

purporting to show compliance using the approved GM test. To evaluate the compliance of the subject vehicles with FMVSS No. 206's transverse inertia load requirements based on the approved 1967 GM dynamic pulse test, NHTSA likely would test the vehicles using the approved GM test. However, the agency does not have an in-house test procedure for the 1967 GM dynamic pulse test and we likely would develop one to evaluate the latch on the subject vehicles. This effort would be time consuming, likely would involve some trials and subsequent refinements (and therefore would be expensive), and would be of no broad-based benefit to the agency.

Assuming that NHTSA were to undertake testing, there would be significant practical difficulties. The subject vehicles were sold to their first purchasers about eight or more years ago. Programmatically, NHTSA has tested new, rather than used, vehicles for compliance with FMVSSs because NHTSA's burden would be to demonstrate that the vehicle did not comply at the time of sale or offer for sale. It is extremely unlikely that new vehicles for the model years in question could be obtained. In view of these limiting circumstances, NHTSA could consider expending some of its limited funds to have a test vehicle or vehicle subassembly containing a new latch system assembly identical to the original Ford latch assembly manufactured. The specifics of the test assembly would have to be developed in conjunction with the development of the test procedure. Such an approach would be novel and might be challenged on various grounds, including whether testing was permissible and whether the test assembly replicated or was representative of latches in the subject vehicles.

Even if NHTSA decided to invest considerable resources and time in such an investigation, the agency could issue an order finding noncompliance only after giving Ford an opportunity for an administrative hearing, and the agency would have the burden of substantiating such an order in a *de novo* proceeding in Federal court. In any such proceeding, Ford likely would present its simulation analysis that used commercially available dynamic analysis software, Working Model™. Ford's Working Model™ simulation was detailed and based on the dimensional specifications of the components. The acceleration pulse used in the simulation analysis was based on the NHTSA approved GM dynamic pulse test for certification to the transverse inertia load requirements

of FMVSS No. 206. The simulation analysis methodology also included conservative measures where spring forces and part masses were set to levels, based either on design or measured values, that would provide the least contribution to maintaining a latched position. The effects of friction were also eliminated since those forces would improve latch performance by tending to resist unlatching. Based on our preliminary review, NHTSA would be very unlikely to develop sufficient evidence to overcome the simulation analysis conducted by Ford. Even if NHTSA were somehow to prevail in making such a case, by the time such an order were upheld few if any of the subject vehicles would be within the 10-year age limit for a free remedy under 49 U.S.C. 30120(g).

We have also considered safety issues presented by the latches in our testing and in our database. Our review of available New Car Assessment Program (NCAP) vehicle side impact test data included results for the MY 1999 Ford F150, and MY 2000 Ford F150 extended cab. Each vehicle tested yielded the highest government safety rating of 5–Stars for side impact protection and none of the results from these tests indicated that door unlatching occurred.

Lastly, our review of consumer complaints filed with NHTSA for the model year motor vehicles identified in the subject petition yielded only two cases potentially related to inertia door opening, one of which involved a severe 50 mph rollover crash. Given the three million-plus sales volume for the subject vehicles, the number of years of exposure already experienced by these vehicles, and the low number of alleged incidents reported to the agency, it does not appear that these vehicles are experiencing performance issues in the field.

In view of the available safety-related information that does not indicate the existence of a safety problem, the plausible position taken by Ford with regard to the vehicle's compliance, the substantial resources that would be required to address this matter in detail, and the agency's need to allocate its resources carefully to address issues involving appreciable safety risks, NHTSA has concluded that no further action is warranted. Therefore, the petition is denied.

Authority: 49 U.S.C. 30162(d); delegations of authority at CFR 1.50 and 501.8.

Issued on: May 29, 2008.

Daniel C. Smith,

Associate Administrator for Enforcement.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[NHTSA Docket No. NHTSA–2008–0109]

Meeting Notice—Federal Interagency Committee on Emergency Medical Services

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

ACTION: Meeting Notice—Federal Interagency Committee on Emergency Medical Services.

SUMMARY: NHTSA announces a meeting of the Federal Interagency Committee on Emergency Medical Services to be held in Washington, DC. This notice announces the date, time and location of the meeting, which will be open to the public.

DATES: The meeting will be held on June 23, 2008, from 10 a.m. to 12 Noon.

ADDRESSES: The meeting will be held at the Department of Homeland Security (DHS), Office of Health Affairs, 1120 Vermont Avenue, NW., 4th Floor—Conference Room #1, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT:

Drew Dawson, Director, Office of Emergency Medical Services, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE., NTI–140, Washington, DC 20590; Telephone number (202) 366–9966; E-mail Drew.Dawson@dot.gov.

SUPPLEMENTARY INFORMATION: Section 10202 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy For Users (SAFETEA–LU), Public Law 109–59, provided that the FICEMS consist of several officials from Federal agencies as well as a State emergency medical services director appointed by the Secretary of Transportation. SAFETEA–LU directed the Administrator of NHTSA, in cooperation with the Administrator of the Health Resources and Services Administration of the Department of Health and Human Services and the Director of the Preparedness Division, Directorate of Emergency Preparedness and Response of the Department of Homeland Security, to provide administrative support to the Interagency Committee, including scheduling meetings, setting agendas, keeping minutes and records, and producing reports.

This meeting of the FICEMS will focus on addressing the requirements of SAFETEA–LU and the opportunities for collaboration among the key Federal

agencies involved in emergency medical services. The agenda will include:

- Consideration of the FICEMS Technical Working Group report and recommendations
- Evidence-based Practice Guidelines Process Conference
- Report to Congress discussion
- Briefing on and discussion of the National EMS Information System (NEMSIS)
- Reports, updates, recommendations from FICEMS members
- Report from the National EMS Advisory Council

This meeting will be open to the public. Individuals wishing to register must provide their name, affiliation, phone number, and e-mail address to Drew Dawson by e-mail at Drew.Dawson@dot.gov or by telephone at (202) 366-9966 no later than June 18, 2008. Pre-registration is necessary to comply with security procedures. Picture I.D. must also be provided to enter the DHS Building and it is suggested that visitors arrive 45 minutes early in order to facilitate entry.

Minutes of the FICEMS Meeting will be available to the public online through the DOT Document Management System (DMS) at: <http://www.regulations.gov> under the docket number listed at the beginning of this notice.

Issued on: June 2, 2008.

Jeffrey P. Michael,

Acting Associate Administrator for Research & Program Development.

[FR Doc. E8-12607 Filed 6-4-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2008-0103; Notice 1]

Chrysler, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

Chrysler, LLC (Chrysler) has determined that certain vehicles that it manufactured during the period of March 14, 2006 through March 20, 2008, do not fully comply with paragraph S4.3 of 49 CFR 571.110 (Federal Motor Vehicle Safety Standard (FMVSS) No. 110 *Tire Selection and Rims for Motor Vehicles With a GVWR of 4,536 Kilograms (10,000 Pounds) or Less*). Chrysler has filed an appropriate report pursuant to 49 CFR Part 573, *Defect and Noncompliance Responsibility and Reports*.

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49

CFR part 556), Chrysler has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Chrysler's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Affected are approximately 1,886 model year 2007-2008 Jeep Wrangler right-hand drive (RHD) multipurpose passenger vehicles (MPV).

Paragraphs S4.3 of 49 CFR 571.110 requires in pertinent part that:

S4.3 Placard. Each vehicle, except for a trailer or incomplete vehicle, shall show the information specified in S4.3 (a) through (g), and may show, at the manufacturer's option, the information specified in S4.3 (h) and (i), on a placard permanently affixed to the driver's side B-pillar. In each vehicle without a driver's side B-pillar and with two doors on the driver's side of the vehicle opening in opposite directions, the placard shall be affixed on the forward edge of the rear side door. If the above locations do not permit the affixing of a placard that is legible, visible and prominent, the placard shall be permanently affixed to the rear edge of the driver's side door. If this location does not permit the affixing of a placard that is legible, visible and prominent, the placard shall be affixed to the inward facing surface of the vehicle next to the driver's seating position. This information shall be in the English language and conform in color and format, not including the border surrounding the entire placard, as shown in the example set forth in Figure 1 in this standard. At the manufacturer's option, the information specified in S4.3 (c), (d), and, as appropriate, (h) and (i) may be shown, alternatively to being shown on the placard, on a tire inflation pressure label which must conform in color and format, not including the border surrounding the entire label, as shown in the example set forth in Figure 2 in this standard. The label shall be permanently affixed and proximate to the placard required by this paragraph. The information specified in S4.3 (e) shall be shown on both the vehicle placard and on the tire inflation pressure label (if such a label is affixed to provide the information specified in S4.3 (c), (d), and, as appropriate, (h) and (i)) may be shown in the format and color scheme set forth in Figures 1 and 2.

Chrysler stated that the noncompliance is that the required placard was installed on the passenger's side (left side) door on each of the subject RHD vehicles, not on the driver's side (right side) door or B-pillar as required by FMVSS No. 110.

Chrysler explains that the subject vehicles were sold primarily for use by rural postal carriers, since RHD makes it easier for the carriers to access

mailboxes located along the right side of the roadway. The relevant portion of S4.3 of FMVSS No. 110, entitled "Placard," provides as follows: "Each vehicle, except for a trailer or incomplete vehicle, shall show the information specified in S4.3(a) through (g) * * * on a placard permanently affixed to the driver's side B-pillar. In each vehicle without a driver's side B-pillar and with two doors on the driver's side of the vehicle opening in opposite directions, the placard shall be affixed on the forward edge of the rear side door. If the above locations do not permit the affixing of a placard that is legible, visible and prominent, the placard shall be permanently affixed to the rear edge of the driver's side door."

Chrysler further explained that the subject vehicles have placards that contain all of the tire and vehicle loading information required by the various subsections of S4.3. However, because of an inadvertent failure of the assembly plant work instructions to differentiate between RHD and left hand drive (LHD) vehicles in this respect, the placards were inadvertently affixed to the rear edge of the door on the left (passenger) side of the subject vehicles, as opposed to the driver's side door. (Chrysler notes that the subject vehicles do not have a B-pillar with a flat surface that would permit the affixing of a placard that is "legible, visible, and prominent.")

Chrysler states its belief that the fact that the placard required by paragraph S4.3 of the standard was affixed to the left hand door of these RHD vehicles—as opposed to the driver's side door—creates absolutely no risk to motor vehicle safety. All of the relevant tire and loading information is set forth on the placard, and therefore it is readily available to vehicle operators. Moreover, the placard is located at the place where United States drivers are used to looking for it.

Chrysler also states its belief that the operators of the subject vehicles will have almost certainly owned and driven conventional LHD vehicles, so they will have had experience in locating the tire and load information on the left side of their vehicles. And in the extremely unlikely event that an owner has difficulty locating the placard, the owner's manual provided with the subject vehicles shows the location of the placard on the left side door.

Chrysler also makes reference to several previous NHTSA inconsequential noncompliance decisions that in its opinion are similar to the instant one.

Chrysler also notes that it has not received any consumer complaints