

Responsibility and Reports, and subsequently petitioned NHTSA on December 14, 2018, for an exemption from the notification and remedy requirement of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

This notice of receipt of Pirelli's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. Equipment Involved:

Approximately 28 Pirelli P Zero replacement tires, size 265/45R21 104W, manufactured between July 10, 2018, and August 08, 2018, are potentially involved.

III. *Noncompliance*: Pirelli explains that the noncompliance is due to a mold error, and that as a result, the number of tread plies indicated on the sidewall of the subject tires does not match the actual number of plies in the tire construction as required by paragraphs S5.5(e) and (f) of FMVSS No. 139. Specifically, the tires were marked "Tread: 2 Polyester 2 Steel 1 Polyamide; Sidewall: 1 Polyamide" when they should have been marked "Tread: 2 Polyester 2 Steel 1 Polyamide; Sidewall: 2 Polyester."

IV. *Rule Requirements*: Paragraphs S5.5(e) and (f) of FMVSS No. 139 provide the requirements relevant to this petition. Each tire must be marked on each sidewall with the information specified in paragraphs S5.5(a) through (d) and on one sidewall with the information specified in S5.5(e) through (i) according to the phase-in schedule specified in paragraph S7 of FMVSS No. 139. Specifically, each tire should be marked with the generic name of each cord material used in the plies (both sidewall and tread area) of the tire and the actual number of plies in the sidewall, and the actual number of plies in the tread area, if different.

V. *Summary of Petition*: Pirelli described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, Pirelli submitted the following reasoning:

1. The subject tires comply with the performance requirements and all other marking requirements of FMVSS No. 139.

2. The tire construction information for the subject tires have been corrected in Pirelli's centralized R&D system that creates the drawings used in

manufacturing the tire molds. Pirelli is in the process of correcting the subject molds before they are used for future production.

3. Pirelli cited the agency as saying that it "believes that one measure of inconsequentiality to motor vehicle safety, in this case, is that there is no effect of the noncompliance on the operational safety of vehicles on which these tires are mounted. The safety of people working in the tire retread, repair, and recycling industries must also be considered and is a measure of inconsequentiality." See 83 FR 36668 (July 30, 2018) (Grant of petition for determination of inconsequential noncompliance for Continental tires, for tire marked with the incorrect number of tread plies).

4. Pirelli stated that the subject Pirelli tires were manufactured as designed and meet or exceed all applicable FMVSS No. 139 performance standards. Furthermore, all of the sidewall markings related to tire service (load capacity, corresponding inflation pressure, etc.) are correct and the tires correctly show that they contain tread plies. Pirelli does not believe the mislabeling of these tires presents a safety concern for consumers or for the retreading and recycling personnel.

5. Pirelli says that NHTSA has granted similar petitions involving tires manufactured by Cooper Tire and Goodyear (Dunlop). See 74 FR 10804 (March 12, 2009), grant of petition submitted by Goodyear where tires were marked "Tread 3 Polyester + 2 Steel," whereas the correct marking should have been "Tread 2 Polyester + 2 Steel + 2 Polyamide;" See 82 FR 17075 (April 7, 2017) grant of petition submitted by Cooper Tire & Rubber Company where tires were marked "TREAD 1 PLY NYLON + 2 PLY STEEL + 2 PLY POLYESTER," whereas the correct marking should have been "TREAD 1 PLY NYLON + 2 PLY STEEL + 1 PLY POLYESTER." See 83 FR 13002 (March 26, 2018), grant of petition submitted by Sumitomo Rubber Industries Ltd. where tires were marked "TREAD 5 PLIES STEEL" whereas the correct marking should have been "TREAD 4 PLIES STEEL."

6. Pirelli is not aware of any warranty claims, field reports, customer complaints, legal claims, or any incidents or injuries related to the subject condition.

Pirelli expressed the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the

noncompliance, as required by 49 U.S.C. 30120, should be granted.

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, any decision on this petition only applies to the subject equipment that Pirelli no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve equipment distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant equipment under their control after Pirelli 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)

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2019-0082]

Agency Information Collection Activities; Notice and Request for Comment; Drivers' Use of Camera-Based Rear Visibility Systems Versus Traditional Mirrors

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

ACTION: Notice and request for comments on a proposed collection of information.

SUMMARY: The National Highway Traffic Safety Administration (NHTSA) announces our intention to request the Office of Management and Budget's (OMB) approval of a proposed collection of certain information by the Agency. Before a Federal agency can collect certain information from the public, it must receive approval from OMB. Procedures established under the Paperwork Reduction Act of 1995 (the PRA) require Federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of

information and to allow 60 days for public comment in response to the notice. The proposed collection of information supports research addressing safety-related aspects of drivers' use of camera-based rear visibility systems intended to serve as a replacement for traditional outside rearview mirrors.

DATES: Comments must be received on or before October 28, 2019.

ADDRESSES: You may submit comments identified by the docket number in the heading of this document or by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments on the electronic docket site by clicking on "Help" or "FAQ".

- *Mail:* Docket Management Facility, M-30, U.S Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12-140, Washington, DC 20590.

- *Hand Delivery:* U.S Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12-140, Washington, DC 20590 between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal Holidays.

- *Fax:* 202-493-2251.

Instructions: Each submission must include the Agency name and the Docket number for this Notice. Note that all comments received will be posted without change to www.regulations.gov, including any personal information provided. Please see the Privacy heading below.

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 (65 FR 19477-78) or you may visit <http://www.dot.gov/privacy.html>.

Docket: For access to the docket to read comments received, go to <http://www.regulations.gov>, or the street address listed above. Follow the online instructions for accessing the dockets.

FOR FURTHER INFORMATION CONTACT: Elizabeth Mazzae, Applied Crash Avoidance Research Division, Vehicle Research and Test Center, NHTSA, 10820 State Route 347—Bldg. 60, East Liberty, Ohio 43319; Telephone (937) 666-4511; Facsimile: (937) 666-3590; email address: elizabeth.mazzae@dot.gov.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- how to enhance the quality, utility, and clarity of the information to be collected;

- how to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks for public comments on the following proposed collection of information:

Title: Drivers' Use of Camera-Based Rear Visibility Systems Versus Traditional Mirrors.

Type of Request: New collection.

Type of Review Requested: Regular.

OMB Clearance Number: New Collection.

Form Number: None.

Requested Expiration Date of Approval: Three years from date of approval.

Summary of the Collection of Information:

NHTSA proposes to perform research involving the collection of information from the public as part of a multi-year effort to learn about drivers' use of camera-based systems designed to replace traditional outside rearview mirrors. Initial research will focus on light vehicles and be followed by research examining camera-based visibility systems on heavy trucks.

For the light vehicle research, all camera-based visibility systems to be tested will be foreign production or prototype systems fitted onto U.S. or European specification vehicles. At least

two test vehicles will be equipped with both camera and mirror technologies, while the other test vehicles will be equipped with camera-based visibility systems and no outside mirrors. Systems to be tested with heavy trucks have yet to be finalized.

Research participants will be members of the public who are licensed car drivers and/or truck drivers. Participants will drive a test vehicle equipped with a camera-based system in place of outside rearview mirrors, an original equipment outside rearview mirror system, or a combination of both. The research will involve track-based and on-road, semi-naturalistic driving in which participants will drive vehicles in multi-lane traffic scenarios while using the outside rearview mirrors or alternative system during lane changes and other typical driving situations. A portion of testing will take place in dark (i.e., nighttime or early morning) driving conditions to permit examination of system performance and drivers' use of systems in those conditions. Vehicles will be fitted with instrumentation for recording driver eye glance behavior, as well as vehicle speed, position, steering angle, and turn signal status. Separate, but similar data collections will be conducted for passenger cars and heavy trucks. Questions will be asked during the course of the research to assess individuals' suitability for study participation, to obtain feedback regarding participants' use of the camera-based rear visibility systems, and to gauge individuals' level of comfort with and confidence in the technologies' performance and safety.

Description of the Need for the Information and Proposed Use of the Information:

The National Highway Traffic Safety Administration's (NHTSA) mission is to save lives, prevent injuries, and reduce healthcare and other economic costs associated with motor vehicle crashes. As new vehicle technologies are developed, it is prudent to ensure that they do not create any unintended decrease in safety. The safety of passive visibility-related technologies depends on both the performance of the systems and on drivers' ability to effectively and comfortably use the systems. This work seeks to examine and compare drivers' eye glance behavior and aspects of driving behavior and lane change maneuver execution for traditional mirrors and camera-based systems intended to replace outside rearview mirrors.

The collection of information will consist of: (1) Question Set 1, Driving Research Study Interest Response Form, (2) Question Set 2, Screening Questions,

(3) passive observation of driving behavior, and (4) Question Set 3, Post-Drive Questionnaire.

The information to be collected will be used for the following purposes:

- *Question Set 1, Driving Research Study Interest Response Form* will be used to determine individuals' willingness to participate in the study and whether an individual qualifies for participation in this study based on certain information. For example, participants must:
 - Be at least 25 years of age
 - For drivers of passenger cars: Hold a valid U.S. or Canadian driver's license
 - For drivers of heavy trucks: Hold a valid U.S. commercial driver's license
 - Drive at least 11,000 miles annually
 - Provide their contact information for the purposes of coordinating participation.
- *Question Set 2, Screening Questions* will be primarily used to ensure that participants meet certain minimum health qualifications, are free of recent criminal convictions, and have

reasonable availability to participate in the study. The objective of the health screening questions is to identify candidate participants whose physical and health conditions may be deemed "average" and are compatible with being able to drive continuously for up to 3 hours a vehicle equipped with only original equipment components.

- *Question Set 3, Post-Drive Questionnaire* will be used to get information about the participants' experiences during the experimental drive, including their degree of comfort in using the camera-based system. There will be different versions of the questionnaire for light vehicle and truck drivers, but both will be designed to require not more than 15 minutes to complete all questions. Participants will complete the Question Set 3 post-drive questionnaire one time for mirrors and one time for the camera-based rear visibility system.

Affected Public (Respondents): Research participants will be licensed drivers aged 25 years or greater who

drive at least 11,000 miles annually, are in good health, and do not require assistive devices to safely operate a vehicle and drive continuously for a period of 3 hours.

Estimated Number of Respondents: Information will be collected in an incremental fashion to permit the determination of which individuals have the necessary characteristics for study participation. All interested candidates will complete Question Set 1, Driving Research Study Interest Response Form. A subset of individuals meeting the criteria for Question Set 1 will be asked to complete Question Set 2, Screening Questions. From the individuals found to meet the criteria for both Questions Sets 1 and 2, a subset will be chosen with the goal of achieving a sample providing a balance of age and sex to be scheduled for study participation. A summary of the estimated numbers of individuals that will complete the noted question sets is provided in the following table.

ESTIMATED NUMBER OF RESPONDENTS

Questions	Total N
Question Set 1, Driving Research Study Interest Response Form	750
Question Set 2, Screening Questions	300
Question Set 3, Post-Drive Questionnaire	160

Estimated Time per Response: Completion of Question Set 1, Driving Research Study Interest Response Form is estimated to take approximately 5 minutes and completion is estimated to take approximately 7 minutes for Question Set 2, Screening Questions. Completion of Question Set 3, Post-Drive Questionnaire is estimated to take

15 minutes per participant and each participant will complete the questionnaire two times. The estimated annual time and cost burdens are summarized in the table below. The number of respondents and time to complete each question set are estimated as shown in the table. The time per question set is calculated by

multiplying the number of respondents by the time per respondent and then converting from minutes to hours. The hour value for each question set is multiplied by the latest average hour earning estimate from the Bureau of Labor Statistics to obtain an estimated burden cost per question set.¹

ESTIMATED TIME PER RESPONSE AND TOTAL TIME

Question Set	Topic	Participants	Time per response (minutes)	Total time (minutes)	Total time (hours)	Total cost
1	Driving Research Study Interest Response Form.	750	5	3,750	62.5	\$2,466.12
2	Screening Questions	300	7	2,100	35.0	1,381.03
3a	Post-Drive Questionnaire, Passenger Vehicle.	80	30	2,400	40.0	1,578.32
3b	Post-Drive Questionnaire, Heavy Truck	80	30	2,400	40.0	1,578.32
Total Estimated Burden					177.5	7,003.78

Total Estimated Annual Burden: 177.5 hours.

Frequency of Collection: The data collection described will be performed

once to obtain the target number of valid test participants.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.95.

¹ Bureau of Labor Statistics Feb. 2019 Average Hourly Earnings data for "Total Private," \$27.66 (Accessed 3/8/2019 at <https://www.bls.gov/news.release/empsit.t19.htm>.) The Bureau of Labor

Statistics estimates that for private industry workers, wages represent 70.1% of total compensation. Employer Costs for Employee

Compensation-March 2019, (Assessed 7/31/2019 at <https://www.bls.gov/news.release/pdf/ecec.pdf>).

Issued in Washington, DC.

Tim J. Johnson,

Acting Associate Administrator for Vehicle Safety Research.

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DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple IRS Information Collection Requests

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

DATES: Comments should be received on or before September 27, 2019 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at OIRA_Submission@OMB.EOP.gov and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW, Suite 8142, Washington, DC 20220, or email at PRA@treasury.gov.

FOR FURTHER INFORMATION CONTACT:

Copies of the submissions may be obtained from Jennifer Quintana by emailing PRA@treasury.gov, calling (202) 622-0489, or viewing the entire information collection request at www.reginfo.gov.

SUPPLEMENTARY INFORMATION:

Internal Revenue Service (IRS)

Title: Application of Tentative Refund.

OMB Control Number: 1545-0098.

Type of Review: Extension without change of a currently approved collection.

Description: Section 6411 of the Internal Revenue Code allows taxpayers to file an application for tentative refund for the carryback of a net operating loss, net capital loss, unused general business credit, or a claim of

right adjustment under section 1341(b). Income Tax Regulations Section 1.6411-1(b) requires Form 1045 in the case of taxpayers other than corporations. This form provides a line-by-line computation of the tax liability after application of the carryback and contains the information asked for in the Code and Regulations.

Form: 1045.

Affected Public: Individuals and households.

Estimated Number of Respondents: 65,220.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 17,503.

Estimated Time per Response: 30.5 hours.

Estimated Total Annual Burden

Hours: 534,192.

Title: Form 4461 Series: Applications for Approval of 401(a) and 501(a) Plans.

OMB Control Number: 1545-0169.

Type of Review: Revision of a currently approved collection.

Description: The IRS uses these forms to determine from the information submitted whether the applicant plan qualifies under section 401(a) of the Internal Revenue Code for plan approval. The application is also used to determine if the related trust qualifies for tax exempt status under Code section 501(a).

Form: 4461, 4461-A, 4461-B.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 3,300.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 3,300.

Estimated Time per Response: 10.86 hours.

Estimated Total Annual Burden

Hours: 35,846.

Title: Statement of Payments Received.

OMB Control Number: 1545-0364.

Type of Review: Extension without change of a currently approved collection.

Description: Form 4669, Statement of Payments Received, is used by payors in specific situations to request relief from payment of certain required taxes. A payor who fails to withhold certain required taxes from a payee may be entitled to relief, under sections 3402(d), 3102(f)(3), 1463 or Regulations section 1.1474-4. To apply for relief, a payor must show that the payee reported the payments and paid the corresponding tax. To secure relief as described above, a payor must obtain a separate, completed Form 4669 from each payee for each year relief is

requested. The data is used to verify that the income tax on the wages was paid in full. The collection of data affects business, individuals, and households.

Form: 4669.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 85,000.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 85,000.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden

Hours: 21,250.

Title: Application for Approval of Prototype or Employer Sponsored Individual Retirement Arrangement (IRA).

OMB Control Number: 1545-0390.

Type of Review: Extension without change of a currently approved collection.

Description: This application is used by employers who want to establish an individual retirement account trust to be used by their employees. The application is also used by persons who want to establish approved prototype individual retirement accounts or annuities. The data collected is used to determine if plans may be approved.

Form: 5306.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 600.

Frequency of Response: On occasion.

Estimated Total Number of Annual Responses: 600.

Estimated Time per Response: 13.75 hours.

Estimated Total Annual Burden

Hours: 8,244.

Title: Gains and Losses from Section 1256 Contracts and Straddles.

OMB Control Number: 1545-0644.

Type of Review: Revision of a currently approved collection.

Description: Form 6781 is used by taxpayers to compute their gains and losses from Section 1256 contracts and straddles and their special tax treatment. The data is used to verify that the tax reported accurately reflects any such gains and losses.

Form: 6781.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 5,684.

Frequency of Response: Annually.

Estimated Total Number of Annual Responses: 5,684.

Estimated Time per Response: 13.95 hours.

Estimated Total Annual Burden

Hours: 79,292.