directed to the FHWA or TxDOT at the addressed provided above.

[Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program].

Issued on January 5, 1995.

G. E. Olvera,

District Engineer.

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National Highway Traffic Safety Administration

[Docket No. 94-55; Notice 2]

Decision That Nonconforming 1993 Volkswagen Golf III Passenger Cars Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration (NHTSA) DOT. **ACTION:** Notice of decision by NHTSA that nonconforming 1993 Volkswagen Golf III passenger cars are eligible for importation.

SUMMARY: This notice announces the decision by NHTSA that 1993 Volkswagen Golf III passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to a vehicle originally manufactured for importation into and sale in the United States and certified by its manufacturer as complying with the safety standards (the U.S.-certified version of the 1993 Volkswagen Golf III), and they are capable of being readily altered to conform to the standards.

DATES: This decision is effective January 12. 1995.

FOR FURTHER INFORMATION CONTACT: Ted Bayler, Office of Vehicle Safety Compliance, NHTSA (202–366–5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A) (formerly section 108(c)(3)(A)(i) of the National Traffic and Motor Vehicle Safety Act (the Act)), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards 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 sale in the United States, certified under 49 U.S.C.

30115 (formerly section 114 of the Act), 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 Federal motor vehicle safety standards.

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.

J.K. Motors, Inc. of Kingsville, Maryland ("J.K.") (Registered Importer R–90–006) petitioned NHTSA to decide whether 1993 Volkswagen Golf III passenger cars are eligible for importation into the United States. NHTSA published notice of the petition on July 20, 1993 (59 FR 37124) to afford an opportunity for public comment. The notice identified the vehicle that is the subject of the petition as the "1994 Volkswagen Golf III." In its comments responding to the notice, Volkswagen, the vehicle's manufacturer stated that the vehicle identification number (VIN) assigned to the specific vehicle that the petitioner seeks to import identifies that vehicle as a 1993 model. After being apprised of this comment, the petitioner acknowledged that the petition was in error, and that the manufacturer properly identified the vehicle as a 1993 model. In view of this correction, this notice describes the petition as pertaining to a 1993 model vehicle.

As stated in the notice of the petition, the vehicle that J.K. claimed to be substantially similar is the version of the 1993 Volkswagen Golf III that was manufactured for importation into and sale in the United States and certified by its manufacturer, Volkswagenwerke A.G., as conforming to all applicable Federal motor vehicle safety standards. The petitioner claimed that it had carefully compared the two vehicles, and found them to be substantially similar with respect to compliance with most applicable Federal motor vehicle safety standards.

Specifically, the petitioner claimed that the non-U.S. certified 1993 Volkswagen Golf III is identical to its U.S. certified counterpart with respect to compliance with Standard Nos. 102 Transmission Shift Lever Sequence

* * *, 103 Defrosting and Defogging Systems, 104 Windshield Wiping and Washing Systems, 105 Hydraulic Brake Systems, 106 Brake Hoses, 107 Reflecting Surfaces, 109 New Pneumatic Tires, 113 Hood Latch Systems, 116 Brake Fluid, 124 Accelertor Control Systems, 201 Occupant Protection in Interior Impact, 202 Head Restraints, 203 Impact Protection for the Driver from the Steering Control System, 204 Steering Control Rearward Displacement, 205 Glazing Materials, 206 Door Locks and Door Retention Components, 207 Seating Systems, 209 Seat Belt Assemblies, 210 Seat Belt Assembly Anchorages, 211 Wheel Nuts, Wheel Discs and Hubcaps, 212 Windshield Retention, 214 Side Door Strength, 216 Roof Crush Resistance, 219 Windshield Zone Intrusion, 301 Fuel System Integrity, and 302 Flammability of Interior Materials.

Petitioner also contended that the vehicle is capable of being readily modified to meet the following standards, in the manner indicated:

Standard No. 101 Controls and Displays: (a) Substitution of a lens marked "Brake" for a lens with an ECE symbol on the brake failure indicator lamp; (b) recalibration of the speedometer/odometer from kilometers to miles per hour.

Standard No. 108 Lamps, Reflective Devices and Associated Equipment: (a) Installation of U.S.-model headlamp assemblies which incorporate sealed beam headlamps and front sidemarkers; (b) installation of U.S.-model taillamp assemblies which incorporate rear sidemarkers; (c) installation of a high mounted stop lamp; (d) replacement of bulb failure modules with U.S.-model components.

Standard No. 110 Tire Selection and Rims: Installation of a tire information placard.

Standard No. 111 Rearview Mirror: Replacement of the passenger side rearview mirror with a U.S.-model component.

Standard No. 114 Theft Protection: Installation of a key microswitch in the steering lock assembly, and a warning buzzer.

Standard No. 115 Vehicle Identification Number: Installation of a VIN plate that can be read from outside the left windshield pillar, and a VIN reference label on the edge of the door or latch post nearest the driver.

Standard No. 208 Occupant Crash Protection: (a) Installation of a seat belt warning buzzer, wired to the seatbelt latch; (b) installation of a passive restraint system consisting of a dooranchored automatic belts and a knee