

Highway and Transportation Officials (AASHTO) Committee on Materials and Pavements.

Frequency: Once.

Estimated Average Burden per

Response: 30 minutes per response.

Estimated Total Annual Burden

Hours: 28 hours total. The total hours = 1,680 minutes = 30 minutes × 56 responses.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

(Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.)

Issued on: August 25, 2026.

Jazmyne Lewis,

Information Collection Officer.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2024–0008; Notice 2]

Michelin North America, 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: Michelin North America, Inc. (MNA) has determined that certain Uniroyal Laredo AT and Laredo HT replacement tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Radial Tires for Light Vehicles*. MNA filed a noncompliance report dated November 3, 2023, and subsequently petitioned NHTSA (the “Agency”) on November 28, 2023, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces the grant of MNA's petition.

FOR FURTHER INFORMATION CONTACT: Jayton Lindley, General Engineer,

NHTSA, Office of Vehicle Safety Compliance, (325) 655–0546.

SUPPLEMENTARY INFORMATION:

I. Overview: MNA determined that certain Uniroyal Laredo AT and Laredo HT replacement tires do not fully comply with paragraphs S5.5(a) and S5.5.1 of FMVSS No. 139, *New Pneumatic Radial Tires for Light Vehicles* (49 CFR 571.139).

MNA filed a noncompliance report dated November 3, 2023, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. MNA petitioned NHTSA on November 28, 2023, 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, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

Notice of receipt of MNA's petition was published with a 30-day public comment period, on February 28, 2025, in the **Federal Register** (90 FR 10985). Two comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Then follow the online search instructions to locate docket number “NHTSA–2024–0008.”

II. Tires Involved: Approximately 251,209 Uniroyal Laredo AT and Laredo HT, manufactured between January 15, 2023, and October 29, 2023, were reported by the manufacturer.

III. Rule Requirements: Paragraphs S5.5(a) and S5.5.1 of FMVSS No. 139 and 49 CFR 574.5(b) include the requirements relevant to this petition. Paragraph S5.5(a) requires each tire to be labeled on each sidewall with the symbol DOT, which constitutes a certification that the tire conforms to applicable FMVSSs. Paragraph S5.5.1 requires that each tire (manufactured on or after September 1, 2009) must be labeled with the TIN, as required by 49 CFR part 574, on the intended outboard sidewall of the tire. Additionally, the TIN or a partial TIN (which includes all characters except for the date code and, optionally, any additional code at the manufacturer's discretion) must be labeled on the other sidewall of the tire.

IV. Noncompliance: MNA explains that the noncompliance is due to a mold error in which the subject tires are missing the required DOT symbol and the full or partial tire identification number (TIN) on one of the two sidewalls and therefore, do not comply with paragraphs S5.5(a) and S5.5.1 of

FMVSS No. 139. The tires do have the required DOT symbol and TIN on the other sidewall.

V. Summary of MNA's Petition: The following views and arguments presented in this section, “V. Summary of MNA's Petition,” are the views and arguments provided by MNA. They do not reflect the views of the Agency.

MNA describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

MNA explains that an initial mold drawing, which was missing the required DOT symbol and TIN marking instructions for the affected sidewall plate, was used to create drawings for 65 additional tire sizes. As a result, a total of 66 tire sizes, in the Laredo AT and Laredo HT tire lines are affected by the subject noncompliance.

MNA asserts that the subject tires were both designed and manufactured according to ETRTO standards and that they meet all applicable FMVSS tire safety performance standards. Further, MNA indicates that the subject tires are correctly marked with the tire size information, along with the load range and maximum load in accordance with ETRTO standards. Moreover, MNA highlights that the DOT symbol and the full TIN are present on the other sidewall of the subject tires.

After discovering the subject noncompliance on October 19, 2023, MNA took the molds out of production. MNA says that the molds are currently undergoing repairs and will be returned to service once they comply with the applicable FMVSSs.

In January 2019 MNA purchased a majority share of PT Multistrada Arah Sarana (Multistrada). Based on the root cause analysis by MNA and Multistrada plant representatives, it was determined that the “marking test” procedure was not performed. To address this, updated documentation now requires “marking tests” for every tire size beginning production at the Multistrada plant. MNA says these tests will be reviewed by the Tire Designers, the Standards and Regulations team, and the Mold Designers to ensure compliance with the applicable FMVSSs. Furthermore, MNA says that additional training will be provided to Tire Designers and Mold Designers developing products manufactured at Multistrada to ensure they are knowledgeable about U.S. market regulations.

MNA asserts that the subject tires meet all applicable FMVSS tire safety performance standards and contain the DOT symbol and full TIN on the opposite sidewall. In the event of a future recall of Laredo AT or Laredo HT

tires, MNA proposes to accept not only the tires specified in the recall, but also any Laredo AT or Laredo HT tire that is missing the DOT symbol on one side, regardless of their date of manufacture. As a result, MNA says consumers will be able to determine if a tire is being recalled by a simple inspection from the side of the vehicle, thereby eliminating the need for consumers to inspect the inside sidewalls with a flashlight, remove and replace the subject tires, or seek assistance from a garage or service station to record the TIN.

MNA believes that by accepting all Laredo AT or Laredo HT tires that do not have the DOT symbol on one of the sidewalls, in the event of a future recall the difficulty and inconvenience for consumers to obtain the TIN would be removed. MNA states that this approach would increase the number of motorists responding to a recall campaign and reduce the likelihood of them continuing to drive vehicles with potentially unsafe tires. Additionally, MNA contends that since the date of manufacture is visible on the side with the full TIN, consumers can determine the age of the tire.

MNA also notes that paragraph S6.5 of FMVSS No 119, which pertains to light truck tires with a tread depth of $1\frac{1}{32}$ inch or greater, does not require the DOT symbol nor the TIN on both sidewalls. The subject tires, which can be purchased for light truck consumer use, are not considered to pose a safety risk in the event of a recall notification.

MNA concludes by stating its belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety and 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.

VI. Public Comments: NHTSA received two comments concerning MNA's petition, one from an anonymous commenter and the other from Mr. Jerry Tyler Barnes. The anonymous commenter emphasizes the importance of tire manufacturers following safety regulations and highlights the value of warranties in protecting consumers from defects. The commenter mentions experiencing an unexpected tire issue and states that these kinds of issues are a safety concern. Mr. Barnes was of the opinion that the subject noncompliance does not pose a significant risk to motor vehicle safety, but it does inconvenience consumers and retailers when they need to identify the DOT symbol and TIN. Therefore, Mr. Barnes believes that the subject tires should be offered for sale

at a discount or have their purchase price refunded.

VI. NHTSA's Analysis: In determining inconsequentiality of a noncompliance, NHTSA focuses on the safety risk to individuals who experience the type of event against which a recall would otherwise protect.¹ In general, NHTSA does not consider the absence of complaints or injuries when determining if a noncompliance is inconsequential to safety. The absence of complaints does not mean vehicle occupants have not experienced a safety issue, nor does it mean that there will not be safety issues in the future.² Further, because each inconsequential noncompliance petition must be evaluated on its own facts and determinations are highly fact-dependent, NHTSA does not consider prior determinations as binding precedent. Petitioners are reminded that they have the burden of persuading NHTSA that the noncompliance is inconsequential to safety.

NHTSA has evaluated the merits of the petition submitted by MNA and is granting MNA's request for relief from notification and remedy based on the following:

1. Based on its review of the information MNA submitted, NHTSA has no basis to believe that the tires do not meet the performance and labeling requirements of FMVSS No. 139, except for the missing symbol "DOT" and partial TIN on one sidewall.

2. The tires are correctly marked with all size, loading, and inflation information on both tire sidewalls, thus reducing the risk of incorrect vehicle application.

3. Both the full tire identification number (TIN) and symbol "DOT" are present and correct on one sidewall; therefore, the tires will be able to be registered.

Comments received for this petition communicate the public's desire for tire

manufacturers to comply with all applicable regulations to ensure public safety. The agency concurs with this sentiment and believes that the subject noncompliance does not pose a risk to motor vehicle safety. Although the agency is granting the petition for inconsequential noncompliance the Safety Act prevents the sale of noncompliant motor vehicle equipment, and therefore the subject tires, as one commenter suggested.

VII. NHTSA's Decision: In consideration of the foregoing, NHTSA finds that MNA has met its burden of persuasion that the subject FMVSS No. 139 noncompliance in the affected tires is inconsequential to motor vehicle safety. Accordingly, MNA's petition is hereby granted and MNA 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, any decision on this petition only applies to the subject tires that MNA no longer controlled at the time it determined that the noncompliance existed. However, any decision on 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 MNA 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)

Otto G. Matheke III,
Director, Office of Vehicle Safety Compliance.
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¹ See *Gen. Motors, LLC; Grant of Petition for Decision of Inconsequential Noncompliance*, 78 FR 35355 (June 12, 2013) (finding noncompliance had no effect on occupant safety because it had no effect on the proper operation of the occupant classification system and the correct deployment of an air bag); *Osram Sylvania Prods. Inc.; Grant of Petition for Decision of Inconsequential Noncompliance*, 78 FR 46000 (July 30, 2013) (finding occupant using noncompliant light source would not be exposed to significantly greater risk than occupant using similar compliant light source).

² See *Morgan 3 Wheeler Limited; Denial of Petition for Decision of Inconsequential Noncompliance*, 81 FR 21663, 21666 (Apr. 12, 2016); see also *United States v. Gen. Motors Corp.*, 565 F.2d 754, 759 (D.C. Cir. 1977) (finding defect poses an unreasonable risk when it "results in hazards as potentially dangerous as sudden engine fire, and where there is no dispute that at least some such hazards, in this case fires, can definitely be expected to occur in the future").