

the antitheft device is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements. In accordance with 49 U.S.C. 33106, after model year (MY) 2000, the number of new exemptions is contingent on a finding by the Attorney General as part of its long-range review of effectiveness. After consulting with DOJ, the agency decided it could continue granting one exemption per model year pending the results of the long-term review.

In a final rule published on April 6, 2004, the Federal Motor Vehicle Theft Prevention Standard was extended to include all passenger cars and multipurpose passenger vehicles with a gross vehicle rating of 6,000 pounds or less, and to light duty trucks with major parts that are interchangeable with a majority of the covered major parts of multipurpose passenger vehicles. Consistent with the DOJ consultation, the April 6, 2004 final rule amended the general requirements of Section 543.5 of Chapter 49 of the Code of Federal Regulations, allowing a manufacturer to petition NHTSA to grant an exemption for one additional line of its passenger motor vehicles from the requirements of the theft prevention standard for each model year after MY 1996. The final rule became effective September 1, 2006.

Prior to September 1, 2006, manufacturers were only allowed to petition NHTSA for high-theft vehicles lines. In its April 6, 2004 final rule, the agency amended part 543 to allow vehicle manufacturers to file petitions to exempt all vehicle lines that would become subject to parts-marking requirements beginning with the effective date of the final rule. As a result of this amendment, vehicle manufacturers are allowed to file petitions to exempt all vehicle lines that would become subject to the parts-marking requirements regardless of their theft status (high or low).

There are approximately 21 vehicle manufacturers that could request an exemption (one exemption per manufacturer per model year), although 33 petitions for exemption from the parts-marking requirements were received by the agency for MYs 2013–2015. This is an average of approximately 11 responses per year. NHTSA anticipates that this will remain the average number of yearly responses that will be received by the agency.

NHTSA estimates that the average hours per submittal will be 166, for a total annual burden of 1,826 hours. This is a slight increase from the previous OMB inventory of 1,808 hours. NHTSA estimates that the cost associated with

the burden hours is \$39.49 per hour, for a total cost of approximately \$72,109.

*Affected Public:* Motor vehicle manufacturers.

*Estimated Total Annual Burden:* NHTSA estimates that vehicle manufacturers will incur a total annual reporting hour and cost burden of 1,826 hours and \$72,109 respectively. There would be no additional cost to motor vehicle manufacturers that would require it to comply to this regulation.

**Claude H. Harris,**

*Acting Associate Administrator for Rulemaking.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2013–0125; Notice 2]

#### Hankook Tire America Corp, Grant of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Grant of Petition.

**SUMMARY:** Hankook Tire America Corp, (Hankook) has determined that certain model year Hankook Roadhandler Sport (H432) tires manufactured between June 21, 2013 and August 29, 2013, do not fully comply with paragraph S5.5(f) of Federal Motor Vehicle Safety Standard (FMVSS) No.139, *New Pneumatic Radial Tires for Light Vehicles*. Hankook has filed an appropriate report dated October 4, 2013, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*.

**ADDRESSES:** For further information on this decision contact Abraham Diaz, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366–5310, facsimile (202) 366–5930.

#### SUPPLEMENTARY INFORMATION:

*I. Hankook's Petition:* Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Hankook submitted a petition for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the October 4, 2013, petition was published, with a 30-day public comment period, on December 10, 2013 in the **Federal**

**Register** (78 FR 74226). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) Web site at: <http://www.regulations.gov/>. Then follow the online search instructions to locate docket number “NHTSA–2013–0125.”

*II. Tires Involved:* Affected are approximately 6,257 Roadhandler Sport (H432), size 215/45R17 91W XL, Hankook tires manufactured between June, 21, 2013 and August 29, 2013.

*III. Noncompliance:* Hankook explains that the noncompliance is that, due to a mold labeling error, the sidewall marking on the side of the tires incorrectly describes the actual number of plies in the tread area of the tires as required by paragraph S5.5(f) of 49 CFR 571.139. Specifically, the tires in question were inadvertently manufactured with “Ply Tread 2 steel + 1 Polyester + 2 Nylon, Sidewall 1 Polyester.” The correct labeling and stamping to match the tire construction should have been “Ply Tread 2 steel + 1 Polyester + 1 Nylon, Sidewall 1 Polyester.”

*IV. Rule Text:* Paragraph S5.5(f) of FMVSS No. 139 requires in pertinent part:

S5.5 Tire Markings. Except as specified in paragraphs (a) through (i) of S5.5, each tire must be marked on each sidewall with the information specified in S5.5(a) through (d) and on one side-wall with the information specified in S5.5(e) through (i) according to the phase-in schedule specified in S7 of this standard. The markings must be placed between the maximum section width and the bead on at least one sidewall, unless the maximum section width of the tire is located in an area that is not more than one-fourth of the distance from the bead to the shoulder of the tire. If the maximum section width that falls within that area, those markings must appear between the bead and a point one-half the distance from the bead to the shoulder of the tire, on at least one sidewall. The markings must be in letters and numerals not less than 0.078 inches high and raised above or sunk below the tire surface not less than 0.015 inches . . .

(f) The actual number of plies in the sidewall, and the actual number of plies in the tread area, if different.

*V. Summary of Hankook's Analyses:* Hankook stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

1. The affected subject tires meet or exceed all applicable FMVSS performance standards.

2. The subject tires will not be affected based on performance, durability, or safety they are designed and build for.

Hancock has additionally informed NHTSA that it has corrected the

noncompliance so that all future production of these Roadhandler Sport (H432) tires will comply with FMVSS No. 139.

In summation, Hankook believes that the described noncompliance of the subject tires is inconsequential to motor vehicle safety, and that its petition, to exempt from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

*VI. NHTSA's Decision:* The agency agrees with Hankook that the noncompliance is inconsequential to motor vehicle safety. The agency believes that the true measure of inconsequentiality to motor vehicle safety in this case is that there is no effect of the noncompliance on the operational safety of the vehicles on which these tires are mounted. The safety of people working in the tire retread, repair and recycling industries must also be considered.

Although tire construction affects the strength and durability, neither the agency nor the tire industry provides information relating tire strength and durability to the number of plies and types of ply cord material in the tread and sidewall. Therefore, tire dealers and customers should consider the tire construction information along with other information such as load capacity, maximum inflation pressure, and tread wear, temperature, and traction ratings, to assess performance capabilities of various tires. In the agency's judgment, the incorrect labeling of the tire construction information will have an inconsequential effect on motor vehicle safety because most consumers do not base tire purchases or vehicle operation parameters on the number of plies in a tire.

The agency believes the noncompliance will have no measurable effect on the safety of tire retread, repair, and recycling industries. The use of steel cord construction in the sidewall and tread is the primary safety concern of these industries. In this case, since the tire sidewall is marked correctly for the number of steel plies, this potential safety concern does not exist.

In consideration of the foregoing, NHTSA has decided that Hankook has met its burden of persuasion that the noncompliance described is inconsequential to motor vehicle safety. Accordingly, Hankook's petition is granted and the petitioner is exempted from the obligation of providing notification of, and remedy for, the subject noncompliance.

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

**Jeffrey M. Giuseppe,**  
*Acting Director, Office of Vehicle Safety Compliance.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2014-0033, Notice No. 14-3]

#### International Standards on the Transport of Dangerous Goods

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of public meeting.

**SUMMARY:** This notice is to advise interested persons that on Wednesday, June 11, 2014, PHMSA will conduct a public meeting to discuss proposals in preparation for the 45th session of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (UNSCOE TDG) to be held June 23 to July 2, 2014, in Geneva, Switzerland. During the public meeting, PHMSA is also soliciting comments relative to potential new work items which may be considered for inclusion in its international agenda.

Also, on Wednesday, June 11, 2014, the Department of Labor, Occupational Safety and Health Administration (OSHA) will conduct a public meeting (See Docket No. OSHA-H022k-2006-0062) to discuss proposals in

preparation for the 27th session of the United Nations Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals (UNSCGHS) to be held July 2 to 4, 2014, in Geneva, Switzerland.

**DATES:** Wednesday, June 11, 2014.

**ADDRESSES:** Both meetings will be held at the DOT Headquarters Conference Center, West Building, 1200 New Jersey Avenue SE., Washington, DC 20590.

**Time and Location:** PHMSA public meeting: 8:30 a.m. to 11:30 a.m. EDT, Oklahoma Room.

OSHA public meeting: 1:00 p.m. to 4:00 p.m. EDT, Conference Room 3.

**Registration:** It is requested that attendees pre-register for these meetings by completing the form at <https://www.surveymonkey.com/s/PNCPBQD>.

Attendees may use the form to pre-register for the PHMSA meeting, the OSHA meeting, or both meetings. Failure to pre-register may delay your access to the DOT building. Participants attending in person are encouraged to arrive early to allow time for security checks necessary to obtain access to the building.

Conference call-in and "live meeting" capability will be provided for both meetings. Specific information on call-in and live meeting access will be posted when available at <http://www.phmsa.dot.gov/hazmat/regs/international> and at <http://www.osha.gov/dsg/hazcom/>.

#### FOR FURTHER INFORMATION CONTACT:

Vincent Babich or Steven Webb, Office of Hazardous Materials Safety, International Standards, Department of Transportation, Washington, DC 20590; telephone (202) 366-8553.

**Supplementary Information on the PHMSA Meeting:** The primary purpose of PHMSA's meeting will be to prepare for the 45th session of the UNSCOE TDG. The 45th session of the UNSCOE TDG is the third of four meetings scheduled for the 2013-2014 biennium. The UNSCOE will consider proposals for the 19th Revised Edition of the United Nations Recommendations on the Transport of Dangerous Goods Model Regulations which will be implemented within relevant domestic, regional, and international regulations from January 1, 2017. Copies of working documents, informal documents, and the meeting agenda may be obtained from the United Nations Transport Division's Web site at <http://www.unece.org/trans/main/dgdb/dgsubc3/c3age.html>.

General topics on the agenda for the UNSCOE TDG meeting include:

- Explosives and related matters