14th hour from the beginning of the work shift. Drivers remain limited by the weekly limits and the employer must maintain accurate time records concerning the time the driver reports for work each day, the total number of hours the driver is on duty each day, and the time the driver is released from duty each day. As KRD explained, drivers usually return to the work reporting location within 12 hours but the demands during certain periods necessitate work shifts going beyond 12 hours. Therefore, the exemption application should not be construed as a mechanism for the applicant to implement a new business model with all its drivers routinely extending their maximum work shifts from 12 to 14 hours. The exemption provides limited relief to the recordkeeping requirements for HOS for short-haul drivers who find it necessary to exceed the 12-hour limit, which impacts the type of HOS records required.

VII. Terms and Conditions for the Exemption

- KRD drivers must have a copy of this notice in their possession while operating under the terms of the exemption. This notice serves as the exemption document and must be presented to law enforcement officials upon request.
- KRD drivers must return to the work reporting location and be released from work within 14 consecutive hours.

Extent of the Exemption

This exemption is limited to the provisions of 49 CFR 395.1(e)(1)(ii)(A). KRD drivers must comply will all other applicable provisions of the FMCSRs.

Preemption

In accordance with 49 U.S.C. 31315(d), during the period this exemption is in effect, no State shall enforce any law or regulation that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption.

Notification to FMCSA

Any motor carrier utilizing this exemption must notify FMCSA within 5 business days of any accident (as defined in 49 CFR 390.5), involving any of the motor carrier's CMVs operating under the terms of this exemption. The notification must include the following information:

(a) Identity of the exemption: ''Kimble Recycling & Disposal, Inc;''

(b) Name of operating motor carrier;

(c) Date of the accident;

(d) City or town, and State, in which the accident occurred, or closest to the accident scene;

(e) Driver's name and license number;

(f) Vehicle number and State license number;

(g) Number of individuals suffering physical injury;

(h) Number of fatalities;

(i) The police-reported cause of the accident;

(j) Whether the driver was cited for violation of any traffic laws, motor carrier safety regulations; and

(k) The driver's total driving time and total on-duty time period prior to the accident.

Reports filed under this provision shall be emailed to *MCPSD@DOT.GOV.*

VIII. Termination

FMCSA does not believe the drivers covered by this exemption will experience any deterioration of their safety record. Interested parties or organizations possessing information that would otherwise show that this motor carrier is not achieving the requisite statutory level of safety should immediately notify FMCSA. FMCSA will take all steps necessary to protect the public interest, including revocation of the exemption. The FMCSA will revoke the exemption immediately for failure to comply with its terms and conditions.

Issued on: November 14, 2019.

Jim Mullen,

Deputy Administrator.

[FR Doc. 2019–25339 Filed 11–20–19; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2018–0082; Notice 2]

Yokohama Tire Corporation, Grant of Petition for Decision of Inconsequential Noncompliance

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

ACTION: Grant of petition.

SUMMARY: Yokohama Tire Corporation (YTC) has determined that certain Yokohama RY023 brand replacement commercial tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 119, *New Pneumatic Tires for Motor Vehicles with a GVWR of more than 4,536 kilograms (10,000 lbs) and Motorcycles.* YTC filed a noncompliance report dated July 12, 2018. YTC subsequently petitioned NHTSA on July 31, 2018, and submitted a supplemental petition on February 6, 2019, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces the grant of YTC's petition.

FOR FURTHER INFORMATION CONTACT: Abraham Diaz, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366–5310, facsimile (202) 366–3081.

SUPPLEMENTARY INFORMATION:

I. Overview: YTC has determined that certain Yokohama brand RY023 replacement commercial tires do not fully comply with paragraph S6.5(d) and (j) of Federal Motor Vehicle Safety Standard (FMVSS) No. 119, *New Pneumatic Tires for Motor Vehicles with a GVWR of more than 4,536 kilograms (10,000 lbs) and Motorcycles* (49 CFR 571.119). YTC filed a noncompliance report dated July 12, 2018, pursuant to 49 CFR part 573, *Defects and Noncompliance Responsibility and Reports.* YTC subsequently petitioned NHTSA on July 31, 2018, and submitted a supplemental petition on February 6, 2019, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance.*

Notice of receipt of YTC's petition was published with a 30-day public comment period, on June 21, 2019, in the **Federal Register** (84 FR 29280). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) website at *https://www.regulations.gov/.* Then follow the online search instructions to locate docket number ''NHTSA–2018–0082.''

II. Tires Involved: Approximately 4,704 Yokohama RY023 size 11R22.5 16(LR H) 146/143L commercial tires, manufactured between February 2, 2018, and May 17, 2018, are potentially involved.

III. Noncompliance: YTC explains that the noncompliance was due to a mold error in which one sidewall, the serial sidewall, of subject tires incorrectly state the ply rating, load range and load capacity as required by paragraph S6.5 (d) and (j) of FMVSS No. 119.

Specifically, the tires were marked:

14 PR LOAD RANGE G
MAX. LOAD SINGLE 2800 kg (6175 lbs) at 720 kPa (105psi) COLD

MAX. LOAD DUAL 2650 kg (5840 lbs) at 720 kPa (105 psi) COLD

When they should have been marked:

16 PR LOAD RANGE H

MAX. LOAD SINGLE 3000 kg (6610 lbs) at 830 kPa (120 psi) COLD

MAX. LOAD DUAL 2725 kg (6005 lbs) at 830 kPa (120 psi) COLD

IV. Rule Requirements: Paragraph S6.5(d) and (j) of FMVSS No. 119, includes the requirements relevant to this petition:

• Except as specified in paragraph S6.5, each tire shall be marked on each sidewall with the information specified in paragraphs (a) through (j) of paragraph S6.5.

• The maximum load rating and corresponding inflation pressure of the tire, shown as follows:

(Mark on tires rated for single and dual load): Max load single __kg (__lb) at __kPa (__psi) cold. Max load dual __kg (__lb) at __kPa (__psi) cold.

(Mark on tires rated for only for single load): Max load single __kg (__lb) at __kPa (__psi) cold.

• Markings must contain the letter designating the tire load range.

V. Summary of Petition: YTC described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, YTC submitted the following arguments:

1. This Petition concerns Yokohama 11R22.5 16PR RY023 commercial truck and bus replacement tires whose branding information incorrectly states the ply rating, load range and load capacity on one side (serial side) only, while the branding information on the other side (opposite serial side) is correct for the subject tires. Because of this mold branding error, these tires are not in compliance with the tire labeling requirement found in 49 CFR 571.119 S6.5(d) and (j), even though all of these tires were manufactured with the correct ply rating and load range.

2. YTC implemented verification countermeasures to prevent any recurrence of any incorrect tire markings. Further investigation determined that the suspect period ended when the incorrect mold had been removed from production on May 17, 2018, in the 19th production week of 2018. The 764 tires in containment will be repaired before they are sold.

3. Significantly, these tires were manufactured as designed and meet or exceed all applicable Federal motor vehicle safety performance standards. While the sidewall markings are correct on the opposite serial side, the sidewall markings on the serial side understate the construction and capacity of the subject tires. The misbranding of these tires is not a safety concern and also has no impact on the retreading, repairing and recycling industries. The affected tire mold has already been corrected and all future production will have the correct material shown on the sidewall.

4. NHTSA has studied the impact of tire labeling information on safety in the context of its rulemaking efforts under the Transportation Recall Enhancement, Accountability and Documentation (TREAD) Act. YTC stated that NHTSA's analysis concluded that tire construction information on a tire's sidewall is not relied upon by dealers and consumers in the selling or purchasing of tires and has an inconsequential impact on motor vehicle safety. In addition, YTC cited the following petitions that the agency has previously granted for similar noncompliances: *See* Sumitomo Rubber Industries, Grant of Petition for Decision of Inconsequential Noncompliance, 83 FR 13002 (March 26, 2018) and Goodyear Tire & Rubber Co., Grant of Petition for Decision for Inconsequential Noncompliance, 82 FR 18210 (April 17, 2017).

The Agency has studied the implications of tire labeling information on motor vehicle safety during the rulemaking process for the TREAD Act and the merits for a decision regarding the subject inconsequential noncompliance petition aligns with previous inconsequential petitions with similar noncompliances the agency has granted and as cited by YTC.

YTC concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

YTC's complete petition and all supporting documents are available by logging onto the Federal Docket Management System (FDMS) website at: *https://www.regulations.gov* and by following the online search instructions to locate the docket number as listed in the title of this notice.

VI. NHTSA's Analysis: The purpose of the label stating the tire's load carrying capabilities as described in section S6.5(d), and the load range marking letter required by paragraph S6.5(j), is to inform tire purchasers and end-users about the load capacity of the tire. In the case of the subject tires, YTC explained that the information the load range letter is meant to convey understates the construction and capacity of the subject tire RY023 model and size 11R22.5. Specifically, the tires were marked with the load range ''G'' when in fact the correct load range is ''H.'' Because the tires were designed for the higher load capacity, ''H'' at 3000 kg for single load and 2725 kg for dual load, if a consumer followed the load range ''G'' as marked, indicating the tire was capable of withstanding a 2800 kg for single load and 2650 kg for dual load, they would be using the tire in a load-carrying capacity lower than the actual load-carrying capacity of the subject tires. On February 25, 2013, a similar petition for inconsequential noncompliance on was granted to Guizhou tyres with respect of a mismarking of a tire load range, in which was incorrectly marked as ''F'' when they should be tire load range ''G'' (see 78 FR 12828).

Because these subject tires have a greater load carrying capability than the marking load range ''G'' indicates, there is no risk of these tires being overloaded and thus, no risk to safety based on the incorrect label.

VII. NHTSA's Decision: In consideration of the foregoing, NHTSA finds that YTC has met its burden of persuasion that the subject FMVSS No. 119 noncompliance in the affected tires is inconsequential to motor vehicle safety. Accordingly, YTC's petition is hereby granted and YTC is consequently exempted from the obligation of providing notification of, and a free remedy for, that noncompliance under 49 U.S.C. 30118 and 30120.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject tires that YTC no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve tire distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after YTC notified them that the subject noncompliance existed.

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

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2019–25223 Filed 11–20–19; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2019–0102]

RIN 2127–ZRIN

Advanced Driver Assistance Systems Draft Research Test Procedures

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

ACTION: Request for comments (RFC).

SUMMARY: NHTSA seeks public comment on a series of nine draft research test procedures developed by the agency to assess the performance of certain types of Advanced Driver Assistance Systems (ADAS) available to consumers. NHTSA is specifically requesting comment on whether these draft research test procedures adequately, objectively, and practically assess the system performance of the underlying ADAS in a test track environment. NHTSA intends to use these draft research test procedures to further its research goals by using the output from clearly defined test methods to help better understand system operation, performance, and potential limitations.

DATES: Comments must be received no later than January 21, 2020.

ADDRESSES:

Documents: The draft research test procedures described in this RFC are available for viewing in PDF format in Docket No. NHTSA–2019–0102.

Comments: You may submit comments, identified by Docket No. NHTSA–2019–0102, by any of the following methods:

- *Internet:* To submit comments electronically, go to the U.S. Government regulations website at *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* Written comments may be faxed to 202–493–2251.
- *Mail:* Send comments to 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:* If you submit written comments by hand or courier, please do so at 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays.
- You may call Docket Management at 1–800–647–5527.

Instructions: For detailed instructions on submitting comments and additional information, see the Public Participation heading of the **SUPPLEMENTARY INFORMATION** section of this document. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *https://www.transportation.gov/privacy.* To facilitate tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. All timely comments will be fully considered, regardless of whether commenters directly identify themselves. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

FOR FURTHER INFORMATION CONTACT: *For research issues:* Mr. Garrick Forkenbrock, Research Engineer, Vehicle Research and Test Center, National Highway Traffic Safety Administration, 10820 SR 347, Bldg. 60, East Liberty, OH 43319. Telephone: 937–666–4511. Email: *garrick.forkenbrock@dot.gov. For legal issues:* Ms. Sara Bennett, Attorney-Advisor, Office of Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590. Telephone: 202–366–2992. Email: *sara.bennett@dot.gov.*

SUPPLEMENTARY INFORMATION: NHTSA seeks comment on the draft research test procedures listed below, which assess nine different ADAS technologies. As background, the agency develops different test procedures for different purposes. Most commonly, those test procedures are for rulemaking, New Car Assessment Program (NCAP), or research purposes. This RFC includes test procedures that have been developed for research purposes only. Research test procedures are used by the agency to evaluate a technology of interest and, when presented publicly, provide a basis from which gaps in test methodology or other specific deficiencies may be identified and resolved. In contrast, rulemaking test procedures are developed to support identified rulemaking efforts and, if a regulation is adopted, focus on ensuring that a technology meets the level of performance defined in the regulation and are used by the agency to determine compliance. Thus, the fact that NHTSA is researching a specific technology is not an indication that it will now or at any time initiate a rulemaking related to that technology or include that technology as part of NCAP. To the extent that research does inform future rulemaking efforts or revisions to NCAP, the agency will appropriately engage the public through public comment and other means during those processes.

NHTSA developed the draft test procedures made available today to research ways to objectively and practically assess the performance of ADAS technologies presently available to consumers on certain vehicles sold in the United States. NHTSA highlights that some of the research test procedures included in this RFC are in the early stages of development, while others are closer to being fully developed.

For light vehicles, these include:

- Active Parking Assist (APA) [1]
- Blind Spot Detection (BSD) [2]
- Blind Spot Intervention (BSI) [3]
- Intersection Safety Assist (ISA) [4]
- Opposing Traffic Safety Assist (OTSA) [5]
- Pedestrian Automatic Emergency Braking (PAEB) [6]

[1] National Highway Traffic Safety Administration (2019, August). *Active park assist system confirmation test* (DOT HS 812 714). Washington, DC: National Highway Traffic Safety Administration.

[2] National Highway Traffic Safety Administration (2018, June). *Blind spot detection system confirmation test (working draft).* Washington, DC: National Highway Traffic Safety Administration.

[3] National Highway Traffic Safety Administration (2019, July). *Blind spot intervention system confirmation test (working draft).* Washington, DC: National Highway Traffic Safety Administration.

[4] National Highway Traffic Safety Administration (2019, September). *Intersection safety assist system confirmation test (working draft).* Washington, DC: National Highway Traffic Safety Administration

[5] National Highway Traffic Safety Administration (2019, September). *Opposing traffic safety assist system confirmation test (working draft).* Washington, DC: National Highway Traffic Safety Administration.

[6] National Highway Traffic Safety Administration (2019, April). *Pedestrian automatic emergency brake system confirmation test (working draft).* Washington, DC: National Highway Traffic Safety Administration.