



February 06, 2019

Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: 49 CFR Part 556 – **Supplemental** Petition for Exemption for Inconsequential Noncompliance

NHTSA ID: 18T010

Transaction ID: 18-001515-20978-10

Applicant: Yokohama Tire Corporation
1 MacArthur Place
Santa Ana, CA 92707

Dear Administrator,

Yokohama Tire Corporation (“YTC”), a corporation of the State of California with its principal address at 1 MacArthur Place, Santa Ana, California 92707 hereby petitions pursuant to Part 556 of Title 49 Code of Federal Regulations for exemption from the National Traffic and Motor Vehicle Safety Act’s notification and remedy requirements with respect to the following identified commercial truck tires.

Background:

This Petition concerns Yokohama 11R22.5 16PR RY023 commercial truck and bus replacement tires whose branding information incorrectly states the Ply Rating, Load Range and Load Capacity on one side (serial side) only, while the branding information on the other side (opposite serial side) is correct for the subject tires. These tires were manufactured by Yokohama Tire Manufacturing Mississippi (YTMM), 1 Yokohama Boulevard, West Point, Mississippi, in one mold between the 4th week of 2018 through the 19th week of 2018.

Tires Involved in this Petition:

11R22.5 16PR RY023

Manufactured with serial side lettering:

14 PR LOAD RANGE G

MAX. LOAD SINGLE 2800 kg (6175 lbs) at 720 kPa (105 psi) COLD

MAX. LOAD DUAL 2650 kg (5840 lbs) at 720 kPa (105 psi) COLD

The correct serial side lettering should read:

16 PR LOAD RANGE H

MAX. LOAD SINGLE 3000 kg (6610 lbs) at 830 kPa (120 psi) COLD

MAX. LOAD DUAL 2725 kg (6005 lbs) at 830 kPa (120 psi) COLD

The opposite serial side was manufactured with correct lettering:
16 PR LOAD RANGE H
MAX. LOAD SINGLE 3000 kg (6610 lbs) at 830 kPa (120 psi) COLD
MAX. LOAD DUAL 2725 kg (6005 lbs) at 830 kPa (120 psi) COLD

Because of this mold branding error, these tires are not in compliance with the tire labeling requirement found in 49 CFR §571.119 S6.5(d), (f) and (j), even though all of these tires were manufactured with the correct ply rating and load range.

SIZE	TIN: Week/Year	Total Production	Contained	Sold
11R22.5 16PR RY023	0418 -1918	1659	764	895

The issue arose at a scheduled mold changeover, as one of the two mold plugs was not removed when changing from 14PR to 16PR tires. Upon notification of this branding issue by YTC Field Service, YTMM implemented verification countermeasures to prevent any recurrence of any incorrect tire markings. Further investigation determined that the suspect period ended when the incorrect mold had been removed from production on May 17, 2018, in the 19th production week of 2018. The 764 tires in containment will be repaired before they are sold.

Analysis of Petition:

Yokohama believes this noncompliance is inconsequential to motor vehicle safety. Significantly, these tires were manufactured as designed and meet or exceed all applicable Federal Motor Vehicle Safety performance standards. While the sidewall markings are correct on the Opposite Serial Side, the sidewall markings on the Serial Side understate the construction and capacity of the subject RY023. The mis-branding of these tires is not a safety concern and also has no impact on the retreading, repairing and recycling industries. The affected tire mold has already been corrected and all future production will have the correct material shown on the sidewall.

NHTSA has studied the impact of tire labeling information on safety in the context of its rule making efforts under the Transportation Recall Enhancement, Accountability and Documentation (TREAD) Act. NHTSA's analysis concluded that tire construction information on a tire's sidewall is not relied upon by dealers and consumers in the selling or purchase of tires and has an inconsequential impact on

motor vehicle safety. Accordingly, NHTSA has previously granted Petitions for similar noncompliance conditions as presented here by Yokohama. (For example, see Sumitomo Rubber Industries Grant of Petition for Decision of Inconsequential Noncompliance, 83 Fed. Reg. 13002 (March 26, 2018); and Goodyear Tire & Rubber Co. Grant of Petition for Decision for Inconsequential Noncompliance, 81 Fed. Reg. 18210 (April 17, 2017).

Conclusion:

Yokohama Tire Corporation respectfully requests the Administrator, under authority of 49 CFR 556 and 49 USC 30118(d) and 30120(h), to exempt Yokohama from the requirements of giving notice and remedy. We submit that the noncompliance with 49 CFR §571.119 S6.5(d) and (j) is inconsequential as it relates to motor vehicle safety.

After further review, YTC has determined that the actual number of plies, and the composition of the ply cord material, in the sidewall and tread areas, are correct as labeled on the tire. Therefore these tires correctly comply with 49 CFR §571.119 S6.5(f).

Corporate official, by name and title, whom the agency should contact with respect to this request.

Name & Title: Ronald T. Steranko
Manager, Corporate Quality Assurance
Office Phone: (800) 423-4544 x4813
Cell Phone: (980) 434-3386
Email: ronald.steranko@yokohamatire.com

Respectfully submitted,

YOKOHAMA TIRE CORPORATION
Ronald T. Steranko
Manager, Corporate Quality Assurance