

reason for preferring the printed version.

### Conclusion

Given the lack of support from the MUTCD user community, the FHWA will not proceed with splitting the MUTCD into two documents at this time. Instead, we will focus on options that would make the MUTCD easier to use. We believe that focusing on these types of options while continuing to explore ways to enhance and streamline the current MUTCD updating process will best serve the user community. The FHWA will use the valuable information offered in the responses to guide our approach to updating the MUTCD.

**Authority:** 23 U.S.C. 101(a), 104, 109(d), 114(a), 217, 315, and 402(a); 23 CFR 1.32; and, 49 CFR 1.85.

Issued On: June 8, 2013.

**Victor M. Mendez,**

*Administrator, Federal Highway Administration.*

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**BILLING CODE 4910-22-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 232

[Docket ID: DoD-2013-OS-0133]

RIN 0790-AJ10

#### Limitations on Terms of Consumer Credit Extended to Service Members and Dependents

**AGENCY:** Department of Defense.

**ACTION:** Advanced notice of proposed rulemaking.

**SUMMARY:** The Department of Defense (the Department or DoD) issues this advanced notice of proposed rulemaking (ANPR) regarding enhancement of the protections that apply to consumer credit extended to members of the armed forces and their dependents, such as by a provision (as proposed in a recent Senate bill) that would require the Secretary of Defense to develop a policy on the predatory extension of credit through installment loans that target members of the armed forces and their dependents. This ANPR requests comment on the need to revise the Department's existing regulation that, in general, imposes certain limits on and requires certain disclosures relating to the provision of consumer credit to a covered borrower.

**DATES:** Comments must be received by August 1, 2013.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350-3100.

*Instructions:* All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** Marcus Beauregard, (571) 372-5357.

**SUPPLEMENTARY INFORMATION:** DoD invites comments and recommendations on: (1) The need to revise the implementing regulation (32 CFR part 232) adopted in August 2007,<sup>1</sup> with special attention to the scope of the definition of "consumer credit;" (2) whether there is a need for change, and, if so, any specific revision(s) and why; (3) what should not be included in any revision and why; and (4) examples of alternative programs designed to assist Service members who need small dollar loans.

For background, an excerpt of the text contained on pages 782 and 783 of the Conference Report accompanying H.R. 4310, "National Defense Authorization Act for Fiscal Year 2013" (available at [http://www.dtic.mil/congressional\\_budget/pdfs/FY2013\\_pdfs/AUTH\\_CRPT-112hrpt705.pdf](http://www.dtic.mil/congressional_budget/pdfs/FY2013_pdfs/AUTH_CRPT-112hrpt705.pdf)) referring to this subject is as follows:

"Enhancement of protections on consumer credit for members of the armed forces and their dependents: The Senate amendment contained a provision (sec. 651) that would amend section 987 of title 10, United States Code, to require that vehicle title loans and payday loans, regardless of duration or whether they are open- or closed-end, are included within the definition of "consumer credit" contained in regulations promulgated by the Secretary of Defense pursuant to that section. The provision would also require the Secretary to develop a policy on the predatory extension of credit through installment loans that target

members of the armed forces and their dependents. The House bill contained no similar provision. The Senate recedes. The conferees recognize the progress the Department of Defense has made since consumer protections for military members and their dependents against predatory lending were enacted in the John Warner National Defense Authorization Act for Fiscal Year 2007 (Pub. L. 109-364), codified in section 987 of title 10, United States Code. A recent report by the Consumer Federation of America, *The Military Lending Act Five Years Later*, found that "the law has been largely effective in curbing predatory . . . lending to covered borrowers." Nevertheless, the report found that many predatory lenders have modified their products to avoid coverage by the Department's rules implementing section 987, and recommended that "the Department of Defense . . . conduct an internal study of service members, financial counselors, and legal assistance/JAG officers to ascertain the impact of the current set of . . . rules on the use of defined products, problems caused by similar and emerging products, and the use of allotments to pay for commercial credit."

"The conferees are concerned that the Department must remain vigilant to eliminate continuing, evolving predatory lending practices targeting service members and their families, and believe the Department should review its regulations implementing section 987, to address changes in the industry and the evolution of lending products offered since 2007, continuing use of predatory marketing practices, and other abuses identified by consumer protection advocates, including the Consumer Financial Protection Bureau's Office of Servicemember Affairs. The conferees direct the Secretary to conduct surveys of counselors, legal assistance attorneys, service members, and other appropriate personnel, and to consult with both consumer protection advocacy groups and representatives of the financial services industry to determine if changes to rules implementing section 987 are necessary to protect covered borrowers from continuing and evolving predatory lending practices, and to report to the Committees on Armed Services of the Senate and House of Representatives no later than 1 year after the date of enactment of this Act on the results of such review."

Comments and recommendations received in response to this ANPR will be reviewed as part of a proposed rulemaking, which may be the next step in this process.

<sup>1</sup> See *Limitations on Terms of Consumer Credit Extended to Service Members and Dependents*, 72 FR 50580-50594 (August 31, 2007).

Dated: June 11, 2013.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2013-14321 Filed 6-14-13; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 85, 86, 1036, 1037, 1039, 1042, 1048, 1054, 1065, 1066, 1068**

[EPA-HQ-OAR-2012-0102; FRL 9772-2]

RIN 2060-AR48

**Heavy-Duty Engine and Vehicle, and Nonroad Technical Amendments**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** EPA is proposing to amend provisions in the Medium- and Heavy-Duty Greenhouse Gas Emissions and Fuel Efficiency final rule issued on September 15, 2011. These proposed amendments would eliminate duplicative reporting requirements, reduce inadvertent minor differences between the EPA and NHTSA programs regarding such matters as voluntary early model year compliance, better align testing procedures to market realities, and reduce unnecessary testing burdens. EPA is also proposing to amend several regulations by: Adjusting the provisions of the replacement engine exemption; expanding EPA’s discretion to allow greater flexibility under the Transition Program for Equipment Manufacturers related to the Tier 4 standards for nonroad diesel engines; specifying multiple versions of the applicable SAE standard for demonstrating that fuel lines for nonroad spark-ignition engines above 19 kilowatts meet permeation requirements; and allowing for the use of the ethanol-based test fuel specified by the California Air Resources Board for nonroad spark-ignition engines at or below 19 kilowatts. Some of the

individual provisions of this action may have minor impacts on the costs and emission reductions of the underlying regulatory programs amended in this action, though in most cases these are simple technical amendments. For those provisions that may have a minor impact on the costs or benefits of the amended regulatory program, any potential impacts would be small and we have not attempted to quantify the potential changes.

**DATES:** Comments on all aspects of this proposal must be received on or before July 17, 2013. See the **SUPPLEMENTARY INFORMATION** section on “Public Participation” for more information about written comments.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2012-0102, by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *Email:* [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov).
- *Fax:* (202) 566-9744.
- *Mail:* Air and Radiation Docket and Information Center, Environmental Protection Agency, Air Docket, Mail-code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460.

- *Hand Delivery:* EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC, Attention Docket ID No. EPA-HQ-OAR-2012-0102. Such deliveries are only accepted during the Docket’s normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-HQ-OAR-2012-0102. See the **SUPPLEMENTARY INFORMATION** section on “Public Participation” for additional instructions on submitting written comments.

*Docket:* All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, e.g., information claimed as Confidential Business Information (CBI)

or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the EPA Docket Center, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1742.

**FOR FURTHER INFORMATION CONTACT:**

Angela Cullen, Environmental Protection Agency, Office of Transportation and Air Quality, Assessment and Standards Division, 2000 Traverwood Drive, Ann Arbor, Michigan 48105; telephone number: 734-214-4419; email address: [cullen.angela@epa.gov](mailto:cullen.angela@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**A. Does this action apply to me?**

This proposed action would affect companies that manufacture, sell, or import into the United States new heavy-duty engines and new Class 2b through 8 vehicles, including combination tractors, school and transit buses, vocational vehicles such as utility service trucks, as well as ¾-ton and 1-ton pickup trucks and vans. The heavy-duty category incorporates all motor vehicles with a gross vehicle weight rating of 8,500 pounds or greater, and the engines that power them, except for medium-duty passenger vehicles already covered by the greenhouse gas emissions standards and corporate average fuel economy standards issued for light-duty model year 2012–2016 vehicles (75 FR at 25324, May 7, 2010).

This proposed action also would affect nonroad engine manufacturers.

Regulated categories and entities would include the following:

Category	NAICS Code <sup>a</sup>	Examples of potentially affected entities
Industry .....	336111 336112 333618 336120	Motor Vehicle Manufacturers, Engine and Truck Manufacturers.
Industry .....	541514 811112 811198	Commercial Importers of Vehicles and Vehicle Components.