

time because of the number of tires that will have to be changed in terms of materials/compounds or construction, and the time required to make these changes will have indirect effects on the vehicles which will require revalidation for braking, dynamics, fuel consumption, ride, handling, and noise/vibration, including legal noise requirements. Additionally, the Alliance stated that a tire designed to the new requirements cannot be mass-produced until it has been matched to a given vehicle, and the vehicle has been validated for braking, vehicle dynamics, fuel economy, ride, handling, etc. Therefore, the tire and vehicle effective dates must be the same.

DC stated that it cannot begin to conduct necessary vehicle development and tuning programs until an adequate supply of tires meeting any new regulations become readily available from the tire manufacturers (in quantities, styles, and sizes sufficient for vehicle development). They strongly urged that there must be at least a two year lag time between the sufficient availability of development tires meeting any new requirements and the vehicle level phase-in or effective date scheduled.

Advocates urged NHTSA to consider a one-year compliance delay from the date of a final rule effective on September 1, 2002, and believes that LT tires need to be improved just as quickly, if not more quickly, than P-metric tires and a delay in compliance for LT tires is not in the best interest of vehicle and traffic safety.

G. Shearography Analysis

JATMA stated that shearography is suitable for evaluation of new compound and new tire structure of developing products, but is too expensive and not suitable for a test to assure the quality of mass production goods.

The Alliance, Ford, ETRTO, GRRF, and ITRA/TANA stated that all shearography analysis techniques rely on a subjective assessment by a skilled operator and the present state of technology is such that they may not be acceptable as a regulatory control requirement.

PC supported the use of shearography analysis in conjunction with visual inspection. Additionally, Public Citizen recommended that the agency devise a list of all the possible indications of tire failure.

H. Revise UTQG

ETRTO, GRRF, and CU suggested that test requirements for Temperature in UTQG are useless once the correct

service description including the Speed Symbol is required for the tires, which are then tested according to the corresponding high-speed test schedules in UN/ECE Regulations 30 and 54.

RMA urged NHTSA not to revise the existing UTQGS scope and testing conditions at this time.

I. Additional Questions

1. Opportunity To Harmonize

The Alliance, ETRTO, RMA, the Center for Regulatory Effectiveness (CRE), and GRRF stated that the adoption of a UN/ECE Regulation 30 type test, such as the GTS-2000 or proposed GTR, would help to ensure that safety standards are consistent worldwide and that the burden on industry through having to meet several differing standards of various countries is removed. CRE also suggested that NHTSA is obligated to consider the following voluntary consensus standards—ISO 10191, SAE J1561, and SAE J1633/ISO 10454 under the National Technology Transfer and Advancement Act. RMA argued that this action would assist the breaking down of barriers to trade and improve the acceptability of USA-produced tires in a global market.

RMA asserted that NHTSA's proposal might constitute a technical barrier to trade in violation of the WTO Agreement on Technical Barriers to Trade.

The Alliance stated that, even if the agency considers the current harmonization proposal unacceptable, the agency should commit to developing a harmonized proposal.

Advocates stated that NHTSA could use the data and testing protocols of the optional test for wet grip of tires discussed in the actions of the World Forum for Harmonization of Vehicle Regulations (WP.29) Working Party On Brakes and Running Gear (GRRF) as a departure point for determining how best to establish tire adhesion requirements to be included in the proposed new Standard No. 139.

2. "Real-World" Testing Procedures

ETRTO stated that "real-world" testing procedure need to be pursued by defining accelerated test conditions that reflect the effective failure mode of the tires in service.

GRRF supported the approach of using controllable, laboratory based tests wherever possible and provided that they reproduce in-service conditions.

Ford stated that vehicular testing is not practicable due to variation in vehicle size and loading and the wide

range of wheel/tire combinations and that the tire standard should continue to be an equipment standard and that tires should continue to be certified by tire manufacturers.

3. Vehicle Model Year 1975

GRRF supported the cut-off date of 1975 and suggests that consideration is given to the retention of FMVSS No. 109 for tires for earlier vehicles.

4. Required Inflation Pressures

GRRF and ETRTO suggested that all U.S. tires should be marked with inflation pressures expressed in kPa, as per the internationally recognized standard units.

RMA stated that inflations pressures of 32, 36, 40 and 60 psi should be retained in the existing FMVSS No. 109 standard, but should not be included in the new FMVSS No. 139.

The Alliance and Ford believed the four pressures should be retained for tire rating and testing.

The Alliance requested that NHTSA remove the current and proposed requirement to round the psi equivalent of kPa to the next highest whole number, and to round the pound equivalent of kilogram to the closest whole number.

J. Other

1. Test Condition Tolerances

RMA suggested that NHTSA adopt the tolerances listed in ASTM-F-551 Standard Practice for Using a 67.23-in. (1.707-m) Diameter Laboratory Test Wheel in Tire Testing.

2. Tire Pressure Load Reserve Limit

RMA suggested that NHTSA should adopt a specific tire pressure reserve limit and comments that they will be petitioning the agency for such a ruling in the near future.

K. Costs²²

RMA and ETRTO stated that the agency's estimate that the proposed standards will impose costs of \$282 million on the tire industry is grossly inaccurate. RMA estimated that the first year costs would exceed \$1.5 billion with a continuing annual cost to comply in excess of \$400 million depending on the options chosen for the final rule.

ITRA stated that the agency's estimates also do not include small manufacturers and foreign manufacturers that import tires to the U.S., and retreaders, and that the proposed regulation could result in the downfall of the retread industry.

²² Comments on costs are discussed in greater detail in the FRE.