

program production. The grantee shall confer with the COTR to verify all media format and language.

b. Additionally, the program materials shall be submitted in the following format for placement on NHTSA's Web site on the World Wide Web.

- Original application format, for example, *pm5; *doc; *ppt; etc.
- HTML level 3.2 or later.
- A PDF file for viewing with Adobe Acrobat.

c. All HTML deliverables must be delivered on either a standard 3.5" floppy disk or on a Windows 95 compatible formatted Iomegal zip disk and labeled with the following information:

- Grantee's name and phone number.
- Names of relevant files.
- Application program and version used to create the file(s).
- If the files exceed the capacity of a high density floppy, a Windows 95 compatible formatted Iomega zip disk is acceptable.

d. Graphics must be saved in Graphic Interchange Format (GIF) or Joint Photographic Expert Group (JPEB). Graphics should be prepared in the smallest size possible, without reducing the usefulness or the readability of the figure on the screen. Use GIF for solid color or black and white images, such as bar charts, maps, or diagrams. Use JPEG (highest resolution and lowest compression) for photographic images having a wider range of color or grey-scale tones. When in doubt, try both formats and use the one that gives the best image quality for the smallest file size. Graphic files can be embedded in the body of the text or linked from the body text in their own files: the latter is preferable when a figure needs to be viewed full screen (640 x 480 pixels) to be readable.

- Tabular data must be displayed in HTML table format.
- List data must be displayed in HTML list format.
- Pre-formatted text is not acceptable.
- Currently, frames are not acceptable.

• JAVA, is used, must not affect the readability or usefulness of the document, only enhance it.

• Table background colors may be used, but must not be relied upon (for example, a white document background with a table with colored background may look nice with white text, but the colored background doesn't show up on the user's browser the text shall be white against white and unreadable.)

• All HTML documents must be saved in PC format and tested on a PC before delivery.

e. During all phases of program development, draft program contents

and materials shall be provided to the COTR, as appropriate, for approval and coordination within NHTSA.

f. All HTML deliverables rendered under this cooperative agreement must comply with the accessibility standards at 36 CFR 1194.22 which implements section 508 of the Rehabilitation Act of 1973, as amended. This standard is available for viewing at the Access Board Web site at: <http://www.access-board.gov/sec508/guide/1194.22.htm>. Unless otherwise indicated, the grantee agrees by signing this cooperative agreement that all deliverable will comply with the accessibility standards.

g. Final project briefing to NHTSA and a presentation to a national meeting: The grantee will deliver a briefing in Washington, DC at NHTSA's offices to the COTR and appropriate NHTSA staff to review the project implementation, evaluations, and results. This presentation shall last no less than 30 minutes and the grantee shall be prepared to answer questions from the briefing's attendees.

In consultation with the COTR, the grantee will attend a national meeting to deliver a presentation of the project and its effectiveness.

h. The Grantee will deliver an electronic Microsoft PowerPoint presentation that NHTSA staff shall be able to use to brief senior staff or pedestrian partners at various meetings and conferences.

3. During the effective performance period of the cooperative agreements awarded as a result of this announcement, the agreements shall be subject to the National Highway Traffic Safety Administration's General Provisions for Assistance Agreement, dated July 1995.

Issued on: May 20, 2003.

Marilena Amoni,

Associate Administrator for Program Development and Delivery.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 2002-13895; Notice 2]

Michelin North America, Inc., Grant of Application for Decision That a Noncompliance Is Inconsequential to Motor Vehicle Safety

Michelin North America, Inc., (Michelin) has determined that approximately 750 size 215/55R16 Energy MXV4 Plus tires do not meet the

labeling requirements mandated by Federal Motor Vehicle Safety Standard (FMVSS) No. 109, "New Pneumatic Tires."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Michelin has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

Notice of receipt of the application was published, with a 30-day comment period, on December 3, 2002, in the **Federal Register** (67 FR 72026). NHTSA received no comment on this application.

Michelin's Ardmore, Oklahoma plant produced approximately 750 tires with incorrect markings during the period from March 13, 2002, through March 27, 2002. The tires were marked: "Tread Plies: 1 Polyester + 2 Steel + 1 Polyamide, Sidewall Plies: 1 Polyester." The correct marking required by FMVSS No. 109 is: "Tread Plies: 2 Polyester + 2 Steel + 1 Polyamide, Sidewall Plies: 2 Polyester."

The labeling requirements of FMVSS No. 109, *New Pneumatic Tires*, S4.3, paragraphs (d) and (e), mandate that each tire have permanently molded into or onto both sidewalls the actual number of plies in the sidewall, and the actual number of plies in the tread area, if different. Also, each tire must be labeled with the generic name of each cord material used in the sidewall and tread.

Michelin stated that the noncompliant tires were actually constructed with more sidewall and tread plies than indicated on the sidewall marking (two tread and sidewall plies rather than one). Michelin believes that this noncompliance is particularly unlikely to have an adverse impact on motor vehicle safety and is "clearly" inconsequential to motor vehicle safety. Michelin stated that the noncompliant tires meet or exceed all performance requirements of FMVSS No. 109 and will have no impact on the operational performance or safety of vehicles on which these tires are mounted.

The Transportation Recall, Enhancement, Accountability, and Documentation (TREAD) Act (Public Law 106-414) required, among other things, that the agency initiate rulemaking to improve tire label information. In response, the agency published an Advance Notice of Proposed Rulemaking (ANPRM) in the **Federal Register** on December 1, 2000 (65 FR 75222). The agency received more than 20 comments on the tire labeling information required by 49 CFR sections 571.109 and 119, part 567, part