

*Written Comments:* Written statements and supporting information submitted during the comment period will be considered with the same weight as oral comments and supporting information presented at the public meeting. Please submit all written comments no later than November 14, 2017, by any of the following methods:

- *Federal Rulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Mail:* Docket Management Facility: DOT, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Hand Delivery or Courier:* 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal Holidays.

- *Fax:* 202-366-1767.

*Instructions:* All submissions must include the Agency name and docket number. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act discussion below.

*Docket:* For access to the docket go to <http://www.regulations.gov> at any time or to 1200 New Jersey Avenue SE., West Building, Ground Floor, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. Telephone: 202-366-9826.

*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, (Volume 65, Number 70; Pages 19477-78), or you may visit <http://www.regulations.gov/privacy.html>.

*Confidential Business Information:* If you wish to submit any information under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information to the Chief Counsel, NHTSA, at the address given under **FOR FURTHER INFORMATION**

**CONTACT.** In addition, you should submit two copies, from which you have deleted the claimed confidential business information, to Docket Management at the address given above. When you send a comment containing information claimed to be confidential

business information, you should submit a cover letter setting forth the information specified in our confidential business information regulation (49 CFR part 512).

### Background

On September 12, 2017, DOT released *Automated Driving Systems 2.0: A Vision for Safety* and requested public comment. NHTSA has issued 2.0 as the next step on the path forward for the safe testing and deployment of ADSs. Together, the Voluntary Guidance for ADS and Technical Assistance to States serve to support industry, Government officials, safety advocates, and the public. By replacing the Federal Automated Vehicles Policy, 2.0 responds to public comments, continues the voluntary guidance framework, and assures industry, the States, and the public that the Agency will remain a leader in innovation and safety. The full *Automated Driving Systems 2.0: A Vision for Safety* can be found at [www.nhtsa.transportation.gov/av](http://www.nhtsa.transportation.gov/av).

### Meeting and Draft Agenda

This public meeting is being held during the open comment period and provides an opportunity for individuals and stakeholders to express feedback regarding both *Section 1: Voluntary Guidance for Automated Driving Systems* and *Section 2: Technical Assistance to States*. Input received at the public meeting will be used to make any necessary clarifications to 2.0, in support of its voluntary implementation. As appropriate, NHTSA will post clarification information on the NHTSA Web site in the Frequently Asked Questions section. The meeting agenda follows:

8-9 a.m.—Arrival/Check-In

9-10:30 a.m.—Section 1: Voluntary Guidance for ADSs

10:30-10:45 a.m.—Break

10:45-12 a.m.—Section 2: Technical Assistance to States

12 a.m.—Adjourn

Issued in Washington, DC under authority delegated by 49 CFR 1.95.

**Nathaniel Beuse,**

*Associate Administrator for Vehicle Safety Research.*

[FR Doc. 2017-23198 Filed 10-24-17; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2017-0081]

#### Traffic Records Program Assessment Advisory; Public Comment

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

**ACTION:** Request for public comment.

**SUMMARY:** The National Highway Traffic Safety Administration (NHTSA) is in the process of reviewing the *Traffic Records Program Assessment Advisory*, DOT HS 811 644, (Advisory) and requests comments to determine if updates or improvements are appropriate. States need timely, accurate, complete, and uniform traffic records to identify and prioritize traffic safety issues and to choose appropriate safety countermeasures and evaluate their effectiveness. The Advisory provides information on the contents, capabilities, and data quality attributes of an effective traffic records system, and includes assessment questions that qualified independent assessors use to evaluate the capabilities of a State's traffic records systems. Based on the input received in response to this notice, and NHTSA's experience in applying the previous Advisory to conduct assessments in the past, we anticipate issuing a revised Advisory by June 2018.

**DATES:** Written comments may be submitted to this agency and must be received no later than December 26, 2017.

**ADDRESSES:** You may submit comments identified by DOT Docket ID number NHTSA-2017-0081 by any of the following methods:

*Electronic Submissions:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Fax:* 202-366-2746.

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

*Hand Delivery or Courier:* Docket Management Facility, M-30, U.S. Department of Transportation, West Building, Ground floor, Room W12-140, 1200 New Jersey Ave. SE., Washington, DC 20590, between 9 a.m. and 5 p.m. Eastern time, Monday through Friday, except Federal holidays.

Regardless of how you submit your comments, you should identify the Docket number of this notice.

*Instructions:* For detailed instructions on submitting comments and additional information, see <http://www.regulations.gov>.

Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please read the “Privacy Act” heading below.

*Privacy Act:* Anyone is able to search the electronic form of all contents 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 Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78) or you may visit <http://docketsInfo.dot.gov>.

*Confidential Information:* If you wish to submit any information under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, NHTSA, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. In addition, you should submit two copies, from which you have deleted the claimed confidential business information, to Docket Management at the address given above under

When you send a comment containing information claimed to be confidential business information, you should include a cover letter setting forth the information specified in our confidential business information regulation. (49 CFR part 512) Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or the street address listed above. Follow the online instructions for accessing the dockets.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> at any time or to West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Eastern Time, Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** For programmatic issues: John Siegler, Office of Traffic Records and Analysis, NVS–423, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone (202) 366–1268. For legal issues: Megan Brown, Office of Chief Counsel, NCC–113, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone (202) 366–1834.

**SUPPLEMENTARY INFORMATION:** States need timely, accurate, complete, and uniform traffic records data to identify and prioritize traffic safety issues, and choose appropriate safety countermeasures and evaluate their effectiveness. The National Highway Traffic Safety Administration published the *Traffic Records Program Assessment Advisory* (DOT HS 811 644) in 2012 to provide guidance on the peer review of States’ crash, driver, vehicle, roadway, citation and adjudication, and injury surveillance systems.

The Advisory describes the capabilities of an ideal traffic records system and includes a set of questions, which are the basis for an in-depth review of State highway safety data and State traffic records systems. Specifically, these questions examine how the State Highway Safety Office (SHSO), State Traffic Records Coordinating Committee (TRCC), and the representative TRCC agencies plan, collect, manage, and integrate information from the crash, driver, vehicle, roadway, citation and adjudication, and injury surveillance data systems.

In order to qualify for a State Traffic Safety Information System Improvements grant under 23 U.S.C. 405(c), a State must certify that “an assessment of the State’s highway safety data and traffic records system was conducted or updated during the preceding 5 years.”<sup>1</sup> The 2012 Advisory was created in response to a GAO recommendation that “NHTSA take steps to ensure state traffic records assessments are complete and consistent to provide an in-depth evaluation of all state traffic safety data systems across all performance measures.”<sup>2</sup>

The *Advisory* is divided into nine topical areas: Traffic records coordinating committee, strategic planning for traffic records systems, crash data system, vehicle data system, driver data system, roadway data system, citation and adjudication systems, injury surveillance systems, and data use and integration. Each of these modules is further subdivided into submodules: Description and contents, applicable guidelines, data dictionaries, procedures and process flows, interface with other traffic records components, and data quality and control. Each assessment question is supplemented by “suggested evidence” and linked to the

associated narrative description of the ideal traffic records system.

Between 2012 and 2017, NHTSA conducted 55 traffic records assessments where independent subject matter expert assessors evaluated the response to each question and rated State responses as either (1) meeting the description of the ideal traffic records system, (2) partially meeting the description, or (3) not meeting the description. These assessments identified the strengths and opportunities of each component of the State’s traffic records systems and provided States with recommendations to improve their traffic records programs.

During the first five-year assessment cycle (2012–2017), NHTSA received feedback on the assessment process from State coordinators and respondents as well as the assessment facilitators and assessors. NHTSA intends to consider this feedback in addition to comments received on this notice to update the Advisory. Specifically, NHTSA will revise as appropriate the questions and evidence for the nine topical areas. Based on the feedback received during the first assessment cycle, anticipated changes may include updates to the ideal traffic records system description, expansion of suggested evidence notes, alteration and/or elimination of questions—particularly regarding performance measures—and a restructuring of the Injury Surveillance System section.

NHTSA is seeking comment on the description of the ideal traffic records system and associated assessment questions in the *Advisory* to provide greater clarity and ease for both State respondents and assessment teams. In undertaking this update to the Advisory, NHTSA seeks to minimize the level of effort required by States while still ensuring a robust evaluation of State traffic safety data systems that States can use to inform improvements to traffic safety data systems. The most helpful comments will suggest potential procedural changes that will streamline the process or will provide feedback on how to improve a specific question, its suggested evidence, and/or the associated text found in the module introduction. The full text of the *Traffic Records Program Assessment Advisory*, DOT HS 811 644, is available at <http://www-nrd.nhtsa.dot.gov/Pubs/811644.pdf>. NHTSA will consider all comments received as part of its revision of the *Advisory*. Comments will be addressed in a subsequent **Federal Register** notice that announces the final version of the *Advisory*.

<sup>1</sup> 23 U.S.C. 405(c)(3)(E).

<sup>2</sup> U.S. Gov’t Accountability Office, GAO–10–454, *Traffic Safety Data: State Data System Quality Varies and Limited Resources and Coordination Can Inhibit Further Progress* 41 (2010), available at <http://www.gao.gov/products/GAO-10-454>.

**Authority:** 23 U.S.C. Section 405(c)(3)(E).

Issued in Washington, DC.

**Terry T. Shelton,**

*Associate Administrator, National Center for Statistics and Analysis.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2016-0128; Notice 2]

#### Harley-Davidson Motor Company, Inc., Grant of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Grant of petition.

**SUMMARY:** Harley-Davidson Motor Company, Inc. (Harley-Davidson), has determined that certain model year (MY) 2016–2017 Harley-Davidson XL 1200CX Roadster motorcycles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 120, *Tire selection and rims and motor home/recreation vehicle trailer load carrying capacity information for motor vehicles with a GVWR of more than 4,536 kilograms (10,000 pounds)*. Harley-Davidson filed a noncompliance information report dated November 4, 2016. Harley-Davidson also petitioned NHTSA on November 28, 2016, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

**ADDRESSES:** For further information on this decision, contact Kerrin Bressant, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-1110, facsimile (202) 366-3081.

#### SUPPLEMENTARY INFORMATION:

*I. Overview:* Harley-Davidson Motor Company, Inc. (Harley-Davidson), has determined that certain model year (MY) 2016–2017 Harley-Davidson XL 1200CX Roadster motorcycles do not fully comply with paragraph S5.3.2 of Federal Motor Vehicle Safety Standard (FMVSS) No. 120, *Tire selection and rims and motor home/recreation vehicle trailer load carrying capacity information for motor vehicles with a GVWR of more than 4,536 kilograms (10,000 pounds)*. Harley-Davidson filed a report dated November 4, 2016, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Harley-Davidson also

petitioned NHTSA on November 28, 2016, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

Notice of receipt of the petition was published with a 30-day public comment period, on April 7, 2017, in the **Federal Register** (82 FR 17074). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) Web site at: <https://www.regulations.gov/>. Then follow the online search instructions to locate docket number “NHTSA-2016-0128.”

*II. Vehicles Involved:* Approximately 2,352 MY 2016–2017 Harley-Davidson XL 1200CX Roadster motorcycles manufactured between March 8, 2016 and August 23, 2016, are potentially involved.

*III. Noncompliance:* Harley-Davidson explains that the noncompliance is that the certification label on the subject vehicles incorrectly identifies the rear wheel rim size as 18 X 4.50 instead of 18 X 4.25, and therefore does not meet the requirements of paragraph S5.3.2 of FMVSS No. 120.

*IV. Rule Text:* paragraph 5.3 of FMVSS No. 120 states:

Each vehicle shall show the information specified in S5.3.1. and S5.3.2 . . . in the English language, lettered in block capitals and numerals not less than 2.4 millimeters high and in the format set forth following this paragraph. This information shall appear either:

(a) After each GAWR listed on the certification label required by § 567.4 or § 567.5 of this chapter; or at the option of the manufacturer,

(b) On the tire information label affixed to the vehicle in the manner, location, and form described in § 567.4(b) through (f) of this chapter as appropriate of each GVWR–GAWR combination listed on the certification label.

Paragraph S5.3.2 of FMVSS No. 120 states:

S5.3.2 Rims. The size designation and, if applicable, the type designation of Rims (not necessarily those on the vehicle) appropriate for those tires.

*V. Summary of Harley-Davidson’s Petition:* Harley-Davidson 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, Harley-Davidson submitted the following reasoning:

1. Harley-Davidson believes this labeling noncompliance is inconsequential to motor vehicle safety because consumers have the following sources to reliably identify the correct tire and rim combination:

a. The correct tire size is listed on the sidewall of the tire originally installed on the rim;

b. The correct tire, including tire size, is listed in the Owner’s Manual;

c. The correct wheel size is shown in the Original Equipment & Recommended Replacement Tires table in the Harley-Davidson Genuine Motor Parts and Accessories catalog; and

d. The correct wheel size is imprinted in the wheel.

Harley-Davidson believes these sources, particularly the tire size information listed on the rear tire’s sidewall, are the most likely places for consumers to look when replacing tires and rims.

2. Harley-Davidson states that NHTSA has granted petitions for inconsequential noncompliance for similar labeling errors regarding the rim size or the omission of the rim size. (Please see Harley-Davidson’s petition for a complete list of referenced petitions.)

In these cases, Harley-Davidson stated that the agency reasoned that consumers were unlikely to mismatch tires and rims because “the rim size information can be found in the vehicle’s owner’s manual or on the rim itself, and the tire size information is available from multiple sources including the owner’s manual, the sidewalls of the tires on the vehicle and on the tire placard or information label located on the door or door opening. The rim size can be derived using this tire information.

3. The incorrect rim size on the subject motorcycles’ certification label is unlikely to expose operators to a significantly greater risk than an operator riding a compliant motorcycle. Operators have several reliable sources to assist them in correctly matching the rims and tires.

4. Lastly, Harley-Davidson is not aware of any warranty claims, field reports, customer complaints, legal claims, or any incidents or injuries related to the subject condition.

Harley-Davidson concluded by expressing 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