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EXECUTIVE SECRETARIAT

2018 MAR 28 A 9:14

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Via UPS

March 27, 2018

The Honorable Heidi King
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
West Building, 41-304
Washington, D.C. 20590

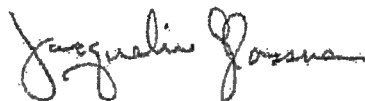
Re: Petition for a Determination of Inconsequential Noncompliance – Mercedes-Benz, FMVSS No. 139

Dear Deputy Administrator King:

Pursuant to 49 U.S.C. § 30118(d) and 49 C.F.R. Part 556, Daimler AG and Mercedes-Benz USA, LLC (collectively, “Mercedes-Benz”), submit the attached petition for a determination of inconsequential noncompliance with certain tire marking requirements contained in FMVSS 139. On certain new tires supplied by Pirelli Tire, LLC, and installed on certain Mercedes-Benz vehicles, the tires list an incorrect maximum tire inflation pressure, however, the marking on the tires does not impact the performance of the tires or create an increased risk to safety. Consequently, Mercedes-Benz requests that the agency relieve it from the notice and remedy requirements under the Vehicle Safety Act.

Please contact me with any questions.

Sincerely,



Jacqueline Glassman

Enclosures

ES19-001062

Petition for Inconsequential Noncompliance of Mercedes-Benz

Daimler AG (“DAG”) and Mercedes-Benz USA, LLC (“MBUSA”) (collectively, “Mercedes-Benz”), submit this petition for inconsequential noncompliance pursuant to the Vehicle Safety Act, 49 U.S.C. § 30118(d) and 49 U.S.C. § 30120(h), and the related regulations at 49 C.F.R. Part 556. DAG is a business entity organized under the laws of Germany, and MBUSA is a division of DAG, organized under United States law with its principal place of business located at: 1 Mercedes-Benz Dr., Sandy Springs, Georgia 30328. Mercedes-Benz requests the agency grant its petition exempting it from the notice and remedy requirements of the Vehicle Safety Act on the ground that the noncompliance described below is inconsequential to motor vehicle safety.

At issue in this petition are Pirelli P7 Cinturato run-flat radial tires installed as original equipment on approximately 206 Mercedes-Benz E-Class vehicles. The tires are not marked with the accurate maximum tire inflation pressure. Instead of listing a maximum tire inflation pressure of 350 kPa on the tire sidewalls, the tires list 340 kPa. However, no safety consequence is presented because the tires were designed and engineered to meet a higher maximum tire inflation pressure than that marked on the sidewall. The tires were also designed and engineered to meet enhanced Mercedes-Benz specifications and performance criteria, which further precludes the potential for a safety risk because of the labeling error.

Pirelli Tire, LLC (“Pirelli”), the manufacturer of the tires at issue, determined that the tires were noncompliant with FMVSS 139 and filed a Noncompliance Information Report with regard to the tires. Mercedes-Benz then submitted its Noncompliance Information Report to identify the vehicles upon which the noncompliant Pirelli tires were installed. Pirelli has submitted its own petition for inconsequential noncompliance as it relates to the tires installed on the Mercedes-Benz vehicles as well as replacement tires with the same concern. Mercedes-Benz submits this petition in support of the Pirelli Petition as it relates to the E-Class vehicles at issue and presents additional information that supports the conclusion that the tires as marked pose an inconsequential (if any) effect on motor vehicle safety.

I. Background

A. Description of the FMVSS 139 Maximum Tire Pressure Marking Requirements

Pursuant to FMVSS 139, S5.5, each sidewall of a light vehicle tire is to be marked with a series of information related to the tire specifications. These markings include the maximum permissible tire inflation pressure.¹ FMVSS 139, S5.5(c).

In addition to the tire marking requirements, light vehicle tires are to meet the series of performance requirements set out in FMVSS 139, S6, for its tire size designation, type and maximum inflation pressure. As a part of these performance requirements, passenger car tires

¹ Maximum tire inflation pressure means “the maximum cold inflation pressure to which a tire may be inflated.” FMVSS 139, S3.

must meet the tire strength criteria set out at FMVSS 109, S5.3. FMVSS 139, S6.5. The tire strength test evaluates whether the tire meets the minimum criteria for breaking energy. During the strength test, the tire is conditioned per the test procedure and a steel plunger is forced into the tire at multiple test points around the tire and at a specified rate. FMVSS 109, S5.3.2. Depending on the maximum tire inflation pressure listed on the tire sidewall, the tire will be subjected to a particular strength test specification. Tires that are listed at 340 kPa will need to meet one set of strength test requirements, while tires that are marked as 350 kPa will need to meet a different set of strength test requirements. FMVSS 109, S5.3, Table 1-C.

B. Factual Background

The noncompliance in this case was uncovered in the course of testing conducted by the Korean authority (“KATRI”). On January 15, 2019, DAG received preliminary information from KATRI that, when testing a Pirelli Cinturato radial tire (tire size 245/45R18 100 Y) (the “subject tires”) installed on a Mercedes-Benz vehicle, the tire reportedly did not meet the performance requirements for the strength test. The test was carried out by following the applicable Korean standard (which is equivalent to FMVSS 139 in all material respects), and used the test specifications applicable for 340 kPa, the maximum tire pressure that was indicated on the tire sidewall. The tire reportedly failed the strength test. DAG informed Pirelli Deutschland GmbH about the KATRI testing result on January 18, 2019.

Following a review of the apparent test failure by representatives of DAG, Pirelli and KATRI, it was found that the maximum tire inflation pressure listed on the sidewalls of the test tire was incorrectly marked. The tire should have listed 350 kPa instead of 340 kPa. On February 26, 2019, Pirelli informed DAG that Pirelli had determined that the tires did not comply with the marking requirements for maximum tire inflation pressure at FMVSSs 139, S5.5(c). Pirelli also advised DAG that Pirelli believed the marking discrepancy did not present a safety risk because the tires had been designed and engineered to withstand a maximum permissible inflation pressure of 350 kPa.

The subject tires were installed as original equipment on approximately 206 E-Class coupe (238 platform) vehicles. On February 28, 2019, DAG decided to submit a Noncompliance Information Report subsequent to Pirelli’s own noncompliance determination for the vehicles on which the subject tires were installed. MBUSA submitted the Noncompliance Information Report on March 4, 2019, indicating that the noncompliance had an inconsequential effect on motor vehicle safety and that it would submit a petition for inconsequential treatment. (Recall No. 19V-164, attached. Pirelli has advised DAG that it corrected the issue in production.

II. Legal Argument

A. The Mislabeling of the Maximum Tire Pressure Does Not Have an Impact on Safety

Manufacturers may be exempted from the notification and remedy provisions of the Safety Act if NHTSA determines that the noncompliance is inconsequential to motor vehicle

safety. The basis upon which NHTSA evaluates an inconsequentiality petition is “whether an occupant who is affected by the noncompliance is likely to be exposed to a significantly greater risk than an occupant in a compliant vehicle.” *See* 69 Fed. Reg. 19897, 19900 (April 14, 2004). As it pertains to a noncompliance involving tires, NHTSA considers the “effect of the noncompliance on the operational safety of vehicles on which these tires are mounted. The safety of people working in the tire retread, repair and recycling industries must also be considered and is a measure of inconsequentiality.” *See* 83 Fed. Reg. 36668, 36669 (July 30, 2018). As described below, the maximum inflation pressure marking issue here does not impact the operational safety of the tires themselves and will not have any adverse impact on the vehicle operator or individuals servicing the tires.

In this case, the subject tires are Pirelli P7 Cinturato radial tires (tire size 245/45 R 18 100 Y). The sidewalls of the subject tires are labeled as having a maximum tire inflation pressure of 340 kPa when in fact they have a higher maximum tire inflation pressure of 350 kPa. All other information listed on the tire sidewall is accurate. This discrepancy in the tire sidewall marking is inconsequential to motor vehicle safety because, according to Pirelli, the subject tires were designed and engineered to meet the performance requirements associated with the higher maximum tire inflation pressure. That is, even though the tires list a maximum inflation pressure of 340 kPa on the sidewall, the tires can actually withstand being inflated to an even higher amount pressure. Thus, following the maximum inflation pressure listed on the tire sidewall does not expose the consumer to a risk of possibly overinflating the tire. Further, and according to Pirelli’s petition, “there is no risk of tire underinflation, since the calculated load carrying capacity of the tire at 340 kPa is met and exceeded by the design for 350 kPa.” *See* Pirelli Petition at p. 4.

B. The Construction of the Subject Tires Exceeds the Performance Requirements of the Standard

The subject tires have been constructed to withstand a higher tire pressure and strength rating than what is listed on the tire sidewall. As described in Pirelli’s petition, the subject tires were designed and engineered to meet the performance requirements for a tire with 350 kPa. When the strength test at FMVSS 109 is conducted to the levels for a tire with 350 kPa, the subject tires meet the strength test requirements for breaking energy. *See* Pirelli Petition at Attachment p. 1.

Most significantly, there is no risk of tire overloading presented by the marking error. All of the remaining information listed on the tire sidewall is accurate, including the value for the maximum tire load rating. Because the maximum tire load rating is accurately listed, even with the incorrect (yet lower) maximum tire inflation pressure, the subject tires are not at risk for overloading since they have been designed to withstand additional pressure. As indicated in the various agency decisions cited in Pirelli’s petition, NHTSA has consistently concluded that when a tire has been constructed so that it is able to safely accommodate a higher level of loading or pressure than what is listed on the tire sidewall, there is minimal potential for unsafe use of the

tire, and the noncompliance is inconsequential to motor vehicle safety. *See, e.g.*, Continental Tire the Americas, LLC, Grant of Petition for Decision of Inconsequential Noncompliance, 80 Fed. Reg. 31092 (June 1, 2015); Michelin North America, Grant of Petition for Decision of Inconsequential Noncompliance, 74 Fed. Reg. 10805 (Mar. 12, 2009).

Additionally, the engineering and performance of the subject tires as a whole well exceed the minimum requirements of the standards. Mercedes-Benz issued specifications to Pirelli for the subject tires that were particular to the E-Class vehicles and that well exceed the minimum performance requirements. As described in Pirelli's petition, the subject tires are appropriate for the E-class vehicles under the TRA and ETRTO standards for maximum tire load carrying capacity and more than sufficient to manage both a normally loaded vehicle and a vehicle in a maximum loaded condition. *See* Pirelli Petition at p. 8. Also, because the tires installed on the Mercedes-Benz vehicles are run-flat tires, even in the event of a catastrophic event like a puncture or blow-out of the tire, the vehicle operator can maintain control of the vehicle for an extended period of time. Pirelli's petition also describes in detail the various sets of vehicle-specific criteria to which Pirelli tested and engineered the tires and the performance exceedances of those tires. *See* Pirelli Petition at pp. 9-10 (i.e., fatigue test, run flat mileage test and static blow out test). All of the data provided by Pirelli supports the conclusion that the subject tires have been engineered to meet a significantly higher level of performance and safety in the event of a tire malfunction. Finally, Mercedes-Benz is not aware of any warranty claims, field reports, customer complaints, legal claims, or injuries related to this noncompliance.

III. Conclusion

The above described marking discrepancy does not create a safety risk. While the subject tires are marked with a lower maximum tire inflation pressure than they can manage, the subject tires have been constructed to meet a level of performance that well exceeds the standard. There is no risk of the tires being over-inflated or under-inflated, and Mercedes-Benz's particular specifications to which the tires have been constructed ensure that they meet an overall level of performance that exceeds the requirements of FMVSS 139. Mercedes-Benz respectfully requests that the agency grant this petition.



U.S. Department of Transportation

Mercedes-Benz USA, LLC

Vehicle Report

NHTSA ID: 19V164 Transaction ID: 19-00855-21954-10 (Original Report)

Required fields indicated with *

Manufacturer: Mercedes-Benz USA, LLC.	
13470 International Parkway Jacksonville FL 32218	<u>Bibi Anali</u> 741-9608,

This is a Noncompliance Report. Filing a petition pursuant to 49 CFR 556

Vehicle Information		
Mercedes-Benz E400 Cabriolet 2018		
* Model Yr. Start: 2018	* Model Yr. End: 2018	Type: LIGHT VEHICLES
* Make: Mercedes-Benz		Body Style: 2-DOOR
* Model: E400 Cabriolet		Powertrain: GAS
Production Dates	Begin: 05/04/2017	Descriptive Information: 238,465 1K6F 34 vehicles. The vehicle population includes all vehicles where the affected tires were installed as original equipment in Mercedes-Benz vehicles. Vehicles not included in the recall were equipped with correctly marked tires during production.
	End: 02/07/2019	
VIN Range(s):	Begin: End:	
Mercedes-Benz E400 4MATIC Cabriolet 2018		
* Model Yr. Start: 2018	* Model Yr. End: 2018	Type: LIGHT VEHICLES
* Make: Mercedes-Benz		Body Style: 2-DOOR
* Model: E400 4MATIC Cabriolet		Powertrain: GAS
Production Dates	Begin: 05/04/2017	Descriptive Information: 238,466 1K6G 13 vehicles. The vehicle population includes all vehicles

End: 02/07/2019

where the affected tires were installed as original equipment in Mercedes-Benz vehicles. Vehicles not included in the recall were equipped with correctly marked tires during production.

VIN Range(s): Begin: End:

Mercedes-Benz E400 Coupe 2018

* Model Yr. Start: 2018

* Model Yr. End: 2018

Type: LIGHT VEHICLES

* Make: Mercedes-Benz

Body Style: 2-DOOR

* Model: E400 Coupe

Powertrain: GAS

Production Dates Begin: 05/04/2017
End: 02/07/2019

Descriptive Information:
238,365 1J6F 34 vehicles. The vehicle population includes all vehicles where the affected tires were installed as original equipment in Mercedes-Benz vehicles. Vehicles not included in the recall were equipped with correctly marked tires during production.

VIN Range(s): Begin: End:

Mercedes-Benz E450 Cabriolet 2019

* Model Yr. Start: 2019

* Model Yr. End: 2019

Type: LIGHT VEHICLES

* Make: Mercedes-Benz

Body Style: 2-DOOR

* Model: E450 Cabriolet

Powertrain: GAS

Production Dates Begin: 05/04/2017
End: 02/07/2019

Descriptive Information:
238,467 1K6H 54 vehicles. The vehicle population includes all vehicles where the affected tires were installed as original equipment in Mercedes-Benz vehicles. Vehicles not included in the recall were equipped with correctly marked tires during production.

VIN Range(s): Begin: End:

Mercedes-Benz E450 4MATIC Cabriolet 2019

* Model Yr. Start: 2019

* Model Yr. End: 2019

Type: LIGHT VEHICLES

* Make: Mercedes-Benz

Body Style: 2-DOOR

Defect / Noncompliance Description																			
<p>For this Defect/Noncompliance:</p> <p>* Describe the defect or noncompliance: Pirelli Tire LLC ("Pirelli") has informed Daimler AG ("DAG"), the manufacturer of Mercedes-Benz vehicles, that certain Pirelli P7 Cinturato radial tires (tire size 245/45 R 18 100 Y) installed as original equipment on Mercedes-Benz E-Class Coupé (238 platform) vehicles do not conform to the maximum permissible inflation pressure marking requirements of FMVSS 139, S5.5(c). According to the noncompliance information report submitted by Pirelli, the tires were marked as having a maximum inflation pressure of 340 kPa when the tire was actually designed and engineered to have a maximum inflation pressure of 350 kPa. However, according to Pirelli, the tires meet all other marking requirements for tires with a maximum permissible inflation pressure of 350 kPa and meet the associated performance requirements for a maximum permissible inflation pressure of 350 kPa.</p> <p>* Describe the safety risk: The marking of a lower maximum permissible inflation pressure on the tire does not create a safety risk because the tire has been designed to withstand additional inflation pressure beyond that listed on the tire. The maximum permissible inflation pressure is the greatest amount of air pressure to be put into the tire under normal driving conditions. According to information from Pirelli, the tires have been designed and engineered to withstand additional pressure than what is actually listed on the tire. DAG intends to submit a petition for inconsequential noncompliance pursuant to 49 C.F.R. Part 556.</p> <p>Identify any warning which can precede or occur:</p> <p>If a noncompliance, provide the applicable FMVSS:</p> <p>If applicable, provide any further FMVSS affected:</p> <p>Describe the cause:</p> <p>This Recall affects all vehicles.</p> <p>If applicable, identify the manufacturer of the defective or noncompliant component. If the manufacturer of the component is unknown, provide the information for the company that supplied the subject component.</p> <table border="0"> <tr> <td>Component manufacturer</td> <td></td> </tr> <tr> <td>Company Information</td> <td>Company Contact Information</td> </tr> <tr> <td>Company Name: Pirelli Tire LLC</td> <td>First Name: Chris</td> </tr> <tr> <td>Country: United States</td> <td>Last Name: Grigorian</td> </tr> <tr> <td>Address 1: 100 Pirelli Drive</td> <td>Position:</td> </tr> <tr> <td>Address 2:</td> <td>Email:</td> </tr> <tr> <td>City: Rome</td> <td>Phone: 202 672 5542</td> </tr> <tr> <td>State: GEORGIA</td> <td></td> </tr> <tr> <td>Zip/Postal Code: 30161</td> <td></td> </tr> </table>		Component manufacturer		Company Information	Company Contact Information	Company Name: Pirelli Tire LLC	First Name: Chris	Country: United States	Last Name: Grigorian	Address 1: 100 Pirelli Drive	Position:	Address 2:	Email:	City: Rome	Phone: 202 672 5542	State: GEORGIA		Zip/Postal Code: 30161	
Component manufacturer																			
Company Information	Company Contact Information																		
Company Name: Pirelli Tire LLC	First Name: Chris																		
Country: United States	Last Name: Grigorian																		
Address 1: 100 Pirelli Drive	Position:																		
Address 2:	Email:																		
City: Rome	Phone: 202 672 5542																		
State: GEORGIA																			
Zip/Postal Code: 30161																			
Chronology of Defect / Noncompliance Determination																			
<p>Provide the chronology of events leading up to the defect decision or test data for the noncompliance decision.: On January 15, 2019, DAG received information from the Korean authority (KATRI) that when testing a Pirelli Cinturato tire (tire size 245/45R18 100 Y)</p>																			

installed on a Daimler vehicle, the tire reportedly did not meet the performance requirements for the plunger test according to KSM 6750 when carried out with the test specifications applicable for the maximum tire pressure marked on the tire. DAG informed Pirelli Deutschland GmbH about the testing result on January 18, 2019. Representatives of DAG, Pirelli and KATRI reviewed the test methodology used by KATRI and Pirelli found that the tires had been incorrectly marked with a maximum tire pressure of 340 kPa instead of 350 kPa. On February 26, 2019, Pirelli informed DAG that it had determined that the tires did not comply with the marking requirements of FMVSS 139, S5.5, but that it believed the discrepancy does not present a safety risk because the tires had been designed and engineered to withstand a maximum permissible inflation pressure of 350 kPa.

Identify the Remedy

Describe the defect/noncompliance remedy program, including the manufacturer's plan for reimbursement.

DAG intends to submit a petition for inconsequential noncompliance pursuant to 49 C.F.R. Part 556 because the marking discrepancy does not create a safety risk.

Describe what distinguishes the remedy component from the recalled component.

DAG intends to submit a petition for inconsequential noncompliance pursuant to 49 C.F.R. Part 556 because the marking discrepancy does not create a safety risk. Pirelli P7 Cinturato radial tires (tire size 245/45 R 18 100 Y) TIN: 93 4J T791 1417 0519

Identify and describe how and when the recall condition was corrected in production.

Pirelli stopped manufacture of the affected tires which incorrectly list a maximum permissible inflation pressure of 340 kPa on February 15, 2019.

Identify the Recall Schedule

Describe the recall schedule for notifications:

DAG intends to submit a petition for inconsequential noncompliance pursuant to 49 C.F.R. Part 556.

Planned Dealer Notification Begin Date:

Planned Dealer Notification End Date:

Planned Owner Notification Begin Date:

Planned Owner Notification End Date:

Manufacturer's identification code for this recall (if applicable):

Please be reminded that owner notification letters must be mailed no more than 60 days from submission of this report.

Manufacturer Comments to NHTSA Staff

For any questions, please contact Gregory Gunther at gregory.gunther@mbusa.com.

Document Upload

There are 0 documents associated with this report.

1200 New Jersey Avenue, SE, West Building Washington DC 20590 USA 1.888.327.4236 TTY 1.800.424.9153
This application works best in IE9 and above and recent versions of Firefox, Chrome and Safari

Part 573 Safety Recall Report

19V-164

Manufacturer Name : Mercedes-Benz USA, LLC.**Submission Date :** MAR 04, 2019**NHTSA Recall No. :** 19V-164**Manufacturer Recall No. :** NR**Manufacturer Information :**

Manufacturer Name : Mercedes-Benz USA, LLC.

Address : 13470 International Parkway
Jacksonville FL 32218

Company phone : 1-877-496-3691

Population :

Number of potentially involved : 206

Estimated percentage with defect : 100 %

Vehicle Information :

Vehicle 1 : 2018-2018 Mercedes-Benz E400 4MATIC Cabriolet

Vehicle Type : LIGHT VEHICLES

Body Style : 2-DOOR

Power Train : GAS

Descriptive Information : 238.466 1K6G 13 vehicles.

The vehicle population includes all vehicles where the affected tires were installed as original equipment in Mercedes-Benz vehicles. Vehicles not included in the recall were equipped with correctly marked tires during production.

Production Dates : MAY 04, 2017 - FEB 07, 2019

VIN Range 1 : Begin : NR End : NR

 Not sequential

Vehicle 2 : 2018-2018 Mercedes-Benz E400 Coupe

Vehicle Type : LIGHT VEHICLES

Body Style : 2-DOOR

Power Train : GAS

Descriptive Information : 238.365 1J6F 34 vehicles.

The vehicle population includes all vehicles where the affected tires were installed as original equipment in Mercedes-Benz vehicles. Vehicles not included in the recall were equipped with correctly marked tires during production.

Production Dates : MAY 04, 2017 - FEB 07, 2019

VIN Range 1 : Begin : NR End : NR

 Not sequential

Vehicle 3 : 2018-2018 Mercedes-Benz E400 Cabriolet

Vehicle Type : LIGHT VEHICLES

Body Style : 2-DOOR

Power Train : GAS

Descriptive Information : 238.465 1K6F 34 vehicles.

The vehicle population includes all vehicles where the affected tires were installed as original equipment in Mercedes-Benz vehicles. Vehicles not included in the recall were equipped with correctly marked tires during production.

Production Dates : MAY 04, 2017 - FEB 07, 2019

VIN Range 1 : Begin : NR End : NR

Not sequential

Vehicle 4 : 2019-2019 Mercedes-Benz E450 4MATIC Cabriolet

Vehicle Type : LIGHT VEHICLES

Body Style : 2-DOOR

Power Train : GAS

Descriptive Information : 238.468 1K6J 20 vehicles.

The vehicle population includes all vehicles where the affected tires were installed as original equipment in Mercedes-Benz vehicles. Vehicles not included in the recall were equipped with correctly marked tires during production.

Production Dates : MAY 04, 2017 - FEB 07, 2019

VIN Range 1 : Begin : NR End : NR

Not sequential

Vehicle 5 : 2019-2019 Mercedes-Benz E450 Cabriolet

Vehicle Type : LIGHT VEHICLES

Body Style : 2-DOOR

Power Train : GAS

Descriptive Information : 238.467 1K6H 54 vehicles.

The vehicle population includes all vehicles where the affected tires were installed as original equipment in Mercedes-Benz vehicles. Vehicles not included in the recall were equipped with correctly marked tires during production.

Production Dates : MAY 04, 2017 - FEB 07, 2019

VIN Range 1 : Begin : NR End : NR

Not sequential

Vehicle 6 : 2019-2019 Mercedes-Benz E450 Coupe

Vehicle Type : LIGHT VEHICLES

Body Style : 2-DOOR

Power Train : GAS

Descriptive Information : 238.367 1J6H 38 vehicles.

The vehicle population includes all vehicles where the affected tires were installed as original equipment in Mercedes-Benz vehicles. Vehicles not included in the recall were equipped with correctly marked tires during production.

Production Dates : MAY 04, 2017 - FEB 07, 2019

VIN Range 1 : Begin : NR End : NR

Not sequential

Vehicle 7 : 2019-2019 Mercedes-Benz E450 4MATIC Coupe
Vehicle Type : LIGHT VEHICLES
Body Style : 2-DOOR
Power Train : GAS

Descriptive Information : 238.368 1J6J 13 vehicles.

The vehicle population includes all vehicles where the affected tires were installed as original equipment in Mercedes-Benz vehicles. Vehicles not included in the recall were equipped with correctly marked tires during production.

Production Dates : MAY 04, 2017 - FEB 07, 2019

VIN Range 1 : Begin :

NR

End : NR

Not sequential

Description of Noncompliance :

Description of the Noncompliance : **Pirelli Tire LLC ("Pirelli") has informed Daimler AG ("DAG"), the manufacturer of Mercedes-Benz vehicles, that certain Pirelli P7 Cinturato radial tires (tire size 245/45 R 18 100 Y) installed as original equipment on Mercedes-Benz E-Class Coupe (238 platform) vehicles do not conform to the maximum permissible inflation pressure marking requirements of FMVSS 139, S5.5(c). According to the noncompliance information report submitted by Pirelli, the tires were marked as having a maximum inflation pressure of 340 kPa when the tire was actually designed and engineered to have a maximum inflation pressure of 350 kPa. However, according to Pirelli, the tires meet all other marking requirements for tires with a maximum permissible inflation pressure of 350 kPa and meet the associated performance requirements for a maximum permissible inflation pressure of 350 kPa.**

FMVSS 1 : NR

FMVSS 2 : NR

Description of the Safety Risk : **The marking of a lower maximum permissible inflation pressure on the tire does not create a safety risk because the tire has been designed to withstand additional inflation pressure beyond that listed on the tire.**

The maximum permissible inflation pressure is the greatest amount of air pressure to be put into the tire under normal driving conditions. According to information from Pirelli, the tires have been designed and engineered to withstand additional pressure than what is actually listed on the tire.

DAG intends to submit a petition for inconsequential noncompliance pursuant to 49 C.F.R. Part 556.

Description of the Cause : NR

Identification of Any Warning that can Occur : NR

Supplier Identification :

Component Manufacturer

Name : Pirelli Tire LLC
Address : 100 Pirelli Drive
Rome GEORGIA 30161
Country : United States

Chronology :

On January 15, 2019, DAG received information from the Korean authority (KATRI) that when testing a Pirelli Cinturato tire (tire size 245/45R18 100 Y) installed on a Daimler vehicle, the tire reportedly did not meet the performance requirements for the plunger test according to KSM 6750 when carried out with the test specifications applicable for the maximum tire pressure marked on the tire. DAG informed Pirelli Deutschland GmbH about the testing result on January 18, 2019.

Representatives of DAG, Pirelli and KATRI reviewed the test methodology used by KATRI and Pirelli found that the tires had been incorrectly marked with a maximum tire pressure of 340 kPa instead of 350 kPa. On February 26, 2019, Pirelli informed DAG that it had determined that the tires did not comply with the marking requirements of FMVSS 139, S5.5, but that it believed the discrepancy does not present a safety risk because the tires had been designed and engineered to withstand a maximum permissible inflation pressure of 350 kPa.

Description of Remedy :

Description of Remedy Program : DAG intends to submit a petition for inconsequential noncompliance pursuant to 49 C.F.R. Part 556 because the marking discrepancy does not create a safety risk.

How Remedy Component Differs from Recalled Component : DAG intends to submit a petition for inconsequential noncompliance pursuant to 49 C.F.R. Part 556 because the marking discrepancy does not create a safety risk.

Pirelli P7 Cinturato radial tires (tire size 245/45 R 18 100 Y)

TIN: 93 4J T791 1417 0519

Identify How/When Recall Condition was Corrected in Production : Pirelli stopped manufacture of the affected tires which incorrectly list a maximum permissible inflation pressure of 340 kPa on February 15, 2019.

Recall Schedule :

Description of Recall Schedule : DAG intends to submit a petition for inconsequential noncompliance pursuant to 49 C.F.R. Part 556.

Planned Dealer Notification Date : NR - NR

Planned Owner Notification Date : NR - NR

* NR - Not Reported