



19 April 2022

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

Re: Petition for Exemption for Inconsequential Noncompliance with FMVSS 119 S6.5 (j) Tire Markings: letter designating tire load range

Ref: 49 CFR Part 573 Noncompliance Report NHTSA ID: 22T004

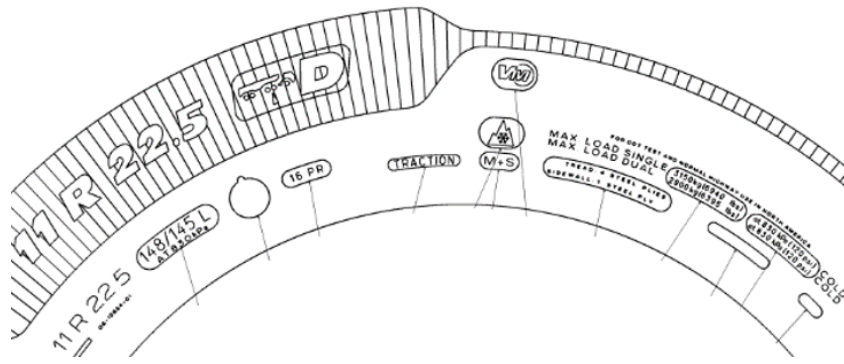
Dear Sir or Madam:

Pursuant to 49 U.S.C. § 30118(d) and 49 U.S.C. § 30120(h) and in accordance with the requirements of 49 CFR 556, Michelin North America, Inc. (“MNA”), a New York Corporation, hereby requests exemption from the notification and remedy requirements of the Motor Vehicle Safety Act, 49 U.S.C., Chapter 301, with respect to a noncompliance with Federal Motor Vehicle Safety Standard (FMVSS) 119 S6.5 (j) Tire Markings: letter designating tire load range.

This petition concerns a noncompliance of 160 Michelin X Multi D+ 11R22.5 tires produced between 26 May 2019 and 29 June 2019 and sold in the United States. The subject tires do not fully comply with 49 CFR 571.119 S6.5 (j) Tire Markings: letter designating tire load range. Pursuant to 49 CFR 573, Michelin North America, Inc. submitted a Noncompliance Report, NHTSA ID 22T004, on 25 March 2022. This document is being submitted as a petition for exemption from the notification and remedy requirements on the basis that the noncompliance is inconsequential with respect to motor vehicle safety.

Background

A total of 160 Michelin X Multi D+ 11R22.5 tires, produced in a mold which was missing the marking of the letter designating the tire load range, were determined to have entered the US market. As noted in the image attached below, although the tire is missing the letter designating load range the tire is clearly marked with the load indices for single and dual applications along with the maximum loads in kilograms and pounds at the specified cold inflation pressure. This tire is also clearly marked with the “DOT” marking and TIN as required in 49 CFR 571.119 S6.5 (a) and (b).



The marking error was detected when a Michelin Field Engineer was notified that some Michelin X Multi D+ tires had a different tread pattern than the customer was accustomed to. Through investigation, the Field Engineer confirmed the tire was a Michelin X Multi D+ tire which is intended for the Asia and India markets.

Michelin blocked this SKU in our internal systems. Additionally, Michelin Sales and Supply Chain confirmed that there had been no sales of this SKU in the US market through Michelin sales or distribution channels and that the tires had entered the US through channels outside of Michelin's control.

Analysis

1. Operational Safety

- Tire performance – The subject tire was designed and manufactured as a load index 148 single / 145 dual tire, with a maximum single load rating of 3150 kilograms or 6940 pounds at 830 kPa or 120 psi cold inflation pressure and a maximum dual load rating of 2900 kilograms or 6395 pounds at 830 kPa or 120 psi cold inflation pressure. The tires were tested for these loads and pressures and fully comply with Michelin performance requirements as well as with all tire safety performance standards and other requirements found in 49 CFR 571.119.
- Tire application – Other than the missing letter designating the tire load range, these tires are properly marked with all other information required in 49 CFR 571.119 section 6.5, including the DOT marking, tire identification number, tire size designation, and maximum single and dual loads in kilograms and pounds at the specified cold inflation pressure. The tires are also marked with load indices for single and dual applications. These markings provide both dealers and consumers with the necessary information to enable proper selection and application of the tires.

2. Corrective Measures

- Upon identification of the mismarking, Michelin blocked this SKU in our internal systems to prevent shipment to the US and sale through Michelin.
- The tire specification drawings are being corrected and the mold will be updated to include the letter designating the tire load range. Until that time, this SKU will remain blocked in Michelin North America's logistics systems.

3. Prior NHTSA decisions

- NHTSA has concluded in other petitions that this type of noncompliance is inconsequential to safety. An example of this prior decision is:
 - China Manufacturers Alliance, LLC, docket number NHTSA-2014-0083, granted 30 December 2014. This granted petition was for approximately 1,753,089 tires which had been imported into the US without the letter marking designating the load range.

Summary

Based on the information presented, Michelin believes that these tires produced without the letter designating the tire load range do not present a risk for motor vehicle safety or for the safety of this tire in service, or to repair or recycling personnel because:

- 1) Test results demonstrate that tire performance meets Michelin design specifications and performance requirements stated in 49 CFR 571.119.
- 2) Except for the missing letter designating tire load range, the affected tires correctly display all other required regulatory markings, including the designed single maximum load of 3150 kilograms, or 6940 pounds, single and dual maximum load of 2900 kilograms, or 6395 pounds, at 830 kPa or 120 psi cold inflation pressure. The tires are also marked with single and dual load indices corresponding to these maximum vehicle loads.

Michelin North America, Inc. respectfully requests that NHTSA grant the petition for exemption from notification requirements of 40 U.S.C. § 30118 and the remedy provisions of 49 U.S.C. § 30120.

If you or your staff has any questions regarding this petition, please contact me.

Sincerely,



June Satterfield,
Director, Industry Standards & Government Regulations
Michelin North America, Inc.

Part 573 Safety Recall Report

22T-004

Manufacturer Name : Michelin North America, Inc.**Submission Date :** MAR 25, 2022**NHTSA Recall No. :** 22T-004**Manufacturer Recall No. :** NR**Manufacturer Information :**

Manufacturer Name : Michelin North America, Inc.

Address : One Parkway South

Greenville SC 29615

Company phone : 864-422-4985

Population :

Number of potentially involved : 160

Estimated percentage with defect : 100 %

Tire Information :

Tire Brand 1 : Michelin

Tire Line : XMD+

Tire Size : 11R22.5

Descriptive Information : Michelin Field Engineering was notified that multiple 11R22.5 XMD+ tires had a different tread pattern than the customer was used to. Based on photographic evidence, Michelin technical staff confirmed that the specific SKU was an XMD+ tire which is DOT marked, but is intended for the Asia and India markets. This specific SKU is not sold as a replacement market tire in North America by Michelin sales and/or distribution channels. During this initial examination, it was determined that the subject tires are missing the load range marking.

Production Dates : MAY 26, 2019 - JUN 29, 2019

TIN (Tire Identification Number)

Plant ID	Size code	Optional Code	Begin M Code	End M Code
3L	3T	06CX	2219	2619

Description of Noncompliance :

Description of the Noncompliance : Load Range marking (H) is not present on these tires. All other required regulatory markings are present.

FMVSS 1 : 119 - New pneumatic tires- other than passenger cars

FMVSS 2 : NR

Description of the Safety Risk : No safety risk has been identified regarding the missing load range letter (H), as the tires are clearly marked as follows:

MAX LOAD SINGLE 3150kg (6940 lbs) at 830 kPa (120 psi)

MAX LOAD DUAL 2900 kg (6395 lbs) at 830 kPa (120 psi), which

corresponds to load range H. Additionally, these tires are marked with load indices 148/145, which align with the maximum single and dual loads noted

above.

Description of the Cause : The original sidewall shell designs were approved with the load range marking omitted. Industrial counter-verification references the shell drawings, therefore the tire passed startup controls for manufacturing.

Identification of Any Warning that can Occur : Not applicable.

Involved Components :

Component Name : NR

Component Description : NR

Component Part Number : NR

Supplier Identification :

Component Manufacturer

Name : NR

Address : NR

NR

Country : NR

Chronology :

4 February 2022: Michelin Field Engineering was notified that 160 units of 11R22.5 XMD+ tires had a different tread pattern than the customer was accustomed to.

7 February 2022: Michelin Technical confirmed the tire was an XMD+ belonging to the Asia and India market. Michelin US inventory of this SKU was blocked in our internal systems on this date as well.

21 February 2022: Sales and Supply Chain analysis confirmed that there have been no sales of this SKU in the US replacement market through Michelin sales / distribution channels. It was determined that these tires entered the US market through channels outside of Michelin's control.

21 Feb – 16 March 2022: Michelin further investigated these tires to confirm the actual markings and status of the tires believed to have entered the US market. Shell drawings for the SKU were examined and missing load range.

18 March 2022: Michelin made a determination that a noncompliance existed and that a petition for inconsequential noncompliance will be submitted to NHTSA.

25 March 2022: Michelin submitted the 573 report to NHTSA.

Description of Remedy :

Description of Remedy Program :	Not applicable pending filing of petition for inconsequential noncompliance.
How Remedy Component Differs from Recalled Component :	Not applicable pending filing of petition for inconsequential noncompliance.
Identify How/When Recall Condition was Corrected in Production :	Existing inventory in the US has been blocked pending the addition of load range H marking to the tires. Michelin's design group has been advised of the load range H omission and is correcting the shell drawings. Existing molds are being updated to include the load range H marking.

Recall Schedule :

Description of Recall Schedule :	NR
Planned Dealer Notification Date :	NR - NR
Planned Owner Notification Date :	NR - NR

Purchaser Information :

The following manufacturers purchased this defective/noncompliant equipment for possible use or installation in new motor vehicles or new items of motor vehicle equipment:

Name :	NR
Address :	NR
	NR
Country :	NR
Company Phone :	NR

* NR - Not Reported