



This document is scheduled to be published in the Federal Register on 12/07/2016 and available online at <https://federalregister.gov/d/2016-29268>, and on FDsys.gov

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2015-0104; Notice 1]

**Notice of Receipt of Petition for Decision that
Nonconforming Model Year 2013 and 2014 Ferrari F12 Berlinetta
Passenger Cars Are Eligible for Importation**

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

ACTION: Receipt of petition.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that model year (MY) 2013 and 2014 Ferrari F12 Berlinetta passenger cars (PCs) that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS), are eligible for importation into the United States because (1) they are substantially similar to vehicles that were originally manufactured for sale in the United States and certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the MY 2013 and 2014 Ferrari F12 Berlinetta PC), and (2) they are capable of being readily altered to conform to the standards.

DATE: The closing date for comments on the petition is **[30 days after publication in the Federal Register]**.

ADDRESSES: Comments should refer to the docket and notice numbers above and be submitted by any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue S.E., West Building Ground Floor, Room W12-140, Washington, D.C. 20590-0001
- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue S.E., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- *Fax:* 202-493-2251

INSTRUCTIONS: Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that

all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the *Federal Register* published on April 11, 2000 (65 FR 19477-78).

How to Read Comments submitted to the Docket: You may read the comments received by Docket Management at the address and times given above. You may also view the documents from the Internet at <https://www.regulations.gov>. Follow the online instructions for accessing the dockets. The docket ID number and title of this notice are shown at the heading of this document notice. Please note that even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically search the Docket for new material.

FOR FURTHER INFORMATION CONTACT: George Stevens, Office of Vehicle Safety Compliance, NHTSA (202-366-5308).

SUPPLEMENTARY INFORMATION:Background

Under 49 U.S.C. § 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS 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, 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 FMVSS.

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.

G&K Automotive Conversion, Inc. (G&K) of Santa Ana, California (Registered Importer R-90-007) has petitioned NHTSA

to decide whether nonconforming MY 2013 and 2014 Ferrari F12 Berlinetta PCs are eligible for importation into the United States. The vehicles which G&K believes are substantially similar are MY 2013 and 2014 Ferrari F12 Berlinetta PCs sold in the United States and certified by their manufacturer as conforming to all applicable FMVSS.

The petitioner claims that it compared non-U.S. certified MY 2013 and 2014 Ferrari F12 Berlinetta PCs to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

G&K submitted information with its petition intended to demonstrate that non-U.S. certified MY 2013 and 2014 Ferrari F12 Berlinetta PCs, as originally manufactured, conform to many applicable FMVSS in the same manner as their U.S.-certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that the non U.S.-certified MY 2013 and 2014 Ferrari F12 Berlinetta PCs, as originally manufactured, conform to: Standard Nos. 102 Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect, 103 Windshield Defrosting and Defogging Systems, 104 Windshield Wiping and Washing Systems,

106 Brake Hoses, 113 Hood Latch System, 116 Motor Vehicle Brake Fluids, 118 Power-Operated Window, Partition, and Roof panel System, 124 Accelerator Control Systems, 135 Light Vehicle Brake Systems, 139 New Pneumatic Radial Tires for Light Vehicles, 201 Occupant Protection in Interior Impact, 202a Head Restraints, 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, 212 Windshield Mounting, 216 Roof Crush Resistance, 219 Windshield Zone Intrusion, and 302 Flammability of Interior Materials.

The petitioner also contends that the subject non-U.S certified vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 Controls and Displays: the speedometer and associated software must be modified to indicate vehicle speed in miles per hour (MPH).

Inspection of all vehicles and modification of any vehicles that fail to have all required displays and indicators function as required by the standard such that they comply with the standard.

Standard No. 108 Lamps, Reflective Devices and Associated Equipment: installation of front and rear side marker lamps with U.S.-conforming components.

Inspection of all vehicles and installation of U.S.-model headlamps on vehicles not already so equipped to ensure that the vehicles meet the requirements of this standard.

Standard No. 110 Tire Selection and Rims: installation of the required tire information placard.

Standard No. 111 Rearview Mirrors: inscription of the required warning statement on the face of the passenger side rearview mirror.

Standard No. 114 Theft Protection: program the warning system to be activated when the key is left in the locking device and the driver's door is open to comply with the requirements of this standard.

Standard No. 138 Tire Pressure Monitoring Systems: inspect each vehicle to make sure the TPMS system has the [same] required functions as the US-companion model.

Standard No. 208 Occupant Crash Protection: the passenger side air bag control system must be reprogrammed so that the advanced air bag system function is identical to the US-companion model.

Standard No. 214 Side Impact Protection: verify the door beams on every incoming vehicle are original.

Standard No. 401 Interior Trunk Release: installation of a U.S.-model interior trunk release system.

Standard No. 225 Child Restraint Anchorage Systems: installation of a U.S. model child restraint anchorage system.

Standard No. 301 Fuel System Integrity: all vehicles must be inspected and any non U.S.-model fuel system components must be replaced with U.S.-model components to meet the requirements of the standard.

The petitioner additionally states that a vehicle identification plate must be affixed to the vehicle near the left windshield pillar to meet the requirements of 49 CFR part 565.

Because the subject petition covers nonconforming vehicles that have been manufactured on or after September 1, 2006, compliance with the advanced air bag requirements of FMVSS No. 208 is of significant concern to the agency. NHTSA is therefore particularly interested in comments regarding the ability of a Registered Importer to readily alter the subject vehicles to fully meet the driver and front outboard passenger frontal crash protection and child passenger protection requirements of FMVSS No. 208. The following is a partial listing of the components that may be affected:

- a. Driver's frontal air bag module
- b. Passenger frontal air bag module
- c. Passenger frontal air bag cover
- d. Knee air bags
- e. Knee bolsters
- f. Passenger outboard frontal seat belt system
- g. Driver and front outboard seat assemblies including seat tracks and internal seat components
- h. Steering wheel components, including the clock spring assembly, the steering column, and all connecting components
- i. Instrument panel
- j. Instrument panel support structure (i.e. cross beam)
- k. Occupant sensing and classification systems, including sensors and processors
- l. Restraint control modules
- m. Passenger air bag status indicator light system, including related display components and wiring
- n. Wiring harnesses between the restraint control module, occupant classification system and restraint system components
- o. Control system computer software and firmware.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above addresses

both before and after that date. To the extent possible, comments filed after the closing date will also be considered. 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), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8.

Jeffrey M. Giuseppe,

Director,

Office of Vehicle Safety Compliance.

BILLING CODE 4910-59-P

[FR Doc. 2016-29268 Filed: 12/6/2016 8:45 am; Publication Date: 12/7/2016]