

**DEPARTMENT OF TRANSPORTATION****Maritime Administration****[Docket No. MARAD-2013-0145]****Requested Administrative Waiver of the Coastwise Trade Laws: Vessel MAGICK EXPRESS; Invitation for Public Comments****AGENCY:** Maritime Administration, Department of Transportation.**ACTION:** Notice.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

**DATES:** Submit comments on or before January 16, 2014.

**ADDRESSES:** Comments should refer to docket number MARAD-2013-0145. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23-453, Washington, DC 20590. Telephone 202-366-0903, Email [Linda.Williams@dot.gov](mailto:Linda.Williams@dot.gov).

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel MAGICK EXPRESS is:

*Intended Commercial Use Of Vessel:* "Passenger for hire charter for sight-seeing and sailing, primarily in the San Francisco Bay area."

*Geographic Region:* "California, Oregon, Washington, Hawaii."

The complete application is given in DOT docket MARAD-2013-0145 at

<http://www.regulations.gov>. Interested parties may comment on the effect this 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).

By Order of the Maritime Administrator.

Dated: December 3, 2013.

**Julie P. Agarwal,**

*Secretary, Maritime Administration.*

[FR Doc. 2013-29989 Filed 12-16-13; 8:45 am]

**BILLING CODE 4910-81-P**

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration****[Docket No. NHTSA-2012-0074; Notice 2]****BMW of North America, LLC, Grant of Petition for Decision of Inconsequential Noncompliance**

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

**ACTION:** Grant of Petition.

**SUMMARY:** BMW North America, LLC,<sup>1</sup> a subsidiary of BMW AG (collectively referred to as BMW),<sup>2</sup> has determined that certain model year (MY) 2012 BMW X3 SAV multipurpose passenger vehicles (MPV) manufactured between April 1, 2011 and March 14, 2012, do not fully comply with paragraph S4.3.3

<sup>1</sup> BMW North America, LLC is a U.S. company that manufactures and imports motor vehicles.

<sup>2</sup> BMW AG is a German company that manufactures motor vehicles.

of Federal Motor Vehicle Safety Standard (FMVSS) No. 110, *Tire selection and rims and motor home/recreation vehicle trailer load carrying capacity information for motor vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or less*. BMW has filed an appropriate report dated March 28, 2012, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*.

**ADDRESSES:** For further information on this decision contact Ms. Amina Fisher, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-1018, facsimile (202) 366-5930.

**SUPPLEMENTARY INFORMATION:**

I. *BMW's Petition:* Pursuant to 49 U.S.C. 30118(d) and 30120(h) and the rule implementing those provisions at 49 CFR part 556, BMW 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.

Notice of receipt of the petition was published, with a 30-day public comment period, on October 16, 2012 in the **Federal Register** (77 FR 63415). One comment was received from Anne K. Mayer which supported granting BMW's petition. To view the petition, the comment and all supporting documents log onto the Federal Docket Management System (FDMS) Web site at: <http://www.regulations.gov/>. Then follow the online search instructions to locate docket number "NHTSA-2012-0074."

II. *Vehicles Involved:* Affected are approximately 1,409 MY 2012 BMW X3 SAV MPVs manufactured between April 1, 2011 through March 14, 2012.

III. *Rule Text:* Section S4.3.3 of FMVSS No. 110 specifically states:

S4.3.3 *Additional labeling information for vehicles other than passenger cars.* Each vehicle shall show the size designation and, if applicable, the type designation of rims (not necessarily those on the vehicle) appropriate for the tire appropriate for use on that vehicle, including the tire installed as original equipment on the certification label required by part 567.4 or part 567.5 of this chapter. This information shall be in the English language, lettered in block capitals and numerals not less than 2.4 millimeters high and in the following format:

GVWR: 2,441 kilograms (5381 pounds).  
GAWR: Front—1,299 kilograms (2,864 pounds) with P265/70R16 tires, 16 x 8.0 rims at 248 kPa (36 psi) cold single.  
GAWR: Rear—1,299 kilograms (2,864 pounds) with P265/70R16 tires, 16 x 8.00 rims, at 248 kPa (36 psi) cold single.

IV. *Summary of BMW's Analyses:* BMW explained that the noncompliance is that the certification label required by 49 CFR part 567 does not list rim information for the tires installed on the vehicles as original equipment as required by paragraph S4.3.3 of FMVSS No. 110.

BMW states that while the certification label required by 49 CFR part 567 does not contain tire and rim information for tires and rims that were installed as original equipment, the information pertains to tires and rims that are appropriate for use on the vehicles. BMW also argues that the noncompliance is inconsequential to motor vehicle safety for the following reasons:

1. If a driver only checks the certification label (which indicates either 17-inch tires or 18-inch tires) or if the driver checks the certification label and the FMVSS No. 110 tire and loading information Vehicle Placard (which shows the size of the tires originally installed on the vehicle), and is unsure as to the proper inflation pressure and the size of the tires installed on the vehicle, there are a number of information sources and services available which can be used to inform the driver of the correct tire size and tire pressure.

a. A driver could check the specific tires installed on the vehicle. The information that is stamped onto the sidewall of those tires corresponds to the information contained on the FMVSS No. 110 tire and loading information Vehicle Placard. A driver would be able to determine that the tires installed on the vehicle correspond to the tires indicated on the FMVSS No. 110 tire and loading information Vehicle Placard. Therefore, a driver would be able to add the correct amount of air pressure to the tires in order to achieve the proper inflation level.

b. If the driver were to use the tire size shown on the certification label in order to look up the associated tire pressure in the owner's manual and then pressurize the tires to that pressure the Tire Pressure Monitoring System would not need to initiate.

c. The driver will also be able to refer to the vehicle's Owner's Manual which contains information pertaining to the various tire sizes and tire pressures for the affected vehicles.

d. BMW also offers Roadside Assistance and BMW Assist™ (only included with Premium Package and as a stand-alone option) which are available 24 hours/day with representatives that are available to provide drivers with all of the available

tire sizes and specifications for the affected vehicles.

BMW has received no customer complaints and are unaware of any accidents or injuries regarding this noncompliance of the affected vehicles.

BMW has additionally informed NHTSA that it has corrected future production and that all other required markings are present and correct.

BMW also explains that NHTSA has previously granted similar petitions.

In summation, BMW believes that the described noncompliance of the subject vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

V. *NHTSA Analysis and Reasoning:* The affected vehicles, 1,409 2012 BMW X3/SAVs (MPVs), comply with FMVSS No. 110, paragraph S4.3(c) and (d), identifying the recommended cold inflation pressures for the front, rear and spare tires and the tire size designations, respectively. The vehicles do not comply with paragraph S4.3.3, which requires additional information for vehicles other than passenger cars: the tires and rims must be identified on the 49 CFR part 567 certification label. BMW's certification label listed the tire and rim size for the front and rear axles as 245/50R18, which is different from the tires installed on affected vehicles, 245/45R19. Note: Information for these vehicles states they were sold with either 18-inch or 19-inch diameter tires.

BMW's FMVSS No. 110 vehicle placard listed size 245/45R19 for the front and rear tires with recommended inflation pressures 220 kPa/32 psi and 260 kPa/38 psi, respectively. The load ratings from the Tire and Rim Association Handbook at those pressures are 675 kg/1,488 lb (front) and 750 kg/1,673 lb (rear). Paragraph S4.2.2.2 specifies that the load rating for a passenger car tire used on an MPV be divided by 1.1. The sum of the front axle tire ratings are 1,227 kg/2,705 lb and the rear axle tires are 1,364 kg/3,007 lb. Tire size 245/50R18 at 220 kPa/32 psi (front) and 240 kPa/35 psi (rear—the maximum pressure listed) are rated at 745 kg/1,642 lb (front) and 775 kg/1,709 lb (rear). The resulting sums are 1,355 kg/2,987 lb (front) and 1,409 kg/3,106 lb (rear). In both cases, the sums of the tire load ratings exceed BMW's GAWRs of 1,110 kg/2,447 lb (front) and 1,290 kg/2,844 lb (rear).

Two additional factors were considered: the difference between the maximum inflation pressures of the two

tire sizes and the effect of those pressures on the vehicle's tire pressure monitoring system, required by FMVSS No. 138.

The non-installed tires listed on the certification label have a maximum inflation pressure which is lower than the inflation pressure listed on the vehicle placard. If a consumer purchased replacement tires based on the 18-inch size listed on the certification label, he would also need to purchase rims of the same diameter. Even if the 18-inch diameter tires and rims were installed, each tire's maximum inflation pressure is still specified on the sidewall and listed in other documents available to tire dealers.

Regarding the TPMS, there is no adverse effect for either size front tires at 220 kPa/32 psi. The higher recommended inflation pressure of the installed 19-inch diameter rear tires corresponds to a required warning at 25 percent below the recommended pressure, i.e., at 195 kPa/28 psi. If the 19-inch diameter tires are replaced with 18-inch tires, the warning would be required at 180 kPa/26 psi, which is equal to a 19 percent under-inflation condition for those tires, exceeding the FMVSS No. 138 requirement.

VI. *NHTSA Decision:* Thus, NHTSA has determined that BMW has met its burden of persuasion that the FMVSS No. 110 noncompliance of the tire size labeling on the subject vehicles' certification label is inconsequential to motor vehicle safety. Accordingly, BMW's petition is hereby granted, and BMW is exempted from the obligation of providing notification of, and a remedy for, the subject noncompliance under 49 U.S.C. 30118 and 30120.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, this decision only applies to the 1,409 vehicles that BMW no longer controlled at the time it determined that a noncompliance existed. However, the granting of this petition does not relieve distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after BMW notified them that the subject noncompliance existed.

**Authority:** (49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8)

Issued on: December 11, 2013.

**Claude H. Harris,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2013-29990 Filed 12-16-13; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF THE TREASURY

[Docket ID: TREAS-DO-2013-0006]

### Request for Information on Strategies To Accelerate the Testing and Adoption of Pay for Success (PFS) Financing Models

**AGENCY:** Office of Domestic Finance, Department of the Treasury.

**ACTION:** Request for information; reopening of comment period.

**SUMMARY:** The Department of the Treasury is reopening the comment period on its request for information on Strategies to Accelerate the Testing and Adoption of Pay for Success (PFS) Financing Models. The President's FY 2014 budget included a request for a \$300 million one-time mandatory appropriation for a new Incentive Fund to help state and local governments implement PFS programs. In order to inform the Administration's development of this legislative initiative, the request for information (RFI) seeks information on options for financing models and the most promising programmatic areas<sup>1</sup> that could be served by the Incentive Fund. Treasury is reopening the comment period until December 20, 2013 to provide additional opportunity to comment.

**DATES:** Responses must be received by December 20, 2013.

**ADDRESSES:** Submit your comments through the Federal eRulemaking Portal or via U.S. mail, commercial delivery, or hand delivery. We will not accept comments by fax or by email. To ensure that we do not receive duplicate copies, please submit your comments only one time. In addition, please include the Docket ID and the term "PFS Incentive Fund RFI" at the top of your comments.

• *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov) to submit your comments electronically. Information on using [Regulations.gov](http://Regulations.gov), including instructions for accessing agency documents, submitting comments, and

viewing the docket, is available on the site under a tab titled "Are you new to the site?"

• *U.S. Mail, Commercial Delivery, or Hand Delivery:* If you mail or deliver your comments, address them to Cara Camacho, Attention: Pay for Success Incentive Fund RFI, U.S. Department of the Treasury, 1500 Pennsylvania Avenue NW., Room 1325, Washington, DC 20220.

• *Privacy Note:* The Department's policy for comments received from members of the public (including comments submitted by mail, commercial delivery, or hand delivery) is to make these submissions available for public viewing in their entirety on the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov). Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available on the Internet.

**FOR FURTHER INFORMATION CONTACT:** Cara Camacho by email: [cara.camacho@treasury.gov](mailto:cara.camacho@treasury.gov).

**SUPPLEMENTARY INFORMATION:** On October 2, 2013, the Department of the Treasury published in the **Federal Register** the RFI on Strategies to Accelerate the Testing and Adoption of Pay for Success (PFS) Financing Models (78 FR 60998). The RFI offered states, tribal governments, localities, community based and other non-profit organizations, private sector donors, researchers, and other interested individuals and entities the opportunity to provide information on effective approaches for improving outcomes for social services and other program areas by employing financing mechanisms that pay for results. This notice reopens the comment period for the RFI until December 20, 2013 in order to provide an additional opportunity to comment.

**Donet Graves,**

*Deputy Assistant Secretary for Small Business, Community Development and Housing Policy.*

[FR Doc. 2013-29935 Filed 12-16-13; 8:45 am]

**BILLING CODE 4810-25-P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0024]

### Proposed Information Collection (Insurance Deduction Authorization (For Deduction From Benefit Payments)); Comment Request

**AGENCY:** Veterans Benefits Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to this notice. This notice solicits comments for information needed to authorize deduction from a beneficiary's compensation check.

**DATES:** Written comments and recommendations on the proposed collection of information should be received on or before February 18, 2014.

**ADDRESSES:** Submit written comments on the collection of information through Federal Docket Management System (FDMS) at [www.Regulations.gov](http://www.Regulations.gov); or to Nancy J. Kessinger, Veterans Benefits Administration (20M33), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email [nancy.kessinger@va.gov](mailto:nancy.kessinger@va.gov). Please refer to "OMB Control No. 2900-0024" in any correspondence. During the comment period, comments may be viewed online through FDMS.

**FOR FURTHER INFORMATION CONTACT:** Nancy J. Kessinger at (202) 632-8924 or FAX (202) 632-8925.

**SUPPLEMENTARY INFORMATION:** Under the PRA of 1995 (Pub. L. 104-13; 44 U.S.C. 3501-3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

<sup>1</sup> THE BUDGET FOR FISCAL YEAR 2014—See page 978 of the President's FY 2014 Budget Appendix (see <http://www.whitehouse.gov/omb/budget/Appendix>).