action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

Dated: August 28, 2012.

By Order of the Maritime Administrator.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2012–21985 Filed 9–6–12; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2012–0105]

Decision That Certain Nonconforming Motor Vehicles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, Department of Transportation.

ACTION: Grant of Petitions.

SUMMARY: This document announces decisions by NHTSA that certain motor vehicles not originally manufactured to comply with all applicable Federal Motor Vehicle Safety Standards (FMVSS) are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for sale in the United States and certified by their manufacturers as complying with the safety standards, and they are capable of being readily altered to conform to the standards or because they have safety features that comply with, or are capable of being altered to comply with, all applicable FMVSS.

DATES: These decisions became effective on the dates specified in Annex A.

FOR FURTHER INFORMATION CONTACT: George Stevens, Office of Vehicle Safety Compliance, NHTSA (202–366–5308).

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 FMVSS 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/or 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 FMVSS.

Where there is no substantially similar U.S.-certified motor vehicle, 49 U.S.C. 30141(a)(1)(B) permits a nonconforming motor vehicle to be admitted into the United States if its safety features comply with, or are capable of being altered to comply with, all applicable FMVSS based on destructive test data or such other evidence as NHTSA decides to be adequate.

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**.

NHTSA received petitions from registered importers to decide whether the vehicles listed in Annex A to this notice are eligible for importation into the United States. To afford an opportunity for public comment, NHTSA published notice of these petitions as specified in Annex A. The reader is referred to those notices for a thorough description of the petitions.

Comments: No substantive comments were received in response to the subject petitions.

NHTSA Decision: Accordingly, on the basis of the foregoing, NHTSA hereby decides that each motor vehicle listed in Annex A to this notice, which was not originally manufactured to comply with all applicable FMVSS, is either substantially similar to a motor vehicle manufactured for importation into and/or sale in the United States, and certified under 49 U.S.C. 30115, as specified in Annex A, and is capable of being readily altered to conform to all applicable FMVSS or has safety features that comply with, or is capable of being altered to comply with, all applicable Federal Motor Vehicle Safety Standards.

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. Vehicle eligibility numbers assigned to vehicles admissible under this decision are specified in Annex A.

Authority: 49 U.S.C. 30141(a)(1)(A), (a)(1)(B) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: August 30, 2012.

Claude H. Harris,

Director, Office of Vehicle Safety Compliance.

ANNEX A

Nonconforming Motor Vehicles Decided to be Eligible for Importation

1. Docket No. NHTSA–2011–0181

Nonconforming Vehicles: 1999 Volkswagen Bora Passenger Car.

Substantially Similar U.S. Certified Vehicles: 1999 Volkswagen New Jetta Passenger Car.

Notice of Petition

Published at: 77 FR 5303 (February 2, 2012).

Vehicle Eligibility Number: VSP–540 (effective date August 8, 2012).

2. Docket No. NHTSA–2012–0035

Nonconforming Vehicles: 1999–2006 Toyota Land Cruiser IFS 100 Series Multipurpose Passenger Vehicles Manufactured prior to September 1, 2006.

Substantially Similar U.S. Certified Vehicles: 1999–2006 Toyota Land Cruiser IFS 100 Series Multipurpose Passenger Vehicles Manufactured prior to September 1, 2006.

Notice of Petition

Published at: 77 FR 20485 (April 4, 2012).

Vehicle Eligibility Number: VSP–539 (effective date July 27, 2012).

3. Docket No. NHTSA–2012–0040

Nonconforming Vehicles: 2006 Left-Hand Drive Land Rover Range Rover Multipurpose Passenger Vehicles Manufactured prior to September 1, 2006.

Substantially Similar U.S. Certified Vehicles: 2006 Left-Hand Drive Land Rover Range Rover Multipurpose Passenger Vehicles Manufactured prior to September 1, 2006.

Notice of Petition

Published at: 77 FR 24264 (April 23, 2012).

Vehicle Eligibility Number: VSP–538 (effective date August 8, 2012).

4. Docket No. NHTSA–2011–0182

Nonconforming Vehicles: 2000–2003 Kawasaki ZR750 Motorcycles.

Substantially Similar U.S. Certified Vehicles: 2000–2003 Kawasaki ZR750 Motorcycles.

Notice of Petition

Published at: 76 FR 82039 (December 29, 2011).

Vehicle Eligibility Number: VSP–537 (effective date February 22, 2012).

5. Docket No. NHTSA–2011–0158

Nonconforming Vehicles: 2002 Jaguar XJ8 Passenger Cars Manufactured for Sale in the Kuwaiti Market.

Substantially Similar U.S. Certified Vehicles: 2002 Jaguar XJ8 Passenger Cars.

Notice of Petition

Published at: 76 FR 69796 (November 9, 2011).

Vehicle Eligibility Number: VSP–536 (effective date December 20, 2011).

6. Docket No. NHTSA–2011–0113

Nonconforming Vehicles: 2009 Dodge RAM 1500 Laramie Crew Cab Trucks Manufactured for the Mexican Market.

Substantially Similar U.S. Certified Vehicles: 2009 Dodge RAM 1500 Laramie Crew Cab Trucks.

Notice of Petition

*Published a*t: 76 FR 49834 (August 11, 2011).

Vehicle Eligibility Number: VSP–535 (effective date September 21, 2011).

7. Docket No. NHTSA–2012–0031

Nonconforming Vehicles: Right-Hand Drive 2000–2003 Jeep Wrangler Multi-Purpose Passenger Vehicles.

Because there are no substantially similar U.S.-certified version Right-Hand Drive 2000–2003 Jeep Wrangler Multi-Purpose Passenger Vehicles the petitioner sought import eligibility under 49 U.S.C. 30141(a)(1)(B).

Notice of Petition

Published at: 77 FR 17567 (March 26, 2012).

Vehicle Eligibility Number: VCP–50 (effective date July 27, 2012).

8. Docket No. NHTSA–2012–0030

Nonconforming Vehicles: 2005 Ifor Williams LM85G Trailers.

Because there are no substantially similar U.S.-certified version 2005 Ifor Williams LM85G Trailers the petitioner sought import eligibility under 49 U.S.C. 30141(a)(1)(B).

Notice of Petition

Published at: 77 FR 17568 (March 26, 2012).

Vehicle Eligibility Number: VCP–49 (effective date May 7, 2012).

9. Docket No. NHTSA–2011–0157

Nonconforming Vehicles: 1987–1994 ALPINA Burkard Bovensiepen GmbH B11 Sedan Model Passenger Cars.

Because there are no substantially similar U.S.-certified version 1987–1994 ALPINA Burkard Bovensiepen GmbH B11 Sedan Model Passenger Cars the petitioner sought import eligibility under 49 U.S.C. 30141(a)(1)(B).

Notice of Petition

Published at: 76 FR 69323 (November 8, 2011).

Vehicle Eligibility Number: VCP–48 (effective date December 19, 2011).

[FR Doc. 2012–22034 Filed 9–6–12; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35666]

Union Pacific Railroad Company—Acquisition and Operation Exemption—San Pedro Railroad Operating Company, LLC

Union Pacific Railroad Company (UP) has filed a verified notice of exemption under: (1) 49 CFR 1180.2(d)(1) to acquire and operate over San Pedro Railroad Operating Company, LLC's (SPROC) line segments between MP 1040.15 at Curtiss, Ariz., and MP 1041.32 near Curtiss (Parcel 1), and between MP 1071.16 and MP 1084 at Naco, Ariz. (Parcel 2), and to acquire all of SPROC's property rights, including SPROC's freight operating easement, in a line segment between MP 1041.32 and MP 1071.16 (Parcel 3),[1] whose underlying right-of-way UP currently owns, and to operate over the same; and (2) 49 CFR 1180.2(d)(7) to acquire overhead trackage rights over a line between MP 1033.008 at Benson, Ariz., and MP 1040.15 at Curtiss (Leased Line), that SPROC currently leases from UP and operates.[2]

The earliest this transaction may be consummated is September 22, 2012, the effective date of the exemption (30 days after the exemption was filed).

According to UP, the purpose of assuming the rail operations over Parcels 1, 2, and 3, and acquiring the overhead trackage rights over the Leased Line is to maintain continuity of railroad service on the Curtiss Branch Line and preserve the Curtiss Branch Line for future and improved railroad service. UP states that acquiring the overhead trackage rights over the Leased Line would also provide the connection necessary for UP to serve and operate the southern portion of the Curtiss Branch Line.

In support of the exemption filed under § 1180.2(d)(1), UP states the Board previously granted SPROC the authority to abandon Parcels 1, 2, and 3, and that UP's acquisition of, and authority to operate over, those portions would not constitute a major market extension for UP because: (1) The Curtiss Branch Line does not extend to the international border with Mexico; (2) the Curtiss Branch Line is not in or near any major commercial markets or rail routes; (3) except for the Leased Line, the entire Curtiss Branch Line was approved for abandonment by the Board; and (4) UP currently retains real property ownership of the majority of the right-of-way that makes up the Curtiss Branch Line. In support of the exemption filed under § 1180.2(d)(7), the overhead trackage rights sought by UP over the Leased Line are based on a written agreement and such rights were neither filed nor sought by UP in a responsive application in a rail consolidation proceeding.

The acquisition exemption is subject to the conditions for the protection of railroad employees in *New York Dock Railway—Control—Brooklyn Eastern District Terminal,* 360 I.C.C. 60 (1979), *aff'd sub nom. New York Dock Railway* v. *United States,* 609 F.2d 83 (2d Cir. 1979), *as modified by Wilmington Terminal Railroad—Purchase & Lease—CSX Transportation, Inc.,* 6 I.C.C. 2d 799, 814–26 (1990), *aff'd sub nom. Railway Labor Executives' Association* v. *ICC,* 930 F.2d 511 (6th Cir. 1991). As a condition to the trackage rights exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.,* 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad,* 360 I.C.C. 653 (1980).

If the notice contains false or misleading information, the exemption is void *ab initio.* Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of

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[1] In *San Pedro Railroad Operating Company, LLC—Abandonment Exemption—In Cochise County, Ariz.,* AB 1081X (STB served Feb. 3, 2006), the Board granted SPROC an exemption to abandon approximately 76.2 miles of railroad in Cochise County, Ariz., including Parcels 1, 2, and 3 at issue here. SPROC has sought, and received from the Board, numerous extensions of the abandonment authority consummation deadline for Parcels 1, 2, and 3, the last of which set the consummation deadline at September 24, 2012. *San Pedro R.R. Operating Co.—Aban. Exemption—In Cochise Cnty., Ariz.,* AB 1081X (STB served July 5, 2012).

[2] UP has included a copy of the proposed trackage rights agreement between UP and SPROC and states that a copy of the signed agreement will be filed with the Board within 10 days of the filing of the subject verified noticed of exemption.