

Specifically, the petitioner claims that 2002–2004 Smart Car Passion, Pulse, and Pure (coupe and cabriolet) passenger cars have safety features that comply with Standard Nos. 103 *Defrosting and Defogging Systems* (based on testing for which G&K is claiming confidentiality), 104 *Windshield Wiping and Washing Systems* (based on testing for which G&K is claiming confidentiality), 106 *Brake Hoses* (based on the equipment manufacturer's certification), 109 *New Pneumatic Tires* (based on the presence of required certification markings), 116 *Brake Fluid* (based on the presence of required markings), 118 *Power Window Systems* (based on observation of the system's operation), 124 *Accelerator Control Systems* (based on observation of the system's operation), 202 *Head Restraints* (based on testing for which G&K is claiming confidentiality), 205 *Glazing Materials* (based on the presence of required certification markings), 207 *Seating Systems* (based on testing for which G&K is claiming confidentiality), 210 *Seat Belt Assembly Anchorages* (based on testing for which G&K is claiming confidentiality), 212 *Windshield Retention* (based on testing for which G&K is claiming confidentiality), and 219 *Windshield Zone Intrusion* (based on testing for which G&K is claiming confidentiality).

Petitioner further contends that the vehicles are capable of being altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: (a) Inscription of the word "Brake" and a seat belt warning symbol on the dash; (b) modification of the speedometer to read in miles per hour. The petitioner states that the controls and displays are visible and accessible to the driver while restrained by a lap and shoulder belt, that controls for the headlamps, the windshield defrosting and defogging system, and the windshield wiping system and panel are all identified, and that all required controls are illuminated.

Standard No. 102 *Transmission Shift Lever Sequence*: Modification of the shift lever markings, the shift pattern, the starter interlock, and the automatic transmission braking effect to achieve compliance with this standard. The petition does not describe these modifications. G&K is claiming confidentiality with respect to these modifications.

Standard No. 108 *Lamps, Reflective Devices and Associated Equipment*: (a) Modification of the headlamp to meet the standard; (b) installation of side markers. The petition does not describe these modifications. G&K is claiming

confidentiality with respect to these modifications and the testing conducted to demonstrate that the vehicles would meet this standard with these modifications performed.

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

Standard No. 111 *Rearview Mirror*: Inscription of the required warning statement on the face of the passenger side rearview mirror.

Standard No. 114 *Theft Protection*: Modification of the key locking system to meet this standard. The petition does not describe these modifications. G&K is claiming confidentiality with respect to these modifications.

Standard No. 135 *Passenger Car Brake Systems*: Modification of the hydraulic brake system and the parking brake system through the installation of components available only from G&K. The petition does not describe these modifications. G&K is claiming confidentiality with respect to these modifications and the testing conducted to demonstrate that the vehicles would meet this standard with these modifications performed.

Standard No. 201 *Occupant Protection in Interior Impact*: Replacement of interior components with components fabricated by, and available only through, G&K. The petition does not describe these components or their manner of installation. G&K is claiming confidentiality with respect to these modifications and the testing conducted to demonstrate that the vehicles would meet this standard with these modifications performed.

Standard No. 204 *Steering Control Displacement*: Modification of the vehicles to meet the standard. The petition does not describe these modifications. G&K is claiming confidentiality with respect to these modifications and the testing conducted to demonstrate that the vehicles would meet this standard with these modifications performed.

Standard No. 206 *Door Locks and Door Retention Components*: Modification of the door locks and door retention components to meet the standard. The petition does not describe these modifications. G&K is claiming confidentiality with respect to these modifications and the testing conducted to demonstrate that the vehicle would meet this standard with these modifications performed.

Standard No. 208 *Occupant Crash Protection*: Modification of the vehicles to meet this standard. The petition does not describe these modifications. G&K is claiming confidentiality with respect to

these modifications and the testing conducted to demonstrate that the vehicles would meet this standard with these modifications performed.

Standard No. 209 *Seat Belt Assemblies*: Modification of the seat belt systems to meet this standard. The petition does not describe these modifications. G&K is claiming confidentiality with respect to these modifications.

Standard No. 214 *Side Impact Protection*: Modification of the vehicles through the installation of components available only from G&K. The petition does not describe these modifications. G&K is claiming confidentiality with respect to these modifications and the static and dynamic testing conducted to demonstrate that the vehicles would meet this standard with these modifications performed.

Standard No. 216 *Roof Crush Resistance*: Modification of the vehicles to meet this standard. The petition does not describe these modifications. G&K is claiming confidentiality with respect to these modifications and the testing conducted to demonstrate that the vehicles would meet this standard with these modifications performed.

Standard No. 225 *Child Restraint Anchorage Systems*: Installation of a U.S.-model tether anchorage behind the passenger seat on coupe models.

Standard No. 301 *Fuel System Integrity*: Modification of the vehicles' fuel system through the installation of components available only from G&K. The petition does not describe these modifications. G&K is claiming confidentiality with respect to these modifications and the testing conducted to demonstrate that the vehicles would meet this standard with these modifications performed.

Standard No. 302 *Flammability of Interior Materials*: Treatment of interior materials and components covered by the standard with material available only from G&K. G&K is claiming confidentiality with respect to these modifications and the testing conducted to demonstrate that the vehicles would meet this standard with these modifications performed.

The petitioner states that a vehicle identification number plate must be affixed to the vehicles near the left windshield post and a reference and certification label must be affixed in the area of the left front door post to meet the requirements of 49 CFR part 565. The petitioner further states that a certification label must be affixed to the driver's door jamb to meet the requirements of 49 CFR part 567.

Additionally, the petitioner states that 2002–2004 Smart Car Passion, Pulse,