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Ford Motor Company

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James P. Vondale, Director
Automotive Safety Office
Environmental & Safety Engineering

January 12, 2004

VIA FAX c/o Larry Minor at (202) 366-8842

Annette M. Sandberg, Administrator
Federal Motor Carrier Safety Administration
400 Seventh Street, SW
Washington, DC 20590

FMCSA-2002-13589-5

Subject: Notice of Proposed Rulemaking; FMCSR concerning Fuel Tank Fill Rates and Certification Labeling, Docket No. FMCSA-02-13589 (68 Fed. Reg. 64072-64077, November 12, 2003)

Reference:

1. Parts and Accessories Necessary for Safe Operation; Ford Motor Company's Exemption Applications: Minimum Fuel Tank Fill Rate and Certification Labeling; Docket No. OMCS-99-5867, 12/20/1999
2. Parts and Accessories Necessary for Safe Operation; Fuel Tank Exemptions for Vehicles Manufactured by the Ford Motor Company; Docket No. OMCS-99-5867, 3/27/2002
3. Petition for Rulemaking to amend Federal Motor Carrier Safety Regulation 49CFR Part 393.67, 4/30/03

Ford Motor Company (Ford), with offices at One American Road, Dearborn, Michigan 48126, as a manufacturer and importer of motor vehicles, which includes the following brands - Ford, Aston Martin, Jaguar, Land Rover, Lincoln, Mazda, Mercury and Volvo, hereby submits comments on the subject NPRM. Ford petitioned for this rulemaking to exempt from certain requirements of 49 CFR Part 393.67 vehicles under 10,000 lb GVWR with fuel systems certified to meet FMVSS 301, Fuel System Integrity, and related vehicles over 10,000 lb GVWR that utilize similar fuel system components. Ford Motor Company supports this rulemaking and particularly agrees with the new paragraph (a)(7) proposed by the NPRM.

In December 1999 and in March 2002, Ford requested and received exemptions from certain requirements in Part 393.67 for some vehicles that utilize components from systems designed to meet FMVSS 301. The exempted vehicles, which are in commercial usage, do not meet the fill rate requirements of FMCSA 393.67. Ford stated that FMCSA 393.67 should not apply to vehicles that are certified to the requirements of FMVSS 301 S6.1 through S6.4, or to vehicles over 4,537 kg (10,000 lbs) GVWR which utilize fuel filler components designed for conformance to FMVSS 301 performance requirements. Although the vehicles over 10,000 GVWR are not required to comply with FMVSS 301 requirements, the fill systems on these vehicles are based on the design for vehicles conforming to FMVSS 301 criteria. In paragraph (f)(4)(i) through (f)(4)(iii) of the NPRM, FMCSA proposes to extend and make permanent, the exemption for these vehicles. Ford requests that the language of these paragraphs be simplified similar to the



GM definition in paragraph (f)(4)(iv). It is suggested that paragraph (f)(4) begin with the following: "Exception. The following previously exempted vehicles' liquid fuel tanks are not required to carry the certification and markings specified in Paragraphs (f)(1) through (3) of this section:" Paragraphs (f)(4)(i) through (f)(4)(iii) could then be replaced with: "Ford vehicles with gross vehicle weight ratings over 10,000 pounds identified as follows: The VINs contain an A, K, L, M, N, W, or X in the fourth position." This clarification identifies currently exempted Ford vehicles with gross vehicle ratings over 10,000 pounds. This would standardize the exemption language between manufacturers and would serve to address the same group of vehicles.

The fuel fill rate requirements in FMCSA 393.67 have been addressed in the NPRM and Ford agrees with the FMCSA proposal to refer to Environmental Protection Agency (EPA) regulation 49 CFR Parts 80 and 86 as they relate to the required fill rates for fuel tanks.

Additionally, we believe that the regulation should be clarified to specifically indicate that: 1) vehicles exempted under 393.67(f) are not required to have the label required by section 393.67(f)(1) through 393.67(f)(3); and 2) the 393.67(f) exemption not only covers vehicles built prior to the final regulation but also applies prospectively to vehicles we will produce in future years.

If you have any questions regarding these comments please contact my office on (313) 845-4320.

Sincerely,


James P. Vondale