

number for this petition shown in the heading of this notice.

### NHTSA Decision

**NHTSA Analysis:** VTNA explains that the noncompliance is that the wheels on the subject vehicles incorrectly identify the rim size as 24.5" x 8.25" instead of 22.5" x 8.25", and therefore do not meet the requirements of paragraph S5.2(b) of FMVSS No. 120. Specifically, the marking error overstates the wheel diameter by 2".

NHTSA has reviewed VTNA's analyses that the subject noncompliance is inconsequential to motor vehicle safety and provides the following analysis:

When it comes to mating a tire and rim combination, it becomes very apparent very quickly that either an oversized tire on a rim or an undersized tire on the same sized rim will not properly seat to that rim. In this particular case (the former) as VTNA has mentioned in its petition, if someone tries to mount a 24.5" inch tire on an undersized rim (22.5"), it will not hold air and therefore cannot be inflated. The inability to mount the incorrect tire on the rim precludes one's ability to actually drive with an incorrect tire-rim combination on public roadways. Furthermore, FMVSS No. 120 paragraph S5.3 requires vehicles be labeled with proper tire/rim size combinations. This additional information is available to provide the vehicle operator or technician with the correct tire/rim size information.

**NHTSA's Decision:** In consideration of the foregoing, NHTSA finds that VTNA has met its burden of persuasion that the FMVSS No. 120 noncompliance is inconsequential as it relates to motor vehicle safety. Accordingly, VTNA's petition is hereby granted and VTNA is consequently exempted from the obligation to provide notification of, and remedy for, the subject noncompliance in the affected vehicles under 49 U.S.C. 30118 and 30120.

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 vehicles that VTNA no longer controlled at the time it determined that the noncompliance existed. However, the granting of this petition does not relieve vehicle distributors and dealers of the

prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after VTNA 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,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2017-22516 Filed 10-17-17; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2017-0013; Notice 2]

#### Hyundai Motor America, Grant of Petition for Decision of Inconsequential Noncompliance

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

**ACTION:** Grant of petition.

**SUMMARY:** Hyundai Motor America (Hyundai), on behalf of Hyundai Motor Company, has determined that certain model year (MY) 2015 Hyundai Sonata motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, Reflective Devices, and Associated Equipment*. Hyundai filed a noncompliance information report dated February 5, 2017. Hyundai also petitioned NHTSA on February 3, 2017, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

**ADDRESSES:** For further information on the decision contact Leroy Angeles, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366-5304, facsimile (202) 366-3081.

#### SUPPLEMENTARY INFORMATION:

*I. Overview:* Hyundai Motor America (Hyundai), has determined that certain model year (MY) 2015 Hyundai Sonata motor vehicles do not fully comply with paragraph S6.5.3.4.1 of Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, Reflective Devices, and Associated Equipment*. Hyundai filed a noncompliance information report dated February 5, 2017, *Defect and Noncompliance Responsibility and Reports*. Hyundai also petitioned NHTSA on February 3, 2017, 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 Hyundai petition was published, with a 30-day public comment period, on April 17, 2017, in the **Federal Register** (82 FR 18208). 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-2017-0013."

*II. Vehicles Involved:* Approximately 3,054 MY 2015 Hyundai Sonata motor vehicles, manufactured between April 25, 2014, and May 16, 2014, are potentially involved.

*III. Noncompliance:* Hyundai explains that the noncompliance is that the lens on the replaceable headlamp assembly in the subject vehicles is missing the HB bulb designation, as required by paragraph S6.5.3.4.1 of FMVSS No. 108.

*IV. Rule Text:* Paragraph S6.5.3.4.1 of FMVSS No. 108 states in pertinent part:

S6.5.3.4 Replacable bulb headlamp markings.

S6.5.3.4.1 The lens of each replaceable bulb headlamp must bear permanent marking in front of each replacable light source with which it is equipped that states either: The HB Type, if the light source conforms to S11 of this standard for filament light sources, or the bulb marking/designation provided in compliance with Section VIII of appendix A of 49 CFR part 564 (if the light source conforms to S11 of this standard for discharge light sources) . . .

*V. Summary of Hyundai's Petition:* Hyundai 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, Hyundai submitted the following reasoning:

(a) *The noncompliance has no impact on headlamp performance:* The mismarked headlamps are the correct headlamps for the affected vehicles and conform to all applicable FMVSS photometric and other requirements. In a recent decision involving similar facts, NHTSA granted an inconsequentiality petition involving a noncompliant bulb marking because the use of the mismarked bulb would "not create a noncompliance with any of the headlamp performance requirements of FMVSS No. 108 or otherwise present an increased risk to motor vehicle safety." Osram Sylva Products, Inc., grant of petition for decision of Inconsequential Noncompliance, 78 FR 22943, 22944 (Dep't of Trans. Apr. 17, 2013).

(b) *The lens is marked with an industry standard bulb type:* The headlamp lenses in question are clearly marked “9005” (the ANSI designation), which are well-known alternative designations for the HB3 bulb. This designation is recognized throughout the automotive industry, and is used by lighting manufacturers interchangeably with a lamp’s HB type.

(c) *The risk of consumer confusion is remote:* A consumer can use the 9005 ANSI alternative to properly identify and purchase the correct replacement headlamp bulb for the affected vehicles. Hyundai searched a number of national automotive parts stores (Autozone, O’Reilly, Advanced Auto Parts, and Pep Boys), and found that all HB3 replacement bulbs in these stores were marked with the 9005 ANSI designation. In fact, the packaging on the replacement bulbs was more commonly marked with the ANSI designation than the HB type.

(d) *NHTSA precedent supports granting this petition:* NHTSA has previously ruled that the noncompliance at issue here (lamps marked with the ANSI designation rather than the HB type) is inconsequential to motor vehicle safety. On January 18, 2017, the Agency granted GM’s petition for inconsequential noncompliance regarding their high-beam headlamp lenses on model year 2012–2015 Chevrolet Sonic passenger cars that were not marked with “HB3” (the HB bulb type), as required by paragraph S6.5.3.4.1 of FMVSS No. 108. NHTSA granted the petition stating:

We agree with GM that the ANSI ‘9005’ designation is a well-known alternative designation for the HB3 light source and that the replacement light source packaging is commonly marked with both the HB type and ANSI designation. As such, we believe that consumers can properly identify and purchase the correct replacement upper beam light source for the affected vehicles.

See General Motors, LLC, Grant of petition for Decision of Inconsequential Noncompliance, (NHTSA–2015–0035).

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

#### NHTSA’S Decision

*NHTSA’s Analysis:* We agree with Hyundai that the ANSI “9005” designation is a well-known alternative designation for the HB3 light source and

that replacement light source packaging is commonly marked with both the HB type and ANSI designation. As such, we believe that consumers can properly identify and purchase the correct replacement upper beam light source for the affected vehicles. Further, the unique bulb holder design incorporated into the headlamps would prevent consumers from installing a light source other than an HB3/9005 so there would be no effect on headlamp performance.

*NHTSA’s Decision:* In consideration of the foregoing, NHTSA finds that Hyundai has met its burden of persuasion that the subject FMVSS No. 108 noncompliance is inconsequential to motor vehicle safety. Accordingly, Hyundai’s petition is hereby granted and Hyundai is consequently exempted from the obligation of providing notification of, and a free remedy for, that noncompliance under 49 U.S.C. 30118 and 30120.

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 vehicles that Hyundai no longer controlled at the time it determined that the noncompliance existed. However, the granting of this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after Hyundai 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,**  
*Director, Office of Vehicle Safety Compliance.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2017–0110]

#### Pipeline Safety: Information Collection Activities, Revision to Gas Distribution Annual Report

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

**ACTION:** Notice and request for comments.

**SUMMARY:** PHMSA is preparing to request Office of Management and Budget (OMB) approval for the revision of the gas distribution annual report currently approved under OMB control number 2137–0629. PHMSA proposes revising Part A and certain parts of the instructions. In accordance with the Paperwork Reduction Act of 1995, PHMSA invites comments on the proposed revisions to the form and instructions.

**DATES:** Interested persons are invited to submit comments on or before December 18, 2017.

**ADDRESSES:** Comments may be submitted in the following ways:

*E-Gov Web site:* <http://www.regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency.

*Fax:* 1–202–493–2251.

*Mail:* Docket Management Facility, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., West Building, Room W12–140, Washington, DC 20590–0001.

*Hand Delivery:* Room W12–140 on the ground level of DOT, West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

*Instructions:* Identify the docket number, PHMSA–2017–0110, at the beginning of your comments. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. You should know that 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.). Therefore, you may want to review DOT’s complete Privacy Act Statement in the **Federal Register** published on April 11, 2000, (65 FR 19476) or visit