

V. Summary of Autocar's Petition: Autocar described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, Autocar submitted the following reasoning:

(a) Autocar notes that the purpose of the low brake air pressure telltale is to alert the driver to a low air condition, consistent with the requirements of FMVSS No. 121, S5.1.5 (warning signal). The words "BRAKE PRESSURE" instead of "Brake Air," the CMVSS required symbol, and an audible alert that occurs in the subject vehicles would alert the driver to an air issue with the brake system. Once alerted, the driver can check the actual air pressure by reading the primary and secondary air gauges and seeing the contrasting color on the gauges indicating low pressure.

(b) NHTSA stated in a 2005 FMVSS No. 101 rulemaking that the reason for including vehicles over 10,000 pounds GVWR in the application of the standard is that drivers of heavier vehicles need to see and identify their displays just like drivers of lighter vehicles. See 70 FR 48295, 48298 (Aug. 17, 2005). Drivers of commercial vehicles conduct pre-trip daily inspections. For vehicles with pneumatic brake systems, the in-cab air brake checks for warning light and buzzer, at 60 PSI, would familiarize the driver with the specific telltale displayed and audible warning in the event a low-air condition occurred during operation.

(c) There are two scenarios when a low brake air pressure condition could exist: A parked vehicle and a moving vehicle. In both conditions, the driver would be alerted to a low-air condition by the following means:

- Red contrasting color of the telltale indicating "BRAKE PRESSURE"
- Audible alert to the driver as long as the vehicle has low air
- Air pressure gauges for the primary and secondary air reservoirs clearly indicating the level of air pressure in the system
- Red contrasting color on the air gauges indicating pressure below 60 PSI

The functionality of both the parking brake system and the service brake system remains unaffected by using "BRAKE PRESSURE" instead of "Brake Air" for the telltale in the subject vehicles.

(d) NHTSA Precedents—Autocar notes that NHTSA has previously granted petitions for decisions of inconsequential noncompliance for

similar brake telltale issues. See Docket No. NHTSA–2012–0004, 78 FR 69931 (November 21, 2013) (grant of petition for Ford Motor Company); Docket No. NHTSA–2014–0046, 79 FR 78559 (December 30, 2014) (grant of petition for Chrysler Group, LLC); and Docket No. NHTSA–2016–0103, 82 **Federal Register** 17084 (April 7, 2017) (grant of petition for Daimler Trucks North America). In all of these instances, the vehicles at issue did not have the exact requirements listed in FMVSS No. 101 table 2. The available warnings were deemed sufficient to provide the necessary driver warning. Autocar respectfully suggests that the same is true for the subject vehicles: the red "BRAKE PRESSURE" telltale, the audible alert, and the contrasting colors on the air pressure gauges are fully sufficient to warn the driver of a low brake air pressure situation.

Autocar concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

To view Autocar's petition analyses in its entirety you can visit <https://www.regulations.gov> by following the online instructions for accessing the dockets and by using the docket ID number for this petition shown in the heading of this notice.

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 Autocar 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 Autocar 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 M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

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DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee: VA National Academic Affiliations Council Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act that the VA National Academic Affiliations Council (NAAC) will meet via conference call on September 12, 2017, from 11:00 a.m. to 1:00 p.m. EST. The meeting is open to the public.

The purpose of the Council is to advise the Secretary on matters affecting partnerships between VA and its academic affiliates.

On September 12, 2017, the Council will explore current regulatory proposals to limit the duration of administrative leave available to Federal employees and the possible impact on VA's educational mission; discuss the prohibition on VA employees engaging in teaching activities with for-profit educational institutions; prioritize previous Council recommendations for renewed policy focus; and receive updates on: VA's graduate medical education expansion initiative, the NAAC's Diversity and Inclusion Subcommittee, and VA's August 2017 Health Professions Education Summit in Iron Mountain, MI. The Council will receive public comments from 12:45 p.m. to 1:00 p.m. EST.

Interested persons may attend and/or present oral statements to the Council. The dial in number to attend the conference call is: 1–800–767–1750. At the prompt, enter access code 45206 then press #. Individuals seeking to present oral statements are invited to submit a 1–2 page summary of their comments at the time of the meeting for inclusion in the official meeting record. Oral presentations will be limited to five minutes or less, depending on the number of participants. Additionally, interested parties may also provide written comments for review by the Council prior to the meeting or at any time, via email to Steve.Trynosky@va.gov, or by mail to Stephen K. Trynosky J.D., M.P.H., M.M.A.S., Designated Federal Officer, Office of Academic Affiliations (10A2D), 810 Vermont Avenue NW., Washington, DC

20420. Any member of the public wishing to participate or seeking additional information should contact

Mr. Trynosky via email or by phone at (202) 461-6723.

Dated: August 11, 2017.

Jelessa M. Burney,
Federal Advisory Committee Management Officer.

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