

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2015-0016; Notice 1]

Notice of Receipt of Petition for Decision That Nonconforming Model Year 2009 Ford F-150 Trucks Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Receipt of petition.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that nonconforming model year (MY) 2009 Ford F-150 trucks that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS), are eligible for importation into the United States because they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the MY 2009 Ford F-150 truck) and they are capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is December 7, 2015.

ADDRESSES: Comments should refer to the docket and notice numbers above and be submitted by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.
- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- *Fax:* 202-493-2251.

Instructions: Comments must be written in the English language, and be no greater than 15 pages in length,

although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

How To Read Comments Submitted to the Docket: You may read the comments received by Docket Management at the address and times given above. You may also view the documents from the Internet at <http://www.regulations.gov>. Follow the online instructions for accessing the dockets. The docket ID number and title of this notice are shown at the heading of this document notice. Please note that even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically search the Docket for new material.

FOR FURTHER INFORMATION CONTACT: George Stevens, Office of Vehicle Safety Compliance, NHTSA (202-366-5308).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As

specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

Wallace Environmental Testing Laboratories (WETL), Inc. of Houston, Texas (Registered Importer R-90-005) has petitioned NHTSA to decide whether nonconforming MY 2009 Ford F-150 trucks are eligible for importation into the United States. The vehicles which WETL believes are substantially similar are MY 2009 Ford F-150 trucks that were manufactured for sale in the United States and certified by their manufacturer as conforming to all applicable FMVSS.

The petitioner claims that it compared non-U.S. certified MY 2009 Ford F-150 truck to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

WETL submitted information with its petition intended to demonstrate that non-U.S. certified MY 2009 Ford F-150 trucks, as originally manufactured, conform to many FMVSS in the same manner as their U.S.-certified counterparts, or are capable of being readily altered to conform to those standards. Specifically, the petitioner claims that non-U.S. certified MY 2009 Ford F-150 trucks are identical to their U.S.-certified counterparts with respect to compliance with Standard Nos. 102 *Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect*, 103 *Windshield Defrosting and Defogging Systems*, 104 *Windshield Wiping and Washing Systems*, 105 *Hydraulic and Electric Brake Systems*, 106 *Brake Hoses*, 108 *Lamps, Reflective Devices, and Associated Equipment*, 110 *Tire selection and rims and motor home/recreation vehicle trailer load carrying capacity information for motor vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or less*, 111 *Rearview Mirrors*, 113 *Hood Latch System*, 114 *Theft Protection*, 116 *Motor Vehicle Brake Fluids*, 118 *Power-Operated Window, Partition, and Roof panel System*, 119 *New Pneumatic Tires*, 124 *Accelerator Control Systems*, 135 *Light Vehicle Brake Systems*, 138 *Tire Pressure Monitoring Systems*, 201 *Occupant Protection in Interior Impact*, 202 *Head Restraints*, 204 *Steering Control Rearward Displacement*, 205 *Glazing*

Materials, 206 *Door Locks and Door Retention Components*, 207 *Seating Systems*, 209 *Seat Belt Assemblies*, 210 *Seat Belt Assembly Anchorages*, 212 *Windshield Mounting*, 214 *Side Impact Protection*, 216 *Roof Crush Resistance*, 219 *Windshield Zone Intrusion*, 225 *Child Restraint Anchorage Systems*, 301 *Fuel System Integrity*, and 302 *Flammability of Interior Materials*.

The petitioner also contends that the vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays*: Replacement of the speedometer with the U.S.-model part, which includes the BRAKE telltale, and reprogramming of the speedometer.

Standard No. 138 *Tire Pressure Monitoring Systems*: Verification that programming matches U.S.-model programming.

Standard No. 208 *Occupant Crash Protection*: A U.S.-version of the owner's manual must be provided with the vehicle to meet the information requirements of the standard. Verification will be performed that programming of automatic restraint systems matches U.S.-model programming.

The petitioner additionally states that a vehicle identification plate must be affixed to the vehicle near the left windshield post to meet the requirements of 49 CFR part 565. The petitioner also states that each vehicle will be inspected prior to importation for compliance with 49 CFR part 541 and modified if necessary.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above addresses both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8.

Jeffrey M. Giuseppe,
Director, Office of Vehicle Safety Compliance.
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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2015-0006]

New Car Assessment Program (NCAP)

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Final decision.

SUMMARY: On January 28, 2015, NHTSA published a notice requesting comments on the agency's intention to recommend various vehicle models that are equipped with automatic emergency braking (AEB) systems that meet the agency's performance criteria to consumers through the agency's New Car Assessment Program (NCAP) and its Web site, www.safercar.gov. These systems can enhance the driver's ability to avoid or mitigate rear-end crashes. This notice announces NHTSA's decision to include AEB technologies as part of NCAP Recommended Advanced Technology Features, if the technologies meet NCAP performance criteria. The specific technologies included are crash imminent braking (CIB) and dynamic brake support (DBS).

DATES: These changes to the New Car Assessment Program are effective for the 2018 Model Year vehicles.

FOR FURTHER INFORMATION CONTACT: For technical issues: Dr. Abigail Morgan, Office of Crash Avoidance Standards, Telephone: 202-366-1810, Facsimile: 202-366-5930, NVS-122. For NCAP issues: Mr. Clarke Harper, Office of Crash Avoidance Standards, email: Clarke.Harper@DOT.GOV, Telephone: 202-366-1810, Facsimile: 202-366-5930, NVS-120.

The mailing address for these officials is as follows: National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

- I. Executive Summary
- II. Background
- III. Summary of Request for Comments
- IV. Response to Comments and Agency Decision
 - A. Harmonization
 - B. Rating System for Crash Avoidance Technologies in NCAP
 - C. Draft Test Procedures
 - D. Proposed Additions to Test Procedures
 - E. Proposed Additions to Test Procedures
 - F. Other Issues
- V. Conclusion

I. Executive Summary

This notice announces the agency's decision to update the U.S. New Car Assessment Program (NCAP) to include

a recommendation to motor vehicle consumers on vehicle models that have automatic emergency braking (AEB) systems that can substantially enhance the driver's ability to avoid rear-end crashes. NCAP recommends crash avoidance technologies, in addition to providing crashworthiness, rollover, and overall star ratings. Today, 3 crash avoidance technologies—forward collision warning, lane departure warning, and rearview video systems—are recommended by the agency if they meet NHTSA's performance specifications.

NHTSA is adding AEB as a recommended technology, which means that we now have tests for AEB. AEB refers to either crash imminent braking (CIB), dynamic brake support (DBS), or both on the same vehicle. CIB automatically applies vehicle brakes if the vehicle sensing system anticipates a potential rear impact with the vehicle in front of it. DBS applies more brake power if the sensing system determines that the driver has applied the brakes prior to a rear-end crash but estimates that the amount of braking is not sufficient to avoid the crash. NHTSA is also removing rearview video systems (RVS) as a recommended technology in Model Year 2019, because RVS is going to be required on all new vehicles manufactured on or after May 1, 2018, and that technology's presence in NCAP will no longer provide comparative information for consumers.

The vehicles that have Advanced Technologies recommended by NHTSA may be seen on the agency Web site www.safercar.gov.

II. Background

The National Highway Traffic Safety Administration's (NHTSA) New Car Assessment Program (NCAP) provides comparative safety rating information on new vehicles to assist consumers with their vehicle purchasing decisions. In addition to issuing star safety ratings based on the crashworthiness and rollover resistance of vehicle models, the agency also provides additional information to consumers by recommending certain advanced crash avoidance technologies on the agency's Web site, www.safercar.gov. For each vehicle make/model, the Web site currently shows the vehicle's 5-star crashworthiness and rollover resistance ratings and whether the vehicle model is equipped with and meets NHTSA's performance criteria for any of the three advanced crash avoidance safety technologies that the agency currently recommends to consumers. NHTSA began recommending advanced crash avoidance technologies to consumers