

advance of the meeting. Written comments should be submitted by e-mail to Jeffrey Kovar at [kovarjd@state.gov](mailto:kovarjd@state.gov). All comments will be made available to the public by request to Mr. Kovar via e-mail or by phone (202-776-8420).

Persons wishing to attend must notify Ms. Cherise Reid by e-mail ([reidcd@state.gov](mailto:reidcd@state.gov)), fax (202-776-8482), or by telephone (202-776-8420).

Dated: March 8, 2005.

**Jeffrey D. Kovar,**

*Assistant Legal Adviser for Private International Law, Department of State.*

[FR Doc. 05-5067 Filed 3-14-05; 8:45 am]

BILLING CODE 4710-08-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### First Joint Meeting: RTCA Special Committee 205/Software Considerations

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of RTCA Special Committee 205, Software Considerations.

**SUMMARY:** The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 205, Software Considerations.

**DATES:** The meeting will be held March 30–April 1, 2005 starting at 9 a.m.

**ADDRESSES:** The meeting will be held at The MITRE Corporation, 7525 Colshire Dr., Building 1, South Lobby Entrance, McLean, Virginia 22102-7508.

**FOR FURTHER INFORMATION CONTACT:** (1) RTCA Secretariat, 1828 L Street, NW., Suite 805, Washington, DC 20036; telephone (202) 833-9339; fax (202) 833-9434; Web site <http://www.rtca.org>; MITRE Contact: Ms. Carol Klebe; telephone (703) 883-5356; e-mail [cklebe@mitre.org](mailto:cklebe@mitre.org).

**Note:** MITRE's security obligations require pre-registration information. If you plan to attend this meeting please provide the following to both of the Joint Secretaries prior to March 25, 2005; Mr. Michael DeWalt, [mike.dewalt@certification.com](mailto:mike.dewalt@certification.com); Mr. Ross Hannan, [ross\\_hannon@btinternet.com](mailto:ross_hannon@btinternet.com). The information needed for pre-registration must include your name, nationality, passport number (provided for security purposes, will not be made available or distributed), organization name and nation of origin (identify the national origins of your organization, regardless of where you are located), address, telephone, and e-mail address. On arrival at MITRE please have photo identification available to assist in your badge being issued.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 135 meeting. The agenda will include:

March 30

- Opening Plenary Session (Welcome and Introductory Remarks)
- Federal Advisory Committee Act (FACA)/RTCA Procedures
  - Recognize FAA Designated Federal Official
- Review of Meeting Agenda
- Facility Host Presentation
- Committee Background
- Review of joint SC-205/WG-71 (SCWG) Terms of Reference
- Review of Special Committee Working Group Operations Plan
- Call for Other Committee/Other Related Documents Interface Volunteers
- Development of Sub-groups (Goal, Overview, Chairs, Membership)
  - SG-1—SCWG Document Integration Sub-group
  - SG-2—Issue & Rationale Sub-group
  - SG-3—Tool Qualifications Sub-group
  - SG-4—Model Based Design & Verification Sub-group
  - SG-5—Object Oriented Technology Sub-group
  - SG-6—Formal Methods Sub-group
  - SG-7—Safety Related Considerations Sub-group
- Membership Data To Be Held on File
- Breakout Rooms and Security Escorts
- Sub-group Breakout Sessions

March 31

- Sub-groups To Evaluate Issues To Determine
  - Issue Is Significant Enough To Warrant a Supplement
  - Allocation of Tasks/issue Papers To Be Developed To Work the Issue
  - Schedule of Completion for Submittal of Supplement or Other Deliverables to Plenary
- Web site Discussion/Review in Auditorium
- Executive Committee/Sub-group Chairs Meeting
- Social Event at MITRE
- Certification Authorities Software Team (Private Session)

April 1

- Reports From Sub-groups 1-7
  - Identification of Other Committee Interface Personnel
  - Identification of Documents Interface Personnel
  - Closing Plenary Session (Date and Place of Next Meeting, Adjourn)
- Attendance is open to the interested public but limited to space availability.

With the approval of the chairmen, 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 February 23, 2005.

**Natalie Ogletree,**

*FAA General Engineer, RTCA Advisory Committee.*

[FR Doc. 05-5093 Filed 3-14-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2003-14467; Notice 2]

#### Michelin North America, Inc., Grant of Application for Decision That a Noncompliance Is Inconsequential to Motor Vehicle Safety

Michelin North America, Inc., (MNA) has determined that approximately 504 size P225/55R17 BFGoodrich Comp T/A VR4 tires do not meet the labeling requirements mandated by Federal Motor Vehicle Safety Standard (FMVSS) No. 109, "New Pneumatic Tires."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), MNA has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports." Notice of receipt of the application was published, with a 30-day comment period, on February 27, 2003, in the **Federal Register** (68 FR 9113). NHTSA received no comment on this application.

FMVSS No. 109 (S4.3(e)) requires that each tire shall have permanently molded into or onto both sidewalls the actual number of plies in the sidewall, and the actual number of plies in the tread area if different.

The noncompliance with S4.3 (e) relates to the sidewall markings. MNA's Ardmore, Oklahoma plant produced approximately 504 tires with incorrect markings during the period from October 3, 2002, through October 5, 2002. The noncompliant tires were marked: "Tread Plies: 1 Polyester + 2 Steel + 1 Nylon, Sidewall Plies: 1 Polyester." The correct marking required by FMVSS No. 109 is as follows: "Tread Plies: 2 Polyester + 2 Steel + 1 Nylon, Sidewall Plies: 2 Polyester."

MNA stated that the noncompliant tires were actually constructed with more polyester sidewall plies than indicated on the sidewall marking (2 polyester plies rather than the 1 indicated). Therefore, this noncompliance is particularly unlikely to have an adverse effect on motor vehicle safety and is clearly inconsequential in that regard. The noncompliant tires meet or exceed all performance requirements of FMVSS No. 109 and will have no impact on the operational safety of vehicles on which these tires are mounted.

NHTSA strongly considers that the true measure of inconsequentiality to motor vehicle safety, in this case, is the effect of the noncompliance on the operational safety of vehicles on which these tires are mounted. NHTSA published a relevant ANPRM in the **Federal Register** on December 1, 2000 (65 FR 75222). Most comments expressed the opinion that the tire construction information label (number of plies and type of ply cord material in the sidewall and tread) is of little or no safety value to consumers and that most consumers do not even understand tire construction technology.

In this situation, MNA has incorrect sidewall markings on approximately 504 tires produced at their Oklahoma Plant. Except for the incorrect sidewall plies marking that indicated that the tire was constructed, with 1 polyester ply when in actuality it was constructed with 2 polyester plies, the tires are fabricated in accordance with FMVSS No. 109. All other labeling information, such as the tire size and load rating were accurately provided on the tires. Additionally, this labeling noncompliance has no effect on the safety performance of the subject tires. In fact, tires with 2 polyester plies are "typically more robust" than 1 polyester ply.

In consideration of the foregoing, NHTSA has decided that the applicant has met its burden of persuasion that the noncompliance is inconsequential to motor vehicle safety. Accordingly, its application is granted and the applicant is exempted from providing the notification of the noncompliance as required by 49 U.S.C. 30118, and from remedying the noncompliance, as required by 49 U.S.C. 30120.

**Authority:** (49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: March 9, 2005.

**H. Keith Brewer,**

*Director, Office of Crash Avoidance Standards.*

[FR Doc. 05-5035 Filed 3-14-05; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Petition To Modify an Exemption of a Previously Approved Antitheft Device; General Motors Corporation

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

**ACTION:** Grant of a petition to modify an exemption from the Parts Marking Requirements of a previously approved antitheft device.

**SUMMARY:** On March 26, 1992, this agency granted in part the General Motors Corporation's (GM) petition for exemption from the parts marking requirements of the vehicle theft prevention standard for the Buick LeSabre vehicle line. On June 2, 1999, this agency granted in full GM's petition for modification of the previously approved antitheft device for the Buick LeSabre vehicle line. This notice grants in full GM's second petition to modify the exemption of the previously approved antitheft device for the Buick LeSabre vehicle line beginning with model year (MY) 2006. This notice also acknowledges GM's notification that the nameplate for the Buick LeSabre vehicle line will be changed to Buick Lucerne beginning with the 2006 model year. NHTSA is granting GM's petition to modify the exemption because it has determined, based on substantial evidence, that the modified antitheft device described in GM's petition to be placed on the vehicle line as standard equipment, is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements.

**DATES:** The exemption granted by this notice is effective beginning with model year (MY) 2006.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rosalind Proctor, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Ms. Proctor's telephone number is (202) 366-0846. Her fax number is (202) 493-2290.

**SUPPLEMENTARY INFORMATION:** On March 26, 1992, NHTSA published in the **Federal Register** a notice granting in

part the petition from GM for an exemption from the parts-marking requirements of the Theft Prevention Standard (49 CFR 541) for the MY 1993 Buick LeSabre vehicle line. The LeSabre was equipped with the "PASS-Key II" antitheft device (See 57 FR 10517). On June 2, 1999, NHTSA published in the **Federal Register** a notice granting in full GM's petition for modification of the previously approved antitheft device for the Buick LeSabre vehicle line beginning with the 2000 model year. The LeSabre was equipped with the "PASS-Key III" antitheft device (See 64 FR 29736). On November 4, 2004, GM submitted a second petition to modify an exemption of its existing antitheft device. GM'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. GM's petition provides a detailed description of the identity, design and location of the components of the antitheft system proposed for installation beginning with the 2006 model year.

GM's petition also informed the agency of its planned nameplate change for the Buick LeSabre to the Buick Lucerne nameplate beginning with the 2006 model year. GM stated that the Buick Lucerne will continue to be built on the existing "H" car platform from which the Buick LeSabre line is currently built.

The current antitheft device ("PASS-Key III") installed on the Buick LeSabre vehicle line provides protection against unauthorized starting and fueling of the vehicle engine. GM stated that its antitheft device is designed to be active at all times without direct intervention by the vehicle operator and, that no specific or discrete security system action is necessary to achieve protection of the device. The device is fully armed immediately after the vehicle has been turned off and the key has been removed.

The PASS-Key III device utilizes a special ignition key and decoder module. The mechanical code of the key unlocks and releases the transmission lever. The vehicle can only be operated when the key's electrical code is sensed by the key cylinder and properly decoded by the controller module.

The ignition key contains electronics in the key head that receives energy from the controller module. Upon receipt of the data from the controller module, the key transmits a unique code through low frequency transmission. The controller module translates the received signal from the key into a digital signal which is transmitted to the