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**FOR FURTHER INFORMATION CONTACT:** Tyneka L. Thomas, 202-267-7626, or Ralen Gao, 202-267-3168, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC on April 9, 2010.

**Pamela Hamilton-Powell,**  
Director, Office of Rulemaking.

### Petition for Exemption

*Docket No.:* FAA-2009-0968.

*Petitioner:* AirMed International, LLC.  
*Section of 14 CFR Affected:* 135.364.

#### Description of Relief Sought

AirMed International, LLC (AirMed) seeks relief from § 135.364 which would allow AirMed to receive extended operations approval to operate its Hawker Beechcraft on a planned route that exceeds 180 minutes flying time outside the continental United States.

[FR Doc. 2010-8579 Filed 4-14-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Petition for Exemption From the Vehicle Theft Prevention Standard; Saab

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Grant of petition for exemption.

**SUMMARY:** This document grants in full the Saab Cars North America, Inc.'s (Saab) petition for exemption of the 9-5 vehicle line in accordance with 49 CFR part 543, *Exemption from the Theft Prevention Standard*. This petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard (49 CFR part 541).

**DATES:** The exemption granted by this notice is effective beginning with the 2011 model year.

**FOR FURTHER INFORMATION CONTACT:** Ms. Deborah Mazyck, Office of International

Policy, Fuel Economy and Consumer Programs, NHTSA, West Building, W43-443, 1200 New Jersey Avenue, SE., Washington, DC 20590. Ms. Mazyck's telephone number is (202) 366-0846. Her fax number is (202) 493-2990.

**SUPPLEMENTAL INFORMATION:** In a petition dated March 1, 2010, Saab requested an exemption from the parts-marking requirements of the Theft Prevention Standard (49 CFR part 541) for the MY 2011 Saab 9-5 vehicle line. The petition requested an exemption from parts-marking pursuant to 49 CFR part 543, *Exemption from Vehicle Theft Prevention Standard*, based on the installation of an antitheft device as standard equipment for the entire vehicle line.

Under § 543.5(a), a manufacturer may petition NHTSA to grant exemptions for one vehicle line per model year. In its petition, Saab provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the Saab 9-5 vehicle line. Saab will install its passive transponder-based, electronic immobilizer antitheft device as standard equipment on its 9-5 vehicle line beginning with MY 2011. Major components of the antitheft device will include a body control module (BCM), passive entry passive start module (PEPS), intrusion/inclination sensor, an immobilizer control module and a user identification device (UID). Activation of the immobilization device occurs when the ignition is turned to the "OFF" position. Saab will also install an audible and visual alarm system on the 9-5 as standard equipment. Saab's submission is considered a complete petition as required by 49 CFR 543.7, in that it meets the general requirements contained in § 543.5 and the specific content requirements of § 543.6.

Saab stated that before the vehicle can operate, driver authentication must be performed by communication between the PEPS and the BCM jointly with the UID (key fob). Additionally, verification of the electronic code is required to allow the transmission shift lever to unlock. When the Engine Start/Stop button on the instrument panel is pressed, the vehicle transmits a randomly generated 32-bit challenge and identifier. If the data matches the command and response values, authorizations are sent within the BCM to allow the vehicle to operate. Saab stated that, if incorrect responses are received at any point in the process, or if a response is not received, the system will inhibit operation of the engine.

The Saab 9-5 is equipped with a vehicle alarm system (VAS). The VAS

consists of an ultrasonic sensor and vehicle inclination sensor. Any attempt to enter the vehicle by means other than the key will be detected by the VAS. Saab stated that when an unauthorized person has entered the vehicle after the system has been set, the signal lights will flash, and the horn and an additional siren alarm will provide a warning. The VAS monitors the doors, engine hood and trunk lid. Additionally, Saab stated that any attempt to access any of the system components will activate the VAS.

In addressing the specific content requirements of 543.6, Saab provided a detailed list of the tests conducted and believes that the device is reliable and durable since the device complied with its specified requirements for each test. Specifically, Saab stated that the design and assembly processes of the antitheft subsystems and components were validated for climatic, mechanical and chemical environments under the General Motors Corporation validation procedures.

In support of its belief that its antitheft device will be as effective as compliance with the parts marking requirements in reducing and deterring vehicle theft, Saab referenced the American Automobile Manufacturers Association response to Docket 97-042; NHTSA Request for Comments on its preliminary report to Congress on the effects of the Anti Car theft Act of 1984 provides data supporting that the antitheft device will be effective in reducing and deterring motor vehicle theft. Additionally, Saab stated that the 2011 9-5 antitheft device, which was introduced on the 2003 Saab 9-3, has been designed to enhance the functionality and theft protection provided by Saab's first generation antitheft system. The Saab 9-3 was formerly named the Saab 900. The antitheft device installed on the Saab 9-3 (Saab 900) was granted an exemption from the parts-marking requirements. (See 62 FR 55453).

Saab provided data on the effectiveness of the antitheft device installed on its 9-3 vehicle line in support of the belief that its device will be at least as effective as those comparable devices previously granted exemptions by the agency. The agency's 2007 theft data showed that the theft rate for the 9-3 vehicle line has remained consistently low. The average theft rate using three MY's data for the 9-3 is 0.4690. Based on the theft rate experience of the 9-3 vehicle line and the additional advanced technology utilized in the current 9-5 antitheft system, Saab believes that the Saab 9-5 will be more effective in deterring

theft than the parts-marking requirements of 49 CFR 541.

Based on the supporting evidence submitted by Saab on the device, the agency believes that the antitheft device for the 9–5 vehicle line is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard (49 CFR 541). The agency concludes that the device will provide the five types of performance listed in § 543.6(a)(3): promoting activation; attracting attention to the efforts of unauthorized persons to enter or operate a vehicle by means other than a key; preventing defeat or circumvention of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device.

Pursuant to 49 U.S.C. 33106 and 49 CFR 543.7(b), the agency grants a petition for exemption from the parts-marking requirements of part 541 either in whole or in part, if it determines that, based upon substantial evidence, the standard equipment antitheft device is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts marking requirements of part 541. The agency finds that Saab has provided adequate reasons for its belief that the antitheft device for the Saab vehicle line is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard (49 CFR part 541). This conclusion is based on the information Saab provided about its device.

For the foregoing reasons, the agency hereby grants in full Saab's petition for exemption for the Saab 9–5 vehicle line from the parts-marking requirements of 49 CFR part 541, beginning with the 2011 model year vehicles. The agency notes that 49 CFR part 541, Appendix A–1, identifies those lines that are exempted from the Theft Prevention Standard for a given model year. 49 CFR part 543.7(f) contains publication requirements incident to the disposition of all Part 543 petitions. Advanced listing, including the release of future product nameplates, the beginning model year for which the petition is granted and a general description of the antitheft device is necessary in order to notify law enforcement agencies of new vehicle lines exempted from the parts-marking requirements of the Theft Prevention Standard.

If Saab decides not to use the exemption for this line, it must formally notify the agency. If such a decision is made, the line must be fully marked

according to the requirements under 49 CFR Parts 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if Saab wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Part 543.7(d) states that a Part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the anti-theft device on which the line's exemption is based. Further, Part 543.9(c)(2) provides for the submission of petitions "to modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption."

The agency wishes to minimize the administrative burden that Part 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting Part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes, the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify.

**Authority:** 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: April 12, 2010.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. 2010–8660 Filed 4–14–10; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

**[Docket No. FMCSA–1999–6480; FMCSA–2003–16564; FMCSA–2005–23238; FMCSA–2005–21254; FMCSA–2005–21711; FMCSA–2005–22727; FMCSA–2007–0017; FMCSA–2007–0071; FMCSA–2008–0021]**

### Qualification of Drivers; Exemption Applications; Vision

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of renewal of exemptions; request for comments.

**SUMMARY:** FMCSA announces its decision to renew the 29 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency

has concluded that granting these exemption renewals will provide a level of safety that is equivalent to, or greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

**DATES:** This decision is effective May 12, 2010. Comments must be received on or before May 17, 2010.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA–1999–6480; FMCSA–2003–16564; FMCSA–2005–23238; FMCSA–2005–21254; FMCSA–2005–21711; FMCSA–2005–22727; FMCSA–2007–0017; FMCSA–2007–0071; FMCSA–2008–0021, using any of the following methods.

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

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

- *Fax:* 1–202–493–2251.

Each submission must include the Agency name and the docket number for this Notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

Docket: For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

*Privacy Act:* Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.).