

suggested an inflation range between 179 kPa and 221 kPa (26 psi–32 psi). Ford said that either proposed tire-type and respective inflation pressure would perform satisfactorily, but recommended that the P215/75R15 tire, inflated to 221 kPa (32 psi), be adopted for use on all moving barriers specified in FMVSS Nos. 214 and 301. Both Ford and GM provided data supporting their conclusions. VW supported the use of the P205/75R15 tire inflated to 207 kPa (30 psi) on all moving barriers specified in FMVSS Nos. 214 and 301.

With respect to the tread width specification, GM and Ford supported the agency's proposal to delete the outdated specification from FMVSS No. 301.

GM and Ford both concurred with the agency's proposal to delete the inaccurate moment of inertia specified in FMVSS No. 301. GM, however, recommended that NHTSA request test laboratories to provide moments of inertia for their moving barriers for further examination. Ford recommended that NHTSA consider specifying the moments of inertia for the common carriage of moving barriers prescribed in FMVSS No. 301.

Finally, GM recommended that NHTSA standardize the language of the moving barrier standards so that the text of FMVSS No. 301 would read similarly to that of S6.10 of FMVSS No. 214.

IV. Agency Decision Regarding the Final Rule

A. Tire-type and Inflation Range

Based on test data presented by GM and Ford, tire inflation pressure, rather than tire-type, appears to be a more critical element for various test facilities conducting moving barrier tests. GM has conducted FMVSS No. 214 tests using P205/75R15 tires inflated to 193 kPa (28 psi) with satisfactory results and at present is using 215/75R15 tires inflated to 193 + – 14 kPa (28 + – 2 psi) in all of its FMVSS No. 301 moving barrier tests. Pursuant to its testing, Ford recommends P215/75R15 tires inflated to 221 kPa (32psi) for use on the FMVSS No. 214 moving barrier. However, Ford believes that either tire-type would work well. Based on the comments and the data, NHTSA concludes that either tire-type, inflated to a pressure between 179 kPa and 221 kPa (26 psi–32 psi), would perform satisfactorily. Since either tire-type is reported to do well when properly inflated and since SAE J972 has already incorporated a specification for P205/75R15 radial tires inflated to 207 kPa (30 psi) for use on moving barriers, NHTSA adopts P205/75R15 tires inflated to between 179 kPa

and 221 kPa (26 psi–32 psi) for use on all moving barriers specified in FMVSS Nos. 214 and 301.

B. Tread Width Specifications

Commenters supported the agency's proposal to delete the tread width specification in FMVSS No. 301. Therefore, the agency adopts the proposal to delete the tread width specification from FMVSS No. 301.

C. Moments of Inertia

Both GM and Ford concurred with the agency's proposal to delete the inaccurate moments of inertia for the moving contoured barrier from FMVSS No. 301. However, Ford recommended that NHTSA consider specifying moments of inertia for the common carriage of the moving barriers. GM recommended that NHTSA ask test laboratories to provide the moment of inertia of their moving barriers and that NHTSA consider these specifications, as appropriate, in a future rulemaking.

In response to Ford's recommendation, NHTSA notes that the moments of inertia of the common carriage are only a part of, and do not have a critical effect on, the resultant moments of inertia of the moving flat and contoured barriers specified in FMVSS No. 301. Because the moment of inertia of a concentrated mass is the product of the mass and the square of the distance between the mass and the axis of rotation, the distance between a component mass and the center of gravity of the moving barrier is more important than the mass itself in determining the moments of inertia of the moving barrier. Because of this distance from the center of gravity of the moving barrier, components such as the contoured contact face of the barrier and the ballast weights would have a greater influence than the common carriage on the moments of inertia of the moving barrier. Therefore, the agency concludes that it is unnecessary to define the moments of inertia for the common carriage.

In response to GM's suggestion that NHTSA request test laboratories to provide moment of inertia data for further rulemaking, NHTSA does not believe that re-defining the moment of inertia of the moving contoured barriers would affect testing results. The moments of inertia of the moving contoured barrier are a dynamic structural property of, rather than a primary design criterion for, the moving barrier. Therefore, the moving barrier structure, as constructed according to FMVSS No. 301 specifications, determines the moments of inertia. FMVSS No. 301 specifies the

component cross-section, the structure dimension, the weight distribution, the ballast location, and the center of gravity for the moving contoured barrier. Based on these specifications, the construction of all moving barriers is very similar. Consequently, the moments of inertia of the moving contoured barrier would also be very similar. For this reason, the agency has decided not to pursue GM's recommendation.

D. Standardizing Language

The agency believes that GM's suggestion to standardize the language in all moving barrier standards has merit. Because the agency has not considered the effects of standardizing this language, it will not adopt the suggestion in this final rule. The agency, however, will consider this suggestion in the course of future rulemakings concerning moving barriers.

V. Effective Date

The bias ply tires currently specified in FMVSS No. 301 are not readily available to testing laboratories at present and will be even more difficult to obtain in the future. Vehicle manufacturers currently recommend both P205/75R15 and P215/75R15 radial tires proposed in the NPRM for use on passenger cars, multi-purpose passenger vehicles, and light trucks. The agency has noted that certain laboratories have adopted the aforesaid radial tires for use on moving barriers specified in FMVSS Nos. 214 and 301. In view of this, the agency has decided to make that final rule effective September 29, 2003.

VI. Rulemaking Analyses and Notices

Executive Order 12866 (Federal Regulation) and DOT Regulatory Policies and Procedures

This final rule has not been reviewed under E.O. 12866. After considering the impacts of this rulemaking action, we have determined that the action is not significant within the meaning of the Department of Transportation regulatory policies and procedures. The intent of the rulemaking action is to update regulatory procedures that have been in effect for over 25 years. In most cases, the effect of the proposed amendments will be to relax or eliminate burdens on regulated entities. The tires specified in the proposed rule are more readily available than those currently specified. Further, they are already widely recommended by voluntary standards organizations for use by vehicle manufacturers for testing. Accordingly, there will be no increase in the cost of tires used for testing. Further, we do not