

cars, are applicable to all vehicles of 10,000 pounds or less GVWR.

As stated in the November 2002 final rule, the intent of the agency was to only revise and make applicable to all light vehicles the vehicle labeling provisions of FMVSS No. 110 and 120. The agency is making this clear by amending the regulatory text of FMVSS Nos. 110 and 120 accordingly. Amendments to the performance aspects of FMVSS Nos. 110 and 120 are addressed in the final rule on tire performance upgrade that is published elsewhere in this issue of the **Federal Register**.

The agency is also taking this opportunity to correct FMVSS No. 109 by moving certain aspects of the application paragraph into the subsequent requirement paragraphs.

Correction of Publication

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles.

■ In consideration of the foregoing, 49 CFR part 571 as amended at 67 FR 69623 (November 18, 2002) and at 68 FR 33655 (June 5, 2003) is further amended as follows:

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

■ 1. The authority citation for part 571 of title 49 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

■ 2. Section 571.109 is amended by revising S2, S4.3, S4.4.1, and S4.4.2 to read as follows:

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§ 571.109 Standard 109; New pneumatic tires.

S2. Application. This standard applies to new pneumatic tires for use on passenger cars manufactured after 1948. However, it does not apply to any tire that has been altered so as render impossible its use, or its repair for use, as motor vehicle equipment.

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S4.3 Labeling Requirements. Except as provided in S4.3.1 and S4.3.2 of this standard, each tire, except for those certified to comply with S5.5 of § 571.139, shall have permanently molded into or onto both sidewalls, in letters and numerals not less than 0.078 inches high, the information shown in paragraphs S4.3 (a) through (g) of this standard. On at least one sidewall, the information shall be positioned in an area between the maximum section width and bead of the tire, unless the

maximum section width of the tire falls between the bead and one-fourth of the distance from the bead to the shoulder of the tire. For tires where the maximum section width falls in that area, locate all required labeling between the bead and a point one-half the distance from the bead to the shoulder of the tire.

However, in no case shall the information be positioned on the tire so that it is obstructed by the flange or any rim designated for use with that tire in Standards Nos. 109 and 110 (Sec. 571.109 and Sec. 571.110 of this part).

(a) One size designation, except that equivalent inch and metric size designations may be used;

(b) Maximum permissible inflation pressure;

(c) Maximum load rating;

(d) The generic name of each cord material used in the plies (both sidewall and tread area) of the tire;

(e) Actual number of plies in the sidewall, and the actual number of plies in the tread area if different;

(f) The words "tubeless" or "tube type" as applicable; and

(g) The word "radial" if the tire is a radial ply tire.

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S4.4.1 Each manufacturer of tires not certified to comply with S4 of § 571.139 shall ensure that a listing of the rims that may be used with each tire that he produces is provided to the public. A listing compiled in accordance with paragraph (a) of S4.4.1 of this standard need not include dimensional specifications or diagram of a rim if the rim's dimensional specifications and diagram are contained in each listing published in accordance with paragraph (b) of S4.4.1 of this standard. The listing shall be in one of the following forms:

(a) Listed by manufacturer name or brand name in a document furnished to dealers of the manufacturer's tires, to any person upon request, and in duplicate to the Docket Section, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590; or

(b) Contained in publications, current at the date of manufacture of the tire or any later date, of at least one of the following organizations:

The Tire and Rim Association
The European Tyre and Rim Technical Organisation
Japan Automobile Tire Manufacturers' Association, Inc.
Deutsche Industrie Norm
British Standards Institution
Scandinavian Tire and Rim Organization
The Tyre and Rim Association of Australia

S4.4.2 Information contained in any publication specified in S4.4.1(b) of this

standard which lists general categories of tires and rims by size designation, type of construction and/or intended use, shall be considered to be manufacturer's information pursuant to S4.4.1 of this standard for the listed tires and rims, unless the publication itself or specific information provided according to S4.4.1(a) of this standard indicates otherwise.

■ 3. Section 571.110 is amended by revising S4.1 to read as follows:

§ 571.110 Standard No. 110; Tire selection and rims for motor vehicles with a GVWR of 4,536 kilograms (10,000 pounds or less).

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S4.1 General.

(a) Passenger cars shall be equipped with tires that meet the requirements of § 571.109, New Pneumatic Tires, except that passenger cars may be equipped with a non-pneumatic spare tire assembly that complies with § 571.129, New Non-Pneumatic Tires for Passenger Cars and S6 and S8 of this standard.

(b) Passenger cars and non-pneumatic spare tires assemblies for use on passenger cars shall comply with S4 through S8 of this standard.

(c) Motor vehicles with a gross vehicle weight rating (GVWR) of 10,000 pounds or less, except for passenger cars, and the non-pneumatic spare tire assemblies for use on those vehicles shall comply with S4.3, S4.3.1, S4.3.2, S4.3.3, S4.3.4, and S7.2(a) of this standard.

■ 4. Section 571.120 is amended by revising its heading, S3 and S5.3 to read as follows:

§ 571.120 Standard No. 120; Tire selection and rims for motor vehicles other than passenger cars.

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S.3 Application. This standard applies to multipurpose passenger vehicles, trucks, buses, trailers, and motor cycles, to rims for use on those vehicles, and to non-pneumatic spare tire assemblies for use on those vehicles.

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S5.3 Each vehicle with a gross vehicle weight rating (GVWR) of more than 10,000 pounds, and motorcycles, shall show the information specified in S5.3.1 and S5.3.2 and, in the case of a vehicle equipped with a non-pneumatic spare tire, the information specified in S5.3.3, in the English language, lettered in block capitals and numerals not less than 2.4 millimeters high and in the format set forth following this paragraph. This information shall appear either—

(a) After each GAWR listed on the certification label required by § 567.4 or § 567.5 of this chapter; or at the option of the manufacturer,