originally manufactured to comply with all applicable Federal motor vehicle safety standards is eligible for importation into the United States because (1) it is substantially similar to a vehicle that was originally manufactured for importation into and sale in the United States and that was certified by its manufacturer as complying with the safety standards, and (2) it is capable of being readily altered to conform to the standards.

DATE: The closing date for comments on the petition is October 7, 1996.

ADDRESS: Comments should refer to the docket number and notice number, and be submitted to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 9:30 am to 4 pm]

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A) (formerly section 108(c)(3)(A)(i)(I) of the National Traffic and Motor Vehicle Safety Act (the Act)), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115 (formerly section 114 of the Act), and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR Part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the Federal Register of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then