

those companies. The Agency monitors the safety of the affiliated carriers through SMS and will take action on those carriers, as appropriate.

To date, no carriers have failed the PASA. The Act only requires publication of data for carriers receiving operating authority, as failure to successfully complete the PASA precludes the carrier from being granted authority to participate in the long-haul pilot program. FMCSA will publish this information to show motor carriers that failed to meet U.S. safety standards.

Request for Comments

In accordance with the Act, FMCSA requests public comment from all interested persons on the PASA information presented in this notice. All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, the FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

FMCSA notes that under its regulations, preliminary grants of authority, pending the carrier's showing of compliance with insurance and process agent requirements and the resolution of any protests, are publically noticed through publication in the FMCSA Register. Any protests of such grants must be filed within 10 days of publication of notice in the FMCSA Register.

Larry W. Minor,

Associate Administrator, Office of Policy,
Federal Motor Carrier Safety Administration.

[FR Doc. 2012-19564 Filed 8-8-12; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2012-0006; Notice 1]

General Motors, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Receipt of Petition.

SUMMARY: General Motors, LLC (GM)¹ has determined that certain model year 2012; Cadillac SRX, Chevrolet Equ

an occupant or a Child Restraint System (CRS) is in the front passenger seat, the occupant classification system will operate as designed, and will enable or disable the air bag, as intended, and continue to meet the requirements of FMVSS No. 208 in all other regards. As a result, all occupants will continue to receive the benefit of the air bag when they otherwise would, regardless of whether or not the telltale is operating properly during a particular ignition cycle.

B. The noncompliance condition is an extremely remote event. The noncompliance condition will not occur unless the engine is shut off and restarted within about 24 seconds. Even then, the condition will not occur unless the ignition key spends less than a hundredth of a second in the RUN position before reaching the START position, and the crank power mode lasts less than 1.2 seconds. These are very prescribed, unusual conditions. GM discovered the condition during an assembly plant end of line audit when it was noted that the telltale illuminated OFF when an adult passenger was present. GM is not aware of any reports in the field about the condition.

When this condition occurs, it sets a Diagnostic Trouble Code (DTC) that is stored in history in the sensing diagnostic module for 100 ignition cycles. GM reviewed its test fleet experience for the subject vehicles, and determined that the conditions needed to produce the telltale error will occur on average once every 535 days, or approximately, once every 18 months regardless of whether the front passenger seat is occupied or not.

C. Even if the air bag was enabled when the telltale indicated it was disabled, that would be extremely unlikely to increase the risk to motor vehicle safety. A potential safety risk could exist if the telltale indicated the air bag was OFF when the air bag was actually ON and a small child or CRS was placed in the front passenger seat. As explained in more detail below, this is extremely unlikely to occur in the present case. Parents and caregivers are warned to properly restrain small children and CRSs in the rear seat, and field data shows small children and CRSs are generally not placed in the front seat. In addition, GM has conducted significant testing to help assure that the air bag suppression system will properly disable the air bag system for small children and CRSs, as designed.

1. Children and CRSs generally are not placed in the front seat. It is very unlikely that a small child or a CRS would be placed in the front seat since

parents and caregivers are routinely advised by NHTSA, pediatricians, child safety advocacy groups, and public service messages to properly restrain them in the rear seat. As NHTSA states in its Child Safety Recommendations for All Ages, "All children under 13 should ride in the back seat."

In addition, the label on the vehicle's sun visor warns against placing a rear facing infant seat in the front passenger seat, and the owner's manual warns against placing children in the front seat, as well, even for vehicles equipped with a passenger sensing system.

Publicly available data confirms that parents and caregivers generally do not place small children in the front passenger seat. According to GM's calculations using National Accident Sampling System (NASS) data, six month old, three year old and six year old children collectively are likely to occupy the front passenger seat during less than one half of one percent of all trips. This fact, together with the infrequency with which the noncompliance condition occurs, makes it extremely unlikely that a child or CRS would be placed in the front seat when the conditions needed to produce the telltale error occur.</

CRSs are placed in the front less than one percent of the time. More importantly, GM has conducted more than 10,000 tests confirming that the air bag system in over 93 percent of the subject vehicles will properly characterize occupants and CRSs, so that the air bag will or will not be suppressed, as appropriate. With respect to the remaining vehicles, the air bag system was enabled or disabled, as desired, over 99.8 percent of the time in GM's testing. Even so, the chance that a CRS would be installed in the front seat for the first time, at the same time that the noncompliance occurred, would be even more remote. GM has additionally informed NHTSA that it has corrected the noncompliance so that all future production vehicles will comply with FMVSS No. 208.

In summation, GM believes that the described noncompliance of its vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt 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.

Comments

Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited at the beginning of this notice and be submitted by any of the following methods:

a. *By mail addressed to:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

b. *By hand delivery to:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.

c. *Electronically:* by logging onto the Federal Docket Management System (FDMS) Web site at <http://www.regulations.gov/>. Follow the online instructions for submitting comments. Comments may also be faxed to 1-202-493-2251.

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 <http://www.regulations.gov>, including any personal information provided.

Documents submitted to a docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at <http://www.regulations.gov> by following the online instructions for accessing the dockets