

office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSE-2012-45 and should be submitted on or before December 19, 2012.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁸

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2012-28799 Filed 11-27-12; 8:45 am]

BILLING CODE 8011-01-P

DEPARTMENT OF STATE

[Public Notice 8098]

Notice of Meeting of Advisory Committee on International Law

A meeting of the Advisory Committee on International Law will take place on Friday December 14, from 9:30 a.m. to approximately 5:30 p.m., at the George Washington University Law School (Frederick Lawrence Student Conference Center), 2000 H St. NW., Washington, DC. The meeting will be chaired by the Legal Adviser of the Department of State, Harold Hongju Koh, and will be open to the public up to the capacity of the meeting room. It is anticipated that the agenda of the meeting will cover a range of current international legal topics, including corporate social responsibility, principles of self-defense, maritime security, international promotion of the freedom of expression, and the International Law Commission's consideration of the topic of crimes against humanity.

Members of the public who wish to attend the session should, by Friday, December 7, 2012, notify the Office of the Legal Adviser (telephone: (202) 776-8442, email: LermanJB@state.gov KillTP@state.gov) of their name, professional affiliation, address, and telephone number. A valid photo ID is required for admittance. A member of the public who needs reasonable accommodation should make his or her request by December 5, 2012. Requests made after that time will be considered but might not be possible to accommodate.

Dated: November 20, 2012.

Theodore P. Kill,

Attorney-Adviser, Office of Claims and Investment Disputes, Office of the Legal Adviser, Executive Director, Advisory Committee on International Law, Department of State.

[FR Doc. 2012-28851 Filed 11-27-12; 8:45 am]

BILLING CODE 4710-08-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Twelfth Meeting: RTCA Special Committee 223, Airport Surface Wireless Communications

AGENCY: Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT)

ACTION: Meeting Notice of RTCA Special Committee 223, Airport Surface Wireless Communications.

SUMMARY: The FAA is issuing this notice to advise the public of the meeting of the RTCA Special Committee 223, Airport Surface Wireless Communications.

DATES: The meeting will be held December 4-6, 2012, from 9:00 a.m.-5:00 p.m.

ADDRESSES: The meeting will be held at the Boeing, Building 2-25 Lobby, 7755 East Marginal Way South, Seattle, WA 98108.

FOR FURTHER INFORMATION CONTACT: The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC, 20036, or by telephone at (202) 330-0662/(202) 833-9339, fax (202) 833-9434, or Web site at <http://www.rtca.org>.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. No. 92-463, 5 U.S.C., App.), notice is hereby given for a meeting of Special Committee 223. The agenda will include the following:

Tuesday, December 4th—Thursday, December 6th, 2012

- Plenary
- Welcome, Introductions, Administrative Remarks by Special Committee Leadership
- Agenda Overview
- Review/Approve prior Plenary Meeting Summary and Action Item Status
- General Presentations of Interest
 - ICAO WG-S Status
 - EUROCAE WG-82 Status
- Detailed MOPS Review
- Establish Agenda, Date and Place for Next Plenary Meetings
- Review of Meeting Summary Report

• **Adjourn—Plenary Meeting**
Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on November 8, 2012.

Richard F. Gonzalez,

Management Analyst, Business Operations Group, Federal Aviation Administration.

[FR Doc. 2012-28854 Filed 11-27-12; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2011-0165]

Parts and Accessories Necessary for Safe Operation; Grant of Exemption for Transecurity LLC (Transecurity)

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

ACTION: Notice of final disposition.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) announces its decision to grant an exemption to Transecurity LLC (Transecurity) that will allow the placement of an onboard safety monitoring system (OBMS) at the bottom of windshields on commercial motor vehicles (CMVs). The Federal Motor Carrier Safety Regulations (FMCSRs) currently require antennas, transponders, and similar devices to be located not more than 6 inches below the upper edge of the windshield, outside the area swept by the windshield wipers, and outside the driver's sight lines to the road and highway signs and signals. Transecurity is coordinating the development and installation of camera-based monitoring systems in up to 500 CMVs operating throughout the United States in support of research being conducted on behalf of FMCSA. The exemption would enable motor carriers to participate in a field operation test to evaluate the system and allow for on-road data collection. FMCSA believes that permitting the OBMS to be mounted lower than currently allowed, but still outside the driver's sight lines to the road and highway signs and signals, will maintain a level of safety that is equivalent to, or greater than, the level

¹⁸ 17 CFR 200.30-3(a)(12).

of safety achieved without the exemption.

DATES: This exemption is effective from November 28, 2012 until November 28, 2014.

FOR FURTHER INFORMATION CONTACT: Mr. Luke W. Loy, Vehicle and Roadside Operations Division, Office of Bus and Truck Standards and Operations, MC-PSV, at (202) 366-0676 or luke.loy@dot.gov, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION:

Background

Section 4007 of the Transportation Equity Act for the 21st Century (TEA-21) [Pub. L. 105-178, June 9, 1998, 112 Stat. 107, 401] amended 49 U.S.C. 31315 and 31136(e) to provide authority to grant exemptions from the FMCSRs. A rule implementing section 4007 was published on December 8, 1998 (63 FR 67600). Under this rule, FMCSA must publish a notice of each exemption request in the *Federal Register* (49 FR 381.315(a)). The Agency must provide the public with an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

Transecurity's Application for Exemption

Transecurity applied for an exemption from 49 CFR 393.60(e)(1) to allow the installation of camera-based OBMS in up to 500 CMVs. A copy of the application is included in the docket referenced at the beginning of this notice.

Section 393.60(e)(1) of the FMCSRs prohibits the obstruction of the driver's field of view by devices mounted at the top of the windshield. Antennas, transponders and similar devices (devices) must not be mounted more than 152 mm (6 inches) below the upper edge of the windshield. These devices must be located outside the area swept by the windshield wipers and outside the driver's sight lines to the road and highway signs and signals.

Transecurity has applied for the exemption because it wants to install the camera-based OBMS equipment in up to 500 CMVs operating throughout the United States in support of research being conducted on behalf of the FMCSA Analysis, Research and Technology Division. Transecurity contends that it must be able to mount the camera-based OBMS lower than

allowed under 49 CFR 393.60(e)(1) "because the safety equipment must have a clear forward facing view of the road, and low enough to accurately scan facial features for detection of impaired driving." Transecurity's mounting preference for the camera-based OBMS and necessary brackets is at the bottom of the windshield; the best position is within and/or below three inches of the bottom of the driver side windshield wiper sweep, and out of the driver's sightlines to the road and highway signs and signals.

FMCSA Grant of Waiver to Transecurity

Pursuant to 49 U.S.C. 31315(a) and 49 CFR part 381, subpart B, FMCSA granted Transecurity a 90-day waiver on July 23, 2012, to allow the placement of the OBMS at the bottom of windshields on CMVs, outside of the area permitted by 49 CFR 393.60. This waiver was effective from July 24, 2012, through October 23, 2012. Up to 500 OBMS were to be installed on CMVs operated by the motor carriers listed below:

1. DOT #90792; Eagle Transport Corporation-Rocky Mount, NC.
2. DOT #252234; Holiday Tours Inc.-Randleman, NC.
3. DOT #16377; H&W Trucking Co. Inc.-Mt. Airy, NC.
4. DOT #348258; Associated Grocers-Baton Rouge, LA.
5. DOT #2222676; AM Express Inc.-Escanaba, MI.

During the waiver period, these motor carriers participating in the FMCSA research field operation test must ensure that the OBMS is mounted within and/or below three inches of the bottom of the driver side windshield wiper sweep, and out of the driver's sightlines to the road and highway signs and signals as much as practicable.

Comments

On August 23, 2012, FMCSA published notice of the Transecurity application and asked for public comment (77 FR 51104). The Agency received no comments. While FMCSA acknowledges that Transecurity did not present specific studies or data showing that safety will not be degraded, the Agency believes that placement of the OBMS within and/or below three inches of the bottom of the driver side windshield wiper sweep (1) will be outside the drivers' sight lines, and therefore (2) will not have an adverse impact on safety. The FMCSA encourages any party having information that motor carriers utilizing this exemption are not achieving the requisite level of safety immediately to notify the Agency. If safety is being

compromised, or if the continuation of the exemption is not consistent with 49 U.S.C. 31315(b) and 31136(e), FMCSA will take immediate steps to revoke the exemption.

Terms and Conditions for the Exemption

Based on its evaluation of the application for an exemption, FMCSA grants Transecurity's request. The Agency believes that the safety performance of motor carriers during the 2-year exemption period will likely achieve a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption because (1) based on the technical information available, there is no indication that the OBMS would obstruct drivers' views of the roadway, highway signs and surrounding traffic; (2) generally, trucks and buses have an elevated seating position which greatly improves the forward visual field of the driver, and any impairment of available sight lines would be minimal; and (3) the location within and/or below three inches of the bottom of the driver side windshield wiper sweep, and out of the driver's sightline is reasonable and enforceable at roadside. Without the exemption, FMCSA would be unable to test this innovative onboard safety monitoring system. The Agency hereby grants the exemption for a two-year period, beginning October 24, 2012 and ending October 23, 2014.

During the temporary exemption period, up to 500 OBMS will be installed on CMVs operated by the motor carriers listed below:

1. DOT #90792; Eagle Transport Corporation-Rocky Mount, NC.
2. DOT #252234; Holiday Tours Inc.-Randleman, NC.
3. DOT #16377; H&W Trucking Co. Inc.-Mt. Airy, NC.
4. DOT #348258; Associated Grocers-Baton Rouge, LA.
5. DOT#2222676; AM Express Inc.-Escanaba, MI.

These motor carriers must ensure that the OBMS is mounted within and/or below 3 inches of the bottom of the driver side windshield wiper sweep, and out of the driver's sightlines to the road and highway signs and signals.

Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with or is inconsistent with this exemption with respect to a person operating under the exemption.

Issued on: November 21, 2012.

Anne S. Ferro,
Administrator.

[FR Doc. 2012-28823 Filed 11-27-12; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition To Modify an Exemption of a Previously Approved Antitheft Device; Mitsubishi Motors R&D of America

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

ACTION: Grant of petition to modify an
exemption of a previously approved
antitheft device.

SUMMARY: On February 2, 2009, the
National Highway Traffic Safety
Administration (NHTSA) granted in full
Mitsubishi Motors R&D (Mitsubishi) of
America's petition for an exemption in
accordance with § 543.9(c)(2) of 49 CFR
part 543, *Exemption From the Theft
Prevention Standard* for the Mitsubishi
Outlander vehicle line beginning with
its model year (MY) 2011 vehicles. On
August 6, 2012, Mitsubishi submitted a
petition to modify its previously
approved exemption for the Outlander
vehicle line beginning with its model
year (MY) 2014 vehicles. Mitsubishi
also requested confidential treatment of
specific information in its petition. The
agency will address Mitsubishi's request
for confidential treatment by separate
letter. NHTSA is granting Mitsubishi's
petition to modify the exemption in full
because it has determined that the
modified device is also likely to be as
effective in reducing and deterring
motor vehicle theft as compliance with
the parts-marking requirements of the
Theft Prevention Standard.

DATES: The modification granted by this
notice is effective beginning with the
2014 model year (MY).

FOR FURTHER INFORMATION CONTACT: Ms.
Deborah Mazyck, Office of International
Policy, Fuel Economy and Consumer
Programs, NHTSA, 1200 New Jersey
Avenue SE., Washington, DC 20590. Ms.
Mazyck's telephone number is (202)
366-4139. Her fax number is (202) 493-
2990.

SUPPLEMENTARY INFORMATION: On
February 2, 2009, NHTSA published in
the **Federal Register** a notice granting in
full a petition from Mitsubishi for an
exemption from the parts-marking
requirements of the Theft Prevention
Standard (49 CFR 541) for the Outlander
vehicle line beginning with its MY 2011

vehicles (see 74 FR 5891, February 2,
2009). The Mitsubishi Outlander is
currently equipped with a passive,
transponder-based, electronic engine
immobilizer device and an audible and
visible alarm.

On August 6, 2012, Mitsubishi
submitted a petition to modify the
previously approved exemption for the
Outlander vehicle line. This notice
grants in full Mitsubishi's petition to
modify the exemption for the Outlander
vehicle line beginning with its MY 2014
vehicles. Mitsubishi's submission is a
complete petition, as required by 49
CFR part 543.9(d), in that it meets the
general requirements contained in 49
CFR Part 543.5 and the specific content
requirements of 49 CFR part 543.6.
Mitsubishi's petition for modification
provides a detailed description and
diagram of the identity, design, and
location of the components of the
antitheft device proposed for
installation beginning with the 2014
model year.

The current antitheft device installed
on the Mitsubishi Outlander included
an electronic key, electronic control unit
(ECU), and a passive immobilizer.
Mitsubishi stated that entry models for
the Outlander vehicle line are equipped
with an immobilizer that functions via
a Wireless Control Module (WCM). The
features of the WCM include a
transponder key, key ring antenna,
Electronic time and alarm control
system (ETACS) ECU, and Engine ECU
and a receiver antenna. Mitsubishi also
incorporated an alarm system as
standard equipment on all trimline
vehicles. Mitsubishi stated that this is a
keyless entry system in which the
transponder is located in a traditional
key and must be inserted into the key
cylinder in order to activate the ignition.
All other models of the Outlander
vehicle line are equipped with an
immobilizer that functions via a Keyless
Operation System (KOS). The KOS
utilizes a keyless system that allows the
driver to push a knob in the steering
lock unit to activate the ignition (instead
of using a traditional key in the key
cylinder) as long as the transponder is
located in close proximity to the driver
inside the vehicle.

Mitsubishi stated that once the
ignition switch is turned to the "on"
position, the transceiver module reads
the specific ignition key code for the
vehicle and transmits an encrypted
message containing the key code to the
electronic control unit (ECU). The
immobilizer receives the key code signal
transmitted from either type of key
(WCM or KOS) and verifies that the key
code signal is correct. The immobilizer
then sends a separate encrypted start-

code signal to the engine ECU to allow
the driver to start the vehicle. The
power train only will function if the key
code matches the unique identification
key code previously programmed into
the ECU. If the codes do not match, the
power train engine and fuel system will
be disabled. Mitsubishi state that the
only difference between the two keyless
entry systems is the "key" and the
method used to transmit the information
from the key to the immobilizer.

In its 2014 modification, Mitsubishi
stated that it will continue to offer the
WCM as standard equipment for the
entry models for the Outlander vehicle
line but all models other than the entry
models will be equipped with a One-
touch Starting System (OSS). The
features of the OSS are the Engine ECU,
ETACS ECU, OSS ECU, KOS ECU,
engine (power) switch, keyless
Operation Key (transponder key) and LF
antenna. The OSS utilizes a keyless
system that allows the driver to press a
button located on the instrument panel
to activate and deactivate the ignition
(instead of using a traditional key in the
key cylinder) as long as the transponder
is located in close proximity to the
driver. Mitsubishi stated that it will also
introduce another model into the
Outlander vehicle line beginning with
its MY 2014 vehicle.

Once the ignition switch is pushed to
the "on" position, the transceiver
module reads the specific ignition key
code for the vehicle and transmits an
encrypted message containing the key
code to the electronic control unit (ECU)
which verifies that the key is correct.
The immobilizer then sends a separate
encrypted start-code signal to the engine
ECU to allow the driver to start the
vehicle. The engine will only function
if the key code matches the unique
identification key code previously
programmed into the ECU. If the codes
do not match, the engine and fuel
system will be disabled. Mitsubishi
further stated that the OSS has 250
million possible codes, making
successful key code duplication nearly
impossible. Mitsubishi stated that the
immobilizer device and the ECU share
security data when first installed during
vehicle assembly, making them a
matched set. These matched modules
will not function if taken out and
reinstalled separately on other vehicles.
Mitsubishi also stated that the device is
extremely reliable and durable because
there are no moving parts, the key does
not require a separate battery and it is
impossible to mechanically override the
device and start the vehicle.

Mitsubishi stated that the Mitsubishi
Outlander has been equipped with the
immobilizer device since MY 2007.