



December 10, 2018

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

Re: Petition for Exemption for Inconsequential Noncompliance with FMVSS 139  
Ref: 49 CFR Part 573 Report: LT275/65R20 126/123S All-Terrain TA KO2

NHTSA ID: 18T014

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) 139 – New pneumatic radial tires for light vehicles.

This petition concerns a noncompliance of 415 BFGoodrich LT275/65R20 126/123S All-Terrain TA KO2 tires produced at Michelin's Fort Wayne, Indiana factory between September 2, 2018 and October 6, 2018. The subject tires do not fully comply with 49 CFR 574.5 Tire Identification Requirements as required by 49 CFR 571.139 S5.5.1 Tire Identification Number.

Pursuant to 49 CFR 573, Michelin North America, Inc. submitted a Noncompliance Report, NHTSA ID 18T014, on November 12, 2018. As indicated in the November 12, 2018 filing, Michelin North America, Inc. is submitting this 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 415 BFGoodrich LT275/65R20 All-Terrain KO2 tires had been produced in a mold that had the DOT symbol and plant code in the incorrect sequence. The DOT symbol was incorrectly placed between the first and second grouping of the Tire Identification Number. Per 49 CFR 574.5(g) the proper sequence of the Tire Identification Number for a tire using the existing two symbol plant code is plant code + size code + option code + date code. According the figure 1 in 49 CFR 574.5 the DOT symbol should be placed either in front of or below the Tire Identification Number.

Michelin Americas Research Company

515 Michelin Road, P.O. Box 1987  
Greenville, South Carolina 29605-1987

Intended Marking: DOT BF OT RK11 3518



Actual Marking: BF DOT OT RK11 3518



The noncompliance was due to an error in installation of the marking inserts on one side of a single production mold.

### Analysis

#### 1. Operational Safety

- a. The Tire Identification Number (TIN) marking noncompliance does not create any operational safety risk for the vehicle. The tires comply with applicable Federal Motor Vehicle Safety Standards and all other applicable regulations.
- b. The incorrect marking sequence of the DOT symbol and TIN plant code has no bearing on tire performance.
- c. The subject tires are properly marked with all other markings required under FVMSS 139 such as S5.5(c) maximum permissible inflation pressure and S5.5(d) maximum load rating. The necessary information is available on the sidewall of the tire to ensure proper application and usage.
- d. The subject tires contain the DOT symbol on both sidewalls thus indicating conformance to applicable Federal Motor Vehicle Safety Standards.

#### 2. Identification & Traceability

- a. All information required by 49 CFR 574.5 for the Tire Identification Number (plant code + size code + option code + date code) is present on the sidewall of the tire.
- b. The marking discrepancy only exists on one sidewall of the tire. The opposing sidewall has correct sequence of DOT + plant code + size code + option code.
- c. For identification and traceability purposes the key information of plant code and manufacturing date is present on the tire.
- d. In the event that dealer / owner notifications are required either the intended marking (DOT BF) or the actual marking (BF DOT) would serve as an identifier of the tire.

#### 3. Proactive Measures

- a. The mis-marking has been communicated to BFGoodrich Customer Care representatives in order to effectively handle any inquiries from dealers or owners regarding the subject tires.

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**Summary**

Based on the information presented the sequence of the DOT symbol and TIN plant code does not have an impact on the operational safety of the subject tires or the vehicles on which they are equipped. Additionally, identification and traceability of the tires could be accomplished in the event of a dealer / owner notification by referencing the actual TIN marking. Considering these points as well as the proactive measures taken and consideration of NHTSA's prior decisions regarding moot or inconsequential TIN content marking errors Michelin North America, Inc. believes the subject noncompliance is inconsequential as it relates to motor vehicle safety. 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.

Michelin Americas Research Company

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# Part 573 Safety Recall Report

# 18T-014

**Manufacturer Name :** Michelin North America, Inc.**Submission Date :** NOV 13, 2018**NHTSA Recall No. :** 18T-014**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 : 415

Estimated percentage with defect : 100 %

**Tire Information :**

Tire Brand 1 : BFGoodrich

Tire Line : All-Terrain T/A KO2

Tire Size : LT275/65R20

Descriptive Information : Replacement market tires primarily intended for recreational light truck applications.

Production Dates : SEP 02, 2018 - OCT 06, 2018

**TIN (Tire Identification Number)**

Plant ID	Size code	Optional Code	Begin M Code	End M Code
BF	OT	RK11	3518	3918

**Description of Noncompliance :**

Description of the Noncompliance : The regulation 49 CFR 574.5 requires the tire to be labelled with a tire identification number containing the plant code in the first grouping, the tire size code in the second grouping, an optional tire type code in the third grouping and the date of manufacture in the fourth grouping. 49 CFR 574.5 also requires the DOT symbol to be positioned relative to the tire identification number as shown in Figure 1 of 49 CFR 574.5. The non-compliant tires have the DOT symbol located between the first and second groupings of the tire identification number:

Intended Marking: DOT BF OT RK11 3518

Actual Marking: BF DOT OT RK11 3518

FMVSS 1 : 574 - Tire Identification &amp; Recordkeeping

FMVSS 2 : 139 - New pneumatic radial tires for light vehicles

Description of the Safety Risk : Michelin has identified no safety risk associated with the error of the DOT placement and TIN sequence marking on one side of the tire.

Michelin intends to file a petition for a finding of inconsequential



noncompliance since Michelin believes that the marking noncompliance is inconsequential to motor vehicle safety.

Description of the Cause : Error in the installation of the marking inserts on the intended outboard side of one production mold.

Identification of Any Warning that can Occur : Not applicable

## Supplier Identification :

### Component Manufacturer

Name : NR  
Address : NR  
NR  
Country : NR

## Chronology :

October 5, 2018 - Michelin employee discovered the marking error during a routine quality inspection; mold inserts corrected; reported to central quality

October 6 - 29, 2018 - Michelin conducted an investigation to gather information. Michelin was able to confirm the mis-marking, confirm that other marking and performance requirements were met, determine the population of tires involved [including location and scope within our control}, and assess the compliance of the product based on applicable regulations and precedent decisions.

November 5, 2018 - Results of investigations were reviewed

November 12, 2018 - Part 573 Noncompliance Information Report filed

## Description of Remedy :

Description of Remedy Program : NR

How Remedy Component Differs from Recalled Component : NR

Identify How/When Recall Condition was Corrected in Production : NR

## 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