

time of entry. Also included is the petition that an RI or manufacturer may submit to NHTSA for the agency to decide that a vehicle that was not originally manufactured to comply with all applicable FMVSS is capable of being modified to conform to those standards and is therefore eligible for importation under 49 U.S.C. 30141. The information collection also includes applications that are filed with NHTSA for permission to import nonconforming vehicles for purposes of research, investigations, demonstrations, training, competitive racing events, and show or display, as well as applications requesting that the agency recognize vehicles manufactured for racing purposes as being qualified to be imported as vehicles that were not primarily manufactured for use on public roads, precluding the need for those vehicles to comply with the FMVSS. This information collection is necessary to ensure that motor vehicles and motor vehicle equipment subject to the Federal motor vehicle safety, bumper, and theft prevention standards are lawfully imported into the United States and that RIs and applicants for RI status are capable of meeting their obligations under the statutes and regulations governing the importation of nonconforming vehicles.

**Affected Public:** Individuals and commercial entities that import motor vehicles or motor vehicle equipment subject to the FMVSS and vehicles that are not primarily manufactured for use on public roads, as well as applicants for RI status and existing RIs.

**Estimated Total Annual Burden:** 252,622 hours; \$9,880,590.

**ADDRESS:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention NHTSA Desk Officer.

**Comments are invited on:** Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is most effective if OMB receives it within 30 days of publication.

**Michael A. Cole,**

*Acting Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2018-18423 Filed 8-24-18; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2018-0062]

#### Denial of Motor Vehicle Defect Petition

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

**ACTION:** Denial of petition for a defect investigation.

**SUMMARY:** This is a notice of denial of a petition submitted to the National Highway Traffic Safety Administration (NHTSA) under 49 U.S.C. 30162, requesting that the Agency commence a proceeding to determine the existence of a defect related to motor vehicle safety in Michelin Model XZU-3, size 305/85/R22.5 Load Range J transit bus tires. After a review of the petition and other information, NHTSA has concluded that a defects investigation is unlikely to result in a finding that a defect related to motor vehicle safety exists, or a NHTSA order for the notification and remedy of a safety related defect as alleged, at the conclusion of the requested investigation.

**FOR FURTHER INFORMATION CONTACT:**

Bruce York, Medium & Heavy Duty Vehicle Division, Office of Defects Investigation, NHTSA, 1200 New Jersey Ave. SE, Washington, DC 20590. Email: [Bruce.York@dot.gov](mailto:Bruce.York@dot.gov).

**SUPPLEMENTARY INFORMATION:** By letter dated July 14, 2016, Paul Koleber from Intercity Transit wrote to NHTSA requesting that the Agency investigate the existence of a defect related to motor vehicle safety in Michelin Model XZU-3, size 305/85/R22.5 Load Range J transit bus tires. Mr. Koleber alleges the tires are structurally unsound and that this defect can result in sidewall blowouts at any time whether the tires are new or re-tread. Mr. Koleber stated that Michelin had previously recalled similar tires (12T-009) and the Intercity Transit fleet experienced failures with the same characteristics as those specified in the recall. Mr. Koleber submitted a forensics lab report from CASE Forensics to support his allegation.

NHTSA has reviewed the material provided by the petitioner and other information. The results of this review and NHTSA's analysis of the petition are set forth in the DP17-001 Evaluation Report, published in its entirety as an appendix to this notice.

For the reasons presented in the DP17-001 Evaluation Report, it is unlikely that a defects investigation will result in a finding that a defect related to motor vehicle safety exists. It is also unlikely that an order for the notification and remedy of a safety-related defect would be issued as a result of granting Mr. Koleber's request. Therefore, the petition is denied. This action does not constitute a finding by NHTSA that a safety related defect does not exist. The Agency will take further action if warranted by future circumstances.

**Authority:** 49 U.S.C. 30162(d); delegations of authority at CFR 1.50 and 501.8.

**Jeffrey M. Giuseppe,**

*Associate Administrator for Enforcement.*

Nate Seymour  
Safety Defects Engineer  
NEF-106ns  
DP17-001

**BASIS:**

Paul Koleber, from Intercity Transit petitioned the National Highway Traffic Safety Administration (NHTSA) by letter dated July 14, 2016, requesting that a defect investigation be conducted concerning motor vehicle safety in Michelin Model XZU-3, size 305/85/R22.5 Load Range J transit bus tires. The facts described in this report are based on the Office of Defect Investigations' (ODI) assessment of the information provided by the petitioner and information gathered by ODI from relevant sources.

The petitioner alleged that a defect exists involving the design of tires used in commercial bus operations which have resulted in rapid air loss. The petitioner claimed that failures identical to those described in recall 12T-009 have happened on the subject post recall tires. The petitioner stated that failures occurred on steer and drive wheel positions of both new and retread tires. The petitioner hired a forensics lab to perform scientific failure analysis of failed tires. The lab concluded the tires were of similar design and construction to those in recall 12T-009 and that the failures were caused by corrosion induced degradation of the ply strands.

**DESCRIPTION OF TIRE:**

The subject tires are Michelin XZU-3, size 305/85/R22.5 Load Range J transit bus tires. They are designed to be

used in all wheel positions for urban operations involving frequent stopping and starting. The tread pattern is non-directional and designed for efficient traction on wet and slippery surfaces through Michelin's patented Matrix Siping technology. The tires have a robust casing and bead design to allow for retreading. The sidewalls are extra thick to resist curb scrub and include scrub depth indicators to aid inspection of the tires to help extend casing life.

#### **OWNER REPORTS:**

The Office of Defects Investigation received two (2) complaints related to Michelin XZU-3 transit bus tires. The first Vehicle Owner's Questionnaire (VOQ) was received in April 2012, the same month that voluntary recall 12T-009 was received from Michelin. A second VOQ was received in April 2017, one month after DP17-001 was opened to assess failures on Michelin XZU-3 transit bus tires. Both reports were submitted by transit fleets. Neither VOQ alleged any crashes, injuries or fatalities.

#### **ANALYSIS:**

On March 23, 2017, ODI sent Michelin an Information Request letter asking for information related to the subject tires. Michelin's response was received May 5, 2017, where design and application data were presented. ODI's assessment of that data follows.

Michelin reported a tire population (2012-2014 production) of 17,487 subject tires. The subject tire was discontinued in 2014, upon the introduction of the X InCity Z 305/85R22.5 LRJ tire, which offers increased scrub resistance. The initial tread life of the subject tire is expected to range from 60,000 to 100,000 miles. The casing life is expected to range from two (2) to four (4) years, with one (1) to three (3) retread applications. Therefore, a limited number of subject tires are believed to still be in service.

When asked how Michelin determined the recall population for 12T-009, Michelin stated that the bead design of the recalled tires had undergone a design change. A reduction in the number of strands was determined to be the cause of failures associated with recall 12T-009. Once the defect was identified, Michelin reinstated the original bead design specification, which marked the endpoint of the recall population. The scope of the recalled tires included tires manufactured from the date of the bead design change through the date when the design was changed back to the original specification.

The tires identified by the petitioner were produced after the bead design was corrected.

Michelin queried its databases and found no complaints and one claim for property damage on tires manufactured after the 12T-009 recall scope. Michelin denied this claim based on the following. Michelin evaluated twelve (12) tires from the fleet. All had been retreaded one time, but not at a Michelin Retread Technologies (MRT) approved facility. Michelin's analysis of the tires revealed operational or maintenance failures in ten (10) of the twelve (12) tires. These tires had high levels of moisture and damage or evidence of damage repair adjacent to the rupture. The combination of these conditions allows for corrosion to develop in the belt package, which leads to failure. The other two (2) could not be determined. ODI queried its database and found one (1) Vehicle Owner Questionnaire (VOQ) related to the subject population, which was received after the investigation was opened. In March 2017, Michelin visited the fleet that submitted the VOQ, and analyzed its tires. Similar to the property damage claim above, an MRT was not used. Nor was an air dryer for tire inflation. This leaves in question the integrity of the casings and moisture content which is detrimental to tire life. Michelin submitted to ODI, inspection documentation. Reports of the tires showed signs of overloading. Personnel interviews supported these findings as the fleet followed the vehicle manufacturer's recommended inflation pressure, which is known to be inadequate for true operational loads on the specific vehicles operated by the fleet.

MRT facilities utilize inspection equipment not available to out of network retread facilities. The use of Grazing Light Inspection, X-ray, and Casing Integrity Analyzer (CIA) minimize the risk of tire failure after retreading. MRT facilities also utilize approved processes to repair tire damage prior to retreading to prevent moisture from entering the belt package.

The Altoona Bus Study, Michelin's weight study of fleet buses, and ODI's weight study are all in agreement. Each independently found that the Gillig Low Floor 40' transit bus as used by the petitioner and other fleets would be overloaded with a foreseeable load. And, the greatest overloading would occur at the left rear wheel-end. ODI went further to assess the average passenger weight. ODI found that the 150-pound weight specified in the Code of Federal Regulations (CFR), 49 C.F.R. Part 567.4(g)(3) and Subtitle B-Chapter

VI Part 665 Subpart A is not representative of today's population. The 150-pound value was established in 1971 based on data derived from the National Health Examination Survey from 1960-1962. A more recent value from the National Center for Health Statistics determined the average male and female weight to be 195 and 165 respectively. In both cases, the study participants were not truck/bus drivers or transit passengers. ODI notes that a luggage allowance for each passenger is necessary given the vehicle usage. ODI also surveyed heavy vehicle manufacturers to learn what design weight they use for the driver. Responses ranged from 150 to 312 pounds depending on market. The Federal Transit Authority (FTA) initiated a Notice of Proposed Rulemaking (NPRM) action in 2011, to increase the average passenger weight and standing passenger floor space square footage, but this rule was never enacted.

As required by 49 CFR part 567, the vehicle manufacturer is responsible for the data on the vehicle certification label. The manufacturer will set the tire pressure based on the anticipated axle load. The anticipated loads will drive the selection of components to meet the owner's specifications.

Michelin released a Technical Bulletin in November 2015, recommending 120 psi be used in all subject tires. Michelin met with Gillig in January 2016, and recommended the use of 315/80R22.5 tires and an inflation pressure of 120 psi to provide sufficient load-carrying capacity to support actual loads. Gillig, who produced the petitioner's buses, elected not to adopt this action.

#### **CONCLUSION:**

Based on the available information and previous agency experience, ODI believes the tires manufactured after those identified in recall 12T-009 failed as a result of overloading by the fleets operating the buses. In our view, a defects investigation is unlikely to result in a finding that a defect related to motor vehicle safety exists, or a NHTSA order for the notification and remedy of a safety related defect as alleged, at the conclusion of the requested investigation. Therefore, given a thorough analysis of the potential for finding a safety related defect in the vehicle, and in view of NHTSA's enforcement priorities and its previous investigations into this issue, the petition is denied. This action does not constitute a finding by NHTSA that a safety related defect does not exist. The

Agency will take further action if warranted by future circumstances.

**RECOMMENDATION:**

Deny the petition.

**CONCUR:**

Bruce York, Chief  
Medium and Heavy Duty Vehicle  
Defects & Assessment Division

[FR Doc. 2018-18506 Filed 8-24-18; 8:45 am]

**BILLING CODE 4910-59-P**

**DEPARTMENT OF THE TREASURY**

**Office of the Comptroller of the  
Currency**

[Docket ID OCC-2018-0024]

**Mutual Savings Association Advisory  
Committee and Minority Depository  
Institutions Advisory Committee**

**AGENCY:** Office of the Comptroller of the Currency, Department of the Treasury (OCC).

**ACTION:** Request for nominations.

**SUMMARY:** The OCC is seeking nominations for members of the Mutual Savings Association Advisory Committee (MSAAC) and the Minority Depository Institutions Advisory Committee (MDIAC). The MSAAC and the MDIAC assist the OCC in assessing the needs and challenges facing mutual savings associations and minority depository institutions, respectively. The OCC is seeking nominations of individuals who are officers and/or directors of federal mutual savings associations, or officers and/or directors of federal stock savings associations that are part of a mutual holding company structure, to be considered for selection as MSAAC members. The OCC also is seeking nominations of individuals who are officers and/or directors of OCC-regulated minority depository institutions, or officers and/or directors of other OCC-regulated depository institutions with a commitment to supporting minority depository institutions, to be considered for selection as MDIAC members.

**DATES:** Nominations must be received on or before October 15, 2018.

**ADDRESSES:** Nominations of MSAAC members should be sent to [msaac.nominations@occ.treas.gov](mailto:msaac.nominations@occ.treas.gov) or mailed to: Michael R. Brickman, Deputy Comptroller for Thrift Supervision, 400 7th Street SW, Washington, DC 20219.

Nominations of MDIAC members should be sent to [mdiac.nominations@occ.treas.gov](mailto:mdiac.nominations@occ.treas.gov) or mailed to: Beverly F. Cole, Deputy Comptroller for Compliance Supervision, 400 7th Street SW, Washington, DC 20219.

**FOR FURTHER INFORMATION CONTACT:** For inquiries regarding the MSAAC, Michael R. Brickman, Deputy Comptroller for Thrift Supervision, 400 7th Street SW, Washington, DC 20219; (202) 649-6450; email: [msaac.nominations@occ.treas.gov](mailto:msaac.nominations@occ.treas.gov).

For inquiries regarding the MDIAC, Beverly F. Cole, Deputy Comptroller for Compliance Supervision, 400 7th Street SW, Washington, DC 20219; (202) 649-5688; email: [mdiac.nominations@occ.treas.gov](mailto:mdiac.nominations@occ.treas.gov).

**SUPPLEMENTARY INFORMATION:** The MSAAC and the MDIAC will be administered in accordance with the Federal Advisory Committee Act, 5 U.S.C. App. 2. The MSAAC will advise the OCC on ways to meet the goals established by section 5(a) of the Home Owners' Loan Act, 12 U.S.C. 1464. The MSAAC will advise the OCC with regard to mutual savings associations on means to: (1) Provide for the organization, incorporation, examination, operation and regulation of associations to be known as federal savings associations (including federal savings banks); and (2) issue charters therefore, giving primary consideration of the best practices of thrift institutions in the United States. The MSAAC will help meet those goals by providing the OCC with informed advice and recommendations regarding the current and future circumstances and needs of mutual savings associations. The MDIAC will advise the OCC on ways to meet the goals established by section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, Public Law 101-73, Title III, 103 Stat. 353, 12 U.S.C. 1463 note. The goals of section 308 are to preserve the present number of minority institutions, preserve the minority character of minority-owned institutions in cases involving mergers or acquisitions, provide technical assistance, and encourage the creation of new minority institutions. The MDIAC will help the OCC meet those goals by providing informed advice and recommendations regarding a range of issues involving minority depository institutions. Nominations should describe and document the proposed member's qualifications for MSAAC or MDIAC membership, as appropriate. Existing MSAAC or MDIAC members may reapply themselves or may be renominated. The OCC will use this nomination process to achieve a balanced advisory committee membership and ensure that diverse views are represented among the membership of officers and directors of mutual and minority institutions. The

MSAAC and MDIAC members will not be compensated for their time, but will be eligible for reimbursement of travel expenses in accordance with applicable federal law and regulations.

Dated: August 21, 2018.

**Joseph M. Otting,**

*Comptroller of the Currency.*

[FR Doc. 2018-18493 Filed 8-24-18; 8:45 am]

**BILLING CODE 4810-33-P**

**DEPARTMENT OF THE TREASURY**

**Multiemployer Pension Plan  
Application To Reduce Benefits**

**AGENCY:** Department of the Treasury.

**ACTION:** Notice of availability; Request for comments.

**SUMMARY:** The Board of Trustees of the Laborers Local 265 Pension Plan, a multiemployer pension plan, has submitted an application to reduce benefits under the plan in accordance with the Multiemployer Pension Reform Act of 2014 (MPRA). The purpose of this notice is to announce that the application submitted by the Board of Trustees of the Laborers Local 265 Pension Plan has been published on the website of the Department of the Treasury (Treasury), and to request public comments on the application from interested parties, including participants and beneficiaries, employee organizations, and contributing employers of the Laborers Local 265 Pension Plan.

**DATES:** Comments must be received by October 11, 2018.

**ADDRESSES:** You may submit comments electronically through the Federal eRulemaking Portal at <http://www.regulations.gov>, in accordance with the instructions on that site. Electronic submissions through [www.regulations.gov](http://www.regulations.gov) are encouraged.

Comments may also be mailed to the Department of the Treasury, MPRA Office, 1500 Pennsylvania Avenue NW, Room 1224, Washington, DC 20220, Attn: Danielle Norris. Comments sent via facsimile or email will not be accepted.

**Additional Instructions.** All comments received, including attachments and other supporting materials, will be made available to the public. Do not include any personally identifiable information (such as your Social Security number, name, address, or other contact information) or any other information in your comment or supporting materials that you do not want publicly disclosed. Treasury will make comments available for public