

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. NHTSA has previously decided that a number of individual models within the 1995-1999 BMW 7 Series are eligible for importation and has assigned separate eligibility numbers to each of these models. If the agency ultimately decides to grant this petition, these eligibility numbers will be replaced by a single eligibility number that applies to all 1995-1999 BMW 7 Series passenger cars.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, SW, Washington, DC 20590. It is requested but not required that 10 copies be submitted.

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 address 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) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: July 2, 1999.

Marilynne Jacobs,

Director, Office of Vehicle Safety Compliance.
[FR Doc. 99-17310 Filed 7-7-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety Administration**

[Docket No. NHTSA-99-5911]

Notice of Receipt of Petition for Decision That Nonconforming 1987-1999 Kawasaki ZX6, ZX7, ZX9, ZX10, and ZX11 Motorcycles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT

ACTION: Notice of receipt of petition for decision that nonconforming 1987-1999 Kawasaki ZX6, ZX7, ZX9, ZX10, and

ZX11 motorcycles are eligible for importation.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 1987-1999 Kawasaki ZX6, ZX7, ZX9, ZX10, and ZX11 motorcycles that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because (1) They are substantially similar to vehicles that were originally manufactured for importation into and sale in the United States and that were certified by their manufacturer as complying with the safety standards, and (2) they are capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is August 9, 1999.

ADDRESSES: Comments should refer to the docket number and notice number, and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 10 am to 5 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), 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, 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 of Lansdale, Pennsylvania ("Champagne") (Registered Importer 90-009) has petitioned NHTSA to decide whether non-U.S. certified 1987-1999 Kawasaki ZX6, ZX7, ZX9, ZX10, and ZX11 motorcycles are eligible for importation into the United States. The vehicles which Champagne believes are substantially similar are 1987-1999 Kawasaki ZX6, ZX7, ZX9, ZX10, and ZX11 motorcycles that were manufactured for importation into, and sale in, the United States and certified by their manufacturer as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared non-U.S. certified 1987-1999 Kawasaki ZX6, ZX7, ZX9, ZX10, and ZX11 motorcycles to their U.S. certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

Champagne submitted information with its petition intended to demonstrate that non-U.S. certified 1987-1999 Kawasaki ZX6, ZX7, ZX9, ZX10, and ZX11 motorcycles, as originally manufactured, conform to many Federal motor vehicle safety standards 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 non-U.S. certified 1987-1999 Kawasaki ZX6, ZX7, ZX9, ZX10, and ZX11 motorcycles are identical to their U.S. certified counterparts with respect to compliance with Standard Nos. 106 *Brake Hoses*, 111 *Rearview Mirrors*, 116 *Brake Fluid*, 119 *New Pneumatic Tires for Vehicles other than Passenger Cars*, 122 *Motorcycle Brake Systems*, and 205 *Glazing Materials*.

Petitioner additionally contends that the vehicles are capable of being readily altered to meet the following standard, in the manner indicated:

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: installation of U.S.-model head lamp assemblies.

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

Standard No. 123 *Motorcycle Controls and Displays*: installation of a U.S.-model speedometer/odometer calibrated in miles per hour.

The petitioner also states that a vehicle identification number plate will be affixed to the vehicle to meet the requirements of 49 CFR part 565.

Comments should refer to the docket number and be submitted to: Docket Management, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590. It is requested but not required that 10 copies be submitted.

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 address 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) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: July 2, 1999.
Marilynne Jacobs,
Director, Office of Vehicle Safety Compliance.
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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Actions on Exemption Applications

AGENCY: Research and Special Programs Administration, DOT.

ACTION: Notice of actions on Exemption Applications.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's

Hazardous Materials Regulations (49 CFR part 107, subpart B), notice is hereby given of the actions on exemption applications in JANUARY-APRIL 1999. The modes of transportation involved are identified by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail Freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Exemptions. It should be noted that some of the sections cited were those in effect at the time certain exemptions were issued.

Issued in Washington, DC, on June 3, 1999.

J. Suzanne Hedgepeth,
Director, Office of Hazardous Materials, Exemptions and Approvals.

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
Modification Exemptions				
7708-M	DOT-E 7708	Pacific Scientific, (HTL/ KIN-Tech Division) Durate, CA.	49 CFR 173.302(a), 173.3, 178.44.	To modify the exemption to allow for a design change and an increase in service pressure to 6300 psig of a non-specification high-pressure cylinder for shipment of a Division 2.2 material.
8009-M	DOT-E 8009	CP Industries, Inc., McKeesport, PA.	49 CFR 173.301(d) (2), 173.302 (a) (3), 178.37-5.	To modify the exemption to authorize increased ultrasonic scanning speeds on DOT-3AAX cylinders (trailer tubes) made of 4130X steel, for CNG service, at the time of manufacturing.
8602-M	DOT-E 8602	MVE, Inc., New Prague, MN.	49 CFR 173.320	To modify the exemption to provide for alternative testing criteria to be consistent with cryogenic MC-338 cargo tanks.
9162-M	DOT-E 9162	Sun Pipe Line Company, Tulsa, OK.	49 CFR 173.119, 173.304, 173.315.	To modify the exemption to increase the capacity of a trailer equipped with a mechanical displacement meter prover to 153.50 gallons for the transportation of Class 3 or Division 2.1 materials.
9275-M	DOT-E 9275	Estee Lauder Company, Melville, NY.	49 CFR Parts 100-199	To modify the exemption to include flammable deodorant sticks reclassified as a consumer commodity which contain 78-78% ethyl alcohol authorized to be transported as essentially unregulated.
9421-M	DOT-E 9421	Taylor-Wharton Co., Harrisburgh, PA.	49 CFR 173.301(h), 173.302, 173.304, 173.34(a) (1), 175.3, 178.37.	To modify the exemption to authorize the use of ultrasonic inspection in lieu of hydrostatic pressure test and internal visual inspection of non-DOT specification cylinders for use in transporting certain Division 2.1, 2.2 gases and Division 6.1 materials.
9706-M	DOT-E 9706	Taylor-Wharton Co., Harrisburgh, PA.	49 CFR 173.301(h), 173.302, 173.304, 173.34 (a) (1), 175.3, 178.37.	To modify the exemption to authorize the use of ultrasonic inspection in lieu of hydrostatic pressure test and internal visual inspection of non-DOT specification cylinders for use in transporting certain Division 2.1, 2.2 gases and Division 6.1 materials.
9819-M	DOT-E 9819	Halliburton Energy Services, Inc., Duncan, OK.	49 CFR 173.119, 178.253, Part 173, Subpart F.	To modify the exemption to provide for cargo vessel as an additional mode of transportation for use in transporting Class 3 liquids and Class 8 liquids in non-DOT specification stainless steel portable tanks.
10047-M	DOT-E 10047	Taylor-Wharton Co., Harrisburgh, PA.	49 CFR 173.301(h), 173.302(a), 173.304, 173.34 (a) (1), 175.3, 178.37.	To modify the exemption to provide for ultrasonic inspection in lieu of hydrostatic pressure test and internal visual inspection of non-DOT specification cylinder used for transporting certain hazardous materials.
10066-M	DOT-E 10066	Conax Florida Corporation, St. Petersburg, FL.	49 CFR 173.304, 178.36	To modify the exemption to authorize the inflator assembly (P/N 1812-161-01) to be shipped as a separate item; use of a different description/classification for the inflator assembly.