



National Marine
Manufacturers Association

May 13, 2013

Christopher J. Bonanti
Associate Administrator for Rulemaking
U.S. Department of Transportation
1200 New Jersey Avenue SE
West Building, Ground Floor, Rm W12-140
Washington, DC 20590-0001

Dear Mr. Bonanti:

The National Marine Manufacturers Association (NMMA) is pleased to provide the National Highway Safety Administration (NHTSA) with the following comments regarding amending the Federal Motor Vehicle Safety Standards (FMVSS) 110 to clarify special trailer tire and rapid tire deflation testing requirements for trailers ([NHTSA—2013—0030](#)).

By way of background, NMMA is the leading national recreational marine trade association, with nearly 1,400 members involved in every aspect of the boating industry. NMMA members manufacture over 80 percent of recreational boats, engines, trailers, accessories, and marine gear in the United States. The Boat Trailer Manufacturers Association, an affiliate of NMMA, is comprised of trailer and trailer component manufacturers who are committed to industry promotion and use of the latest technical and safety standards.

As you are aware, NHTSA amended FMVSS 110 during the 2002-2004 timeline, which resulted in seemingly unintended consequences for special trailer tire and rapid tire deflation testing requirements. On December 19, 2001 NHTSA published in the Federal Register (66 FR 65536) a NPRM to address tire labeling and placarding requirements pursuant to the TREAD Act. The working group responsible for this effort specifically indicated the intent was to extend the revised labeling and placarding requirements of FMVSS 110 to light trucks. Accordingly, NHTSA amended the application section of this standard from “passenger cars” to “motor vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or less” (66 FR 65561). The initial final rule issued on November 18, 2002 (67 FR 69600), changed the term “passenger cars” to “motor vehicles”. This resulted in trailers being included in the rule language despite the fact they were not contemplated during the working group discussions and it was physically impossible for trailers to comply.

NMMA agrees with NHTSA’s finding that the rewriting of FMVSS 110 in June 2003 inadvertently omitted language allowing trailers to continue being equipped with FMVSS 109 compliant special trailer (ST)

tires. The proposed changes made by this rulemaking would clarify that trailers would be permitted to continue the past practice of complying with the FMVSS 109 requirements.

NMMA supports this rulemaking as it will serve to clarify FMVSS 110 as it relates to ST tires and vehicle testing requirements. As noted, the proposed amendment will make it clear that ST tires are permitted to be installed on new trailers with a gross vehicle weight rating of 4,536 kilograms or less. Additionally, the proposed amendment will exclude those trailers from a vehicle testing requirement which requires that a tire be retained on its rim when subjected to a sudden loss of tire pressure when brought to a controlled stop from 97 km/h.

This clarification would not only clear up the existing set of requirements for U.S. manufacturers, but will go a long way to serve the needs of trailer manufacturers exporting to Canada. Due to the ambiguity in the existing regulations, U.S. trailer manufacturers were being informed by Transport Canada that their products could not be imported into Canada without documentation certifying compliance with the rapid tire deflation test. Because the June 2003 final rule extended the applicability of the rim retention requirement to all light vehicles except motorcycles, Canadian authorities were considering barring importation of trailers failing to meet those rim retention requirements in Canada.

The rapid tire deflation certification test, however, was only intended for motorized vehicles and would be impossible for ST tires. Given the unique nature of trailers, a rapid deflation test would create an incalculable set of possible combinations depending on tire and wheel combinations, trailer models and configurations, and tow vehicle types. This proposed rule allows for common sense application of the rapid deflation test by exempting trailers from complying with an unmanageable and cost prohibitive structure.

Furthermore, there is no evidence such a test for trailers would lead to a significant increase in safety. By clarifying NHTSA's regulation with this rulemaking, it will also clarify the directives of Transport Canada in allowing imported U.S. trailers, specifically exempting trailers with a GVWR of 10,000 lbs. or less from S4 4.1(b) of FMVSS 110. This will ensure the continued flow of commerce between the two countries regarding trailers and prevent any further confusion on tire or testing specifications as mandated by NHTSA.

We are pleased this rulemaking will clarify the use of ST tires on trailers and specifically exempt trailers from the rim retention requirements of FMVSS 110. This was not the original intent of the NHTSA and this proposal would clarify the language. NMMA strongly supports this proposed amendment to FMVSS 110 for trailers. This rule allows for much needed clarification for U.S. manufacturers and will better harmonize U.S. standards with Transport Canada requirements, preventing unintended export barriers for trailer manufacturers.

NMMA welcomes the opportunity to further discuss these comments. For questions, please do not hesitate to contact me at nvasilaros@nmma.org or 202-737-9763.



Sincerely,

T. Nicole Vasilaros

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National Marine Manufacturers Association