



U.S. Department
of Transportation

Memorandum

**National Highway
Traffic Safety
Administration**

NHTSA-2004-19290-1

Subject: Petition for Import Eligibility of
2004 Rolls Royce Phantom Passenger Cars

Date: OCT 7 2004

From: 
Coleman Sachs
Office of Vehicle Safety Compliance

To: Docket Management

Please place the attached petition for a decision that 2004 Rolls Royce Phantom Passenger Cars are eligible for importation in Docket No. NHTSA-2004-19290.

Attachment

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DEPARTMENT OF TRANSPORTATION
National Highway Traffic Safety Administration
Docket No. NHTSA-2004-19290

Notice of Receipt of Petition for Decision that
Nonconforming 2004 Rolls Royce Phantom Passenger Cars Are
Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT

ACTION: Notice of receipt of petition for decision that nonconforming 2004 Rolls Royce Phantom passenger cars are eligible for importation.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 2004 Rolls Royce Phantom passenger cars that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because (1) they are substantially similar to vehicles that were originally manufactured for importation into and sale in the United States and that were certified by their manufacturer as complying with the safety standards, and (2) they are capable of being readily altered to conform to the standards.

DATE: The closing date for comments on the petition is [30 days after publication in the Federal Register].

ADDRESS: Comments should refer to the docket number and notice number, and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 9 am to 5 pm]. 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) or you may visit <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. § 30141(a)(1)(A), 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, 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.

Automobile Concepts, Inc. ("AMC"), of North Miami, Florida (Registered Importer 01-278) has petitioned NHTSA to decide whether nonconforming 2004 Rolls Royce Phantom passenger cars are eligible for importation into the United States. The vehicles which AMC believes are substantially similar are 2004 Rolls Royce Phantom passenger cars that were manufactured for importation into, and sale in, the United States and certified by their manufacturer as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared non-U.S. certified 2004 Rolls Royce Phantom passenger cars to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most Federal motor vehicle safety standards.

AMC submitted information with its petition intended to demonstrate that non-U.S. certified 2004 Rolls Royce Phantom passenger cars, as originally manufactured, conform to many Federal motor vehicle safety standards in the same manner as

their U.S. certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that non-U.S. certified 2004 Rolls Royce Phantom passenger cars are identical to their U.S. certified counterparts with respect to compliance with Standard Nos. 102 Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect, 103 Windshield Defrosting and Defogging Systems, 104 Windshield Wiping and Washing Systems, 106 Brake Hoses, 109 New Pneumatic Tires, 113 Hood Latch System, 116 Motor Vehicle Brake Fluids, 124 Accelerator Control Systems, 135 Passenger Car Brake Systems, 201 Occupant Protection in Interior Impact, 202 Head Restraints, 204 Steering Control Rearward Displacement, 205 Glazing Materials, 206 Door Locks and Door Retention Components, 207 Seating Systems, 212 Windshield Mounting, 214 Side Impact Protection, 216 Roof Crush Resistance, 219 Windshield Zone Intrusion, 225 Child Restraint Anchorage Systems, 302 Flammability of Interior Materials, and 401 Interior Trunk Release.

In addition, the petitioner claims that the vehicles comply with the Bumper Standard found in 49 CFR Part 581.

The petitioner also contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 Controls and Displays: installation of a U.S.-model instrument cluster. U.S. version software must also be downloaded to meet the requirements of this standard.

Standard No. 108 Lamps, Reflective Devices and Associated Equipment: inspection of all vehicles and replacement of any non U.S. model components required to meet the requirements of this standard with U.S.-model components.

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

Standard No. 111 Rearview Mirrors: installation of a U.S.-model passenger side rearview mirror, or inscription of the required warning statement on the face of that mirror.

Standard No. 114 Theft Protection: installation of U.S.-version software, or installation of a supplemental key warning buzzer system to meet the requirements of this standard.

Standard No. 118 Power-Operated Window, Partition, and Roof Panel Systems: installation of U.S. version software to meet the requirements of this standard.

Standard No. 208 Occupant Crash Protection: (a) installation of U.S. version software to ensure that the seat belt warning system meets the requirements of this standard, and (b) inspection of all vehicles and replacement of any non-U.S.-model components necessary for conformity with this standard with U.S.-model components.

Petitioner states that the restraint systems used at the front outboard seating positions include airbags and knee bolsters as well as combination lap and shoulder belts at the front and rear designated seating positions. These seat belt systems are self-tensioning and release by means of a single red pushbutton.

Standard No. 209 Seat Belt Assemblies: inspection of all vehicles and replacement of any non-U.S.-model seat belts with U.S.-model components on vehicles that are not already so equipped.

Standard No. 210 Seat Belt Assembly Anchorages: inspection of all vehicles and replacement of any non-U.S.-model seat belt anchorages with U.S.-model components on vehicles that are not already so equipped.

Standard No. 301 Fuel System Integrity: inspection of all vehicles and replacement of any non-U.S.-model fuel system components with U.S.-model components.

The petitioner additionally states that a vehicle identification plate must be affixed to the vehicles near the left windshield post to meet the requirements of 49 CFR Part 565.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW, Washington, DC 20590. [Docket hours are

from 9 am to 5 pm]. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the Federal Register pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on:



Claude H. Harris
Director, Office of Vehicle
Safety Compliance

Billing Code: 4910-59-P

AMC

automobile concepts inc, 13329 ne 17 ave n. miami, fl 33181 tel 305 893-1950 fax 305 893-9097

Registered Importer 01-278

PETITION FOR IMPORT ELIGIBILITY DETERMINATION

To:
Administrator
National Highway Traffic Safety Administration
Room 6111
400 7th Street SW
Washington, DC, 20590
Attn NEF-32 Import Eligibility

07/07/04



AUG 27 2004

[AS REVISED ON 10/6/04]

Dear Mr. Stevens:

we are asking to grant a Petition for a Rolls Royce Phantom MY 2004 manufactured between 01/01/2004 and 12/31/2004

The following is the basis for this petition:

Part 593.6[a] [1]

The vehicle for which a determination is sought is the 2004 Rolls Royce Phantom
VIN# SCA1S68084UX00263

Which was originally manufactured for the European Market

All recalls will be corrected in exiting and future Campaigns and proof will be submitted in the Compliance Package.

NHTSA-2004-19290

RR

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Part 593.6 [a] [2]

The vehicle which is substantially similar to the petition vehicle is the Rolls Royce Phantom US version.

Part 593.6 [a] [3]

The vehicle which we believe to be substantially similar is manufactured for Sale in the USA and it was certified to meet all applicable FMVSS in effect at the time of manufacture. The non-conforming model was not listed on the accepted DOT list in 55 FR 219, pp 218, 47418ff, or the updates that have been published.

The following outline presents data, views, and arguments to show that Our Vehicle is capable of being readily modified to comply with applicable FMVSS. All statements concerning compliance of Our Vehicle with applicable FMVSS, or modifications required to enable our Vehicles to comply with applicable FMVSS, are the result of a detailed inspection, investigation and research with available literature comparing our Vehicle with the U.S. Companion Model.

FMVSS 101

Except as shown below, all controls and displays meet the requirements of this FMVSS in the same manner as the U.S. Companion Model.

1. The word "BRAKE" must be added to the instrument cluster in place of the ECE warning symbol.
2. The speedometer does not read in MPH, and therefore, must be modified.

A new Instrument Cluster has to be installed in order to comply with requirements of this Standard, as well as Software will be required in order to fully comply with all requirements of this Standard.

FMVSS 102

The markings, starter interlock, shift pattern, brake effect and other components necessary to meet the requirements of this FMVSS are identical to those found in the U.S. Companion Model.

FMVSS 103

The windshield defrosting and defogging system is identical to that found in the U.S. Companion Model.

FMVSS 104

The windshield wiping and washing systems are identical to those found in the U.S. Companion Model.

FMVSS 106

The brake hoses are identical to those found in the U.S. Companion Model.

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FMVSS 108

All lamps, reflective devices and associated equipment are identical to those found in the U.S. Companion model, however all incoming vehicles have to be inspected and all parts not bearing US Partnumbers have to be replaced.

FMVSS 109

Our model comes equipped with tires, which meet the requirements of this FMVSS and bear the "DOT" symbol and required markings, identical to that found on the U.S. Companion Model.

FMVSS 110

A tire information placard must be affixed to our Model in order to comply fully with the requirements of this Standard.

FMVSS 111

The Drivers side and inside rear view mirrors meet the requirements of this FMVSS, identical to those found in the U.S. Companion Model. However, The Passenger side rearview mirror does not comply with this FMVSS and will be modified by permanently etching the mirror with the statement "Objects In Mirror Are Closer Than They Appear".

FMVSS 113

The Hood latch System is identical to that found in the U.S. Companion Model and complies with all requirements of FMVSS 113.

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FMVSS 114

In order to comply with all requirements of this Standard the required warning buzzer has to be installed or programmed .

FMVSS 116

Our vehicle comes equipped with DOT approved brake fluid, and the top for the Master Cylinder is marked with the required "DOT" brake fluid and "DOT" brake fluid information.

FMVSS 118

The power window system has to be modified in order to comply to the regulations of FMVSS 118 by reprogramming the Vehicle's Computer to US Mode.

FMVSS 124

The accelerator control system has two sources of energy, identical to that found in the U.S. Companion Model, and therefore, meets the requirements of FMVSS 124.

FMVSS 135

The hydraulic brake system and the parking brake systems are identical to those found in the U S Companion Model.

FMVSS 201

The interior components covered by FMVSS 201 are identical to those found in the U.S. Companion Model.

FMVSS 202

Our Vehicle came equipped with head restraints that are identical to those found in the U.S. Companion Model, and therefore, comply with the requirements of this Standard

FMVSS 203

NA. When the requirements of FMVSS 208 are met. Conforms to S 5.1 of FMVSS 208(impact from steering controls).

FMVSS 204

The steering column, shaft, and parts applicable to this Standard are identical to those found in the U. S. Companion Model, and therefore, comply with the requirements of this Standard.

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FMVSS 205

The glass and glazing materials are identical to those found in the U.S. Companion Model, and therefore, comply with the requirements of this Standard

FMVSS 206

The door locks and door retention components are identical to those found in the U.S. Companion Model, and therefore, comply with the requirements of FMVSS 206.

FMVSS 207

The seating system components are identical to those found in the U.S. Companion Model, and therefore comply with the requirements of this Standard

FMVSS 208

Our Vehicle came equipped with a passive restraint system consist of dual Airbags and knee bolsters, they also are equipped with combination lap and shoulder belts at the outboard front and rear seating Position as found in the U.S. Companion Models. The belt systems are self-tensioning and are released by means of a single red push button. All incoming vehicles have to be inspected for Compliance and if necessary all Parts not bearing US Part Numbers must be replaced in order to comply

However the Seatbelt warning buzzer has to be activated by reprogramming the vehicle to US Mode.

FMVSS 209

All seat belts have to be inspected and if necessary all none compliant Parts have to be replaced with US Parts.

FMVSS 210

The seat belt anchorages have to be inspected and if necessary all none compliant parts have to be replaced with US Parts.

FMVSS 212

The Wind shield mounting components and engineering required to meet the requirement are identical to those found in the US Companion Models and therefore meet the requirements of this Standard

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FMSS 214

Our Vehicle came equipped with original door beams, and therefore, meets the requirements of FMVSS 214.

FMVSS 216

Our Vehicle comes equipped with a body and support structure and components that are identical to those found in the U.S. Companion model, and therefore, meets the requirements of this Standard.

FMVSS 219

Our Vehicle comes equipped with components, applicable to FMVSS 219, which are identical to those found in the U.S. companion Model.

FMVSS 225

All vehicles come equipped with Anchorages which comply with Child Restrained Anchorage System Requirements of this Standard.

FMVSS 301

We will modify the fuel system and replace all non-U.S. model components with U.S. model components, the detailed information was provided to EPA and is confidential and will be presented in the final Report.

FMVSS 302

The interior materials and components covered by FMVSS 302, are identical to those found in the U.S. Companion Model, and therefore, meet the requirements of this Standard.

FMVSS 401

Our vehicle came with an interior trunk release therefore our vehicle meets the requirements of this Standard.

49 CFR PART 541

N/A

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49 CFR Part 565

A VIN plate, which must be readable from the driver's windshield pillar from outside, must be installed. The VIN plate must contain the wording "Substitute for U.S. VIN" and reference "49 CFR Part 565". In addition, a certification label must be affixed to the edge of the driver's side door or to the latch post nearest the driver.

49 CFR Part 581

Our vehicle came equipped with bumpers and support structures complied with the requirement of this Standard.

49 CFR Part 567

In order to comply with the requirements of Part 567, a certification label will be affixed to the drivers side door jam with the certification information required by part 567.

Thank you for your attention ,

Sylvia Wahab

