

## § 573.16

the secure electronic transfer of the recall information and data required to be made publicly available by this section, to NHTSA for its use in displaying that information and data on its Web sites or other public portals.

[78 FR 51421, Aug. 20, 2013, as amended at 79 FR 43677, July 28, 2014]

### § 573.16 Reporting bankruptcy petition.

Each manufacturer that files a bankruptcy petition, or is the subject of an involuntary petition for which relief has been ordered, pursuant to Title 11 of the United States Code, 11 U.S.C. 101 et seq., shall provide NHTSA a report as specified below.

(a) The name of the court, the docket number, and the name, address and telephone number of the manufacturer's legal representative;

(b) A copy of the bankruptcy petition;

(c) A list of the recalls for which the manufacturer filed a "Defect and non-compliance information report" with NHTSA pursuant to 49 CFR 573.6; and

(d) The information specified in 49 CFR 573.7(b) for each recall listed pursuant to paragraph (c) of this section.

(e) Each report pursuant to this section must be received by NHTSA not more than 5 working days after the date the petition is filed in the United States Bankruptcy Court. Reports shall be addressed to the Associate Administrator for Enforcement, National Highway Traffic Safety Administration, Attention: Recall Management Division (NVS-215), 1200 New Jersey Ave. SE., Washington, DC 20590, or submitted as an attachment to an email message to *RMD.ODI@dot.gov* in a portable document format (.pdf).

[78 FR 51422, Aug. 20, 2013]

## PART 574—TIRE IDENTIFICATION AND RECORDKEEPING

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AUTHORITY: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.95.

EDITORIAL NOTE: An interpretation of manufacturer's designee issued by NHTSA and published at 36 FR 9780, May 28, 1971, provides as follows:

"A request for an interpretation has been received from the Rubber Manufacturers Association asking that it be made clear that, under the Tire Identification and Record-keeping Regulation (part 574), particularly §§ 574.7 and 574.8, only the tire manufacturer, brand name owner, or retreader may designate a third party to provide the necessary recording forms or to maintain the records required by the regulation.

"Another person has requested an interpretation concerning the questions whether: (1) A tire manufacturer, brand name owner or retreader may designate one or more persons to be its designee for the purpose of maintaining the information, (2) an independent distributor or dealer may select a designee for the retention of the manufacturer's records, provided the manufacturer approves the designation, and (3) the independent distributor or dealer may seek administrative relief in the event he believes the information retained by the manufacturer is being used to his detriment.

"Under section 113(f) of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1402(f) and part 574, it is the tire manufacturer who has the ultimate responsibility for maintaining the records of first purchasers. Therefore, it is the tire manufacturer or his designee who must maintain these records. The term *designee*, as used in the regulation, was not intended to preclude multiple designees; if the tire manufacturer desires, he may designate more than one person to maintain the required information. Furthermore, neither the Act nor the regulation prohibits the distributor or dealer from being the manufacturer's designee nor do they prohibit a distributor or dealer from selecting someone to be the manufacturer's designee provided the manufacturer approves of the selection.

"With respect to the possibility of manufacturers using the maintained information to the detriment of a distributor or dealer, the NHTSA will of course investigate claims

by distributors or dealers of alleged misconduct and, if the maintained information is being misused, take appropriate action.

“Issued under the authority of sections 103, 113, and 119 of the National Traffic and Motor Vehicle Safety Act, 15 U.S.C. 1392, 1402, and 1407, and the delegation of authority at 49 CFR 1.51.”

#### § 574.1 Scope.

This part sets forth the method by which new tire manufacturers and new tire brand name owners shall identify tires for use on motor vehicles and maintain records of tire purchasers, and the methods by which retreaders and retreaded tire brand name owners shall identify tires for use on motor vehicles. This part also sets forth the methods by which independent tire dealers and distributors shall record, on registration forms, their names and addresses and the identification number of the tires sold to tire purchasers and provide the forms to the purchasers, so that the purchasers may report their names to the new tire manufacturers and new tire brand name owners, and by which other tire dealers and distributors shall record and report the names of tire purchasers to the new tire manufacturers and new tire brand name owners.

(Authority: Secs. 108, 119, and 201, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407, and 1421); sec. 4, Pub. L. 97-311, 96 Stat. 1619 (15 U.S.C. 1418); and delegation of authority at 49 CFR 1.50)

[49 FR 4760, Feb. 8, 1984]

#### § 574.2 Purpose.

The purpose of this part is to facilitate notification to purchasers of defective or nonconforming tires, pursuant to Sections 30118 and 30119 of Title 49, United States Code, so that they may take appropriate action in the interest of motor vehicle safety.

[61 FR 29495, June 11, 1996]

#### § 574.3 Definitions.

(a) *Statutory definitions.* All terms in this part that are defined in Section 30102 of Title 49, United States Code, are used as defined therein.

(b) *Motor vehicle safety standard definitions.* Unless otherwise indicated, all terms used in this part that are defined in the Motor Vehicle Safety Standards,

part 571 of this subchapter (hereinafter the Standards), are used as defined therein.

(c)(1) *Independent* means, with respect to a tire distributor or dealer, one whose business is not owned or controlled by a tire manufacturer or brand name owner.

(2) *Mileage contract purchaser* means a person who purchases or leases tire use on a mileage basis.

(3) *New tire brand name owner* means a person, other than a new tire manufacturer, who owns or has the right to control the brand name of a new tire or a person who licenses another to purchase new tires from a new tire manufacturer bearing the licensor's brand name.

(4) *Retreaded tire brand name owner* means a person, other than a retreader, who owns or has the right to control the brand name of a retreaded tire or a person who licenses another to purchase retreaded tires from a retreader bearing the licensor's brand name.

(5) *Tire purchaser* means a person who buys or leases a new tire, or who buys or leases for 60 days or more a motor vehicle containing a new tire for purposes other than resale.

(Authority: Secs. 103, 108, 112, 119, 201, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1397, 1401, 1407, 1421); secs. 102, 103, 104, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1411-1420); 92 Stat. 2689 (15 U.S.C. 1418); delegation of authority at 49 CFR 1.51)

[36 FR 1197, Jan. 26, 1971, as amended at 44 FR 7964, Feb. 8, 1979; 49 FR 38612, Oct. 1, 1984; 61 FR 29495, June 11, 1996]

#### § 574.4 Applicability.

This part applies to manufacturers, brand name owners, retreaders, distributors, and dealers of new and retreaded tires, and new non-pneumatic tires and non-pneumatic tire assemblies for use on motor vehicles manufactured after 1948 and to manufacturers and dealers of motor vehicles manufactured after 1948. However, it does not apply to persons who retread tires solely for their own use.

[36 FR 5422, Mar. 23, 1971, as amended at 55 FR 29596, July 20, 1990]

**§ 574.5 Tire identification requirements.**

(a) *Tire identification number (TIN) labeling requirement*—(1) *New tires.* Each new tire manufacturer must conspicuously label on one sidewall of each tire it manufactures, except non-pneumatic tires or non-pneumatic tire assemblies, by permanently molding into or onto the sidewall, in the manner and location specified in Figure 1, a TIN consisting of 13 symbols and containing the information set forth in paragraphs (b)(1) through (b)(3) of this section. NOTE: The Federal Motor Vehicle Safety Standards may have more specific TIN marking requirements for some tires. See 49 CFR part 571.

(2) *Retreaded tires.* Each tire retreader must conspicuously label at least one sidewall of each tire it retreads by permanently molding or branding into or onto the sidewall, in the manner and location specified by Figure 2, a TIN consisting of seven symbols and containing the information set forth in paragraphs (b)(1) and (b)(3) of this section.

(3) *Non-pneumatic tires and non-pneumatic tire assemblies.* Each manufacturer of a non-pneumatic tire or non-pneumatic tire assembly must permanently mold, stamp, or otherwise permanently mark into or onto at least one side of the non-pneumatic tire or non-pneumatic tire assembly a TIN consisting of 13 symbols and containing the information set forth in paragraphs (b)(1) through (b)(3) of this section.

(4) *Tires for mileage-contract purchasers.* Manufacturers or retreaders of tires exclusively for mileage-contract purchasers may, instead of meeting any other requirements of this section, permanently mold into or onto the tire sidewall in lettering at least 6 mm (0.25 inch) high the phrase “for mileage contract use only”.

(5) *Optional phase-out of two-symbol plant code.* NHTSA will assign to tire manufacturers who were previously assigned a plant code consisting of two symbols a new three-symbol plant code to replace each two-symbol plant code. A manufacturer may continue to use a previously assigned two-symbol plant code until April 13, 2025. Manufacturers who use a two-symbol plant code must comply with paragraph (g) of this section

in lieu of the requirements in paragraph (b) of this section. Retreaders may also optionally comply with paragraph (g) of this section in lieu of paragraph (b) of this section until April 13, 2025.

(b) *TIN content requirements*—(1) *Plant code.* The plant code, consisting of three symbols, must be the first group of the TIN. The plant code represents the identity of the new tire manufacturer or retreader. The plant code is assigned to the manufacturer or retreader by NHTSA upon request. See § 574.6.

(2) *Manufacturer’s code.* The manufacturer’s code, consisting of six symbols, is the second group of the TIN for all new tires, but it cannot be used for retreaded tires. The manufacturer’s code must be located between the plant code and the date code as shown in Figure 1. For new tires, the manufacturer’s code may be used as a descriptive code for the purpose of identifying significant characteristics of the tire or to identify the brand name owner. For a new non-pneumatic tire or a non-pneumatic tire assembly, the manufacturer’s code must identify the non-pneumatic tire identification code. Each manufacturer must maintain a detailed record of each manufacturer’s code it uses with the corresponding tire size, tire characteristic, brand name owner, and non-pneumatic tire identification code as applicable and their respective meanings, which it must provide to NHTSA upon request.

(3) *Date code.* The date code, consisting of four numerical symbols, is the final group. The date code must identify the week and year of manufacture. The first and second symbols of the date code must identify the week of the year by using “01” for the first full calendar week in each year, “02” for the second full calendar week, and so on. The calendar week runs from Sunday through the following Saturday. The final week of each year may include no more than six days of the following year. The third and fourth symbols of the date code must identify the last two digits of the year of manufacture. For example, 0109 means the tire was manufactured in the first full calendar week of 2009, or the week beginning on Sunday, January 4, 2009, and

ending on Saturday, January 10, 2009. The date code must be positioned as shown in Figures 1 or 2 for new tires and retreaded tires, respectively.

(c) *Retreaded tire mark.* The symbol "R" must be used to identify retreaded tires, and must be marked at the time of TIN marking in a location specified in Figure 2. The "R" is not part of the TIN.

(d) *Method of marking.* (1) At the option of the manufacturer or retreader, the information contained in paragraph (b)(3) of this section may, instead of being permanently molded, be laser etched into or onto the sidewall in the location specified in Figures 1 or 2, respectively, during the manufacturing process of the tire and not later than 24 hours after the tire is removed from the mold.

(2) The labeling for a non-pneumatic tire or a non-pneumatic tire assembly must be in the manner specified in Figure 1 and positioned on the non-pneumatic tire or non-pneumatic tire assembly such that it is not placed on the tread or the outermost edge of the tire and is not obstructed by any portion of the non-pneumatic rim or wheel center member designated for use with that non-pneumatic tire in S4.4 of Standard No. 129 (49 CFR 571.129).

(e) *The DOT symbol.* (1) The DOT symbol constitutes a certification that the marked tire conforms to an applicable Federal Motor Vehicle Safety Standard.

(2) If required, a manufacturer or retreader must place the DOT symbol as shown and positioned relative to the TIN in Figure 1 for new tires and as shown in Figure 2 for retreaded tires.

(3) The DOT symbol must not appear on tires to which no Federal Motor Vehicle Safety Standard is applicable, except that retreaders of tires for use on motor vehicles other than passenger cars may, prior to retreading, remove the DOT symbol from the sidewall or allow it to remain on the sidewall, at the retreader's option.

(f) *Authorized symbols.* The only symbols that manufacturers and retreaders are allowed to use in the tire identification number are: A, B, C, D, E, F, H, J, K, L, M, N, P, R, T, U, V, W, X, Y, 1, 2, 3, 4, 5, 6, 7, 8, 9, and 0.

(g) *Old TIN content requirement.* The following requirements are applicable to tire manufacturers who were previously assigned two-symbol plant codes by NHTSA and to retreaders. A new tire manufacturer who continues to use a previously assigned two-symbol plant code in place of a new three-symbol plant code and a retreader may optionally comply with this paragraph instead of paragraph (b) of this section until April 13, 2025.

(1) *First grouping.* The plant code, consisting of two symbols, must be the first group of the TIN. The plant code represents the identity of the new tire manufacturer and was previously assigned to the manufacturer by NHTSA.

(2) *Second grouping.* For new tires, the second group, consisting of no more than two symbols, must be used to identify the tire size. For a non-pneumatic tire or non-pneumatic tire assembly, the second group, consisting of no more than two symbols, must be used to identify the non-pneumatic tire identification code. For retreaded tires, the second group, consisting of no more than two symbols, must identify the retread matrix in which the tire was processed or a tire size code if a matrix was not used to process the retreaded tire. Each new tire manufacturer and retreader must maintain a record of each symbol used, with the corresponding matrix or tire size, which it must provide to NHTSA upon request.

(3) *Third grouping.* The third group, consisting of no more than four symbols, may be used at the option of the manufacturer or retreader as a descriptive code for the purpose of identifying significant characteristics of the tire. However, if the tire is manufactured for a brand name owner, one of the functions of the third grouping must be to identify the brand name owner. Each manufacturer or retreader who uses the third grouping must maintain a detailed record of any descriptive brand name owner code used, which it must provide to NHTSA upon request.

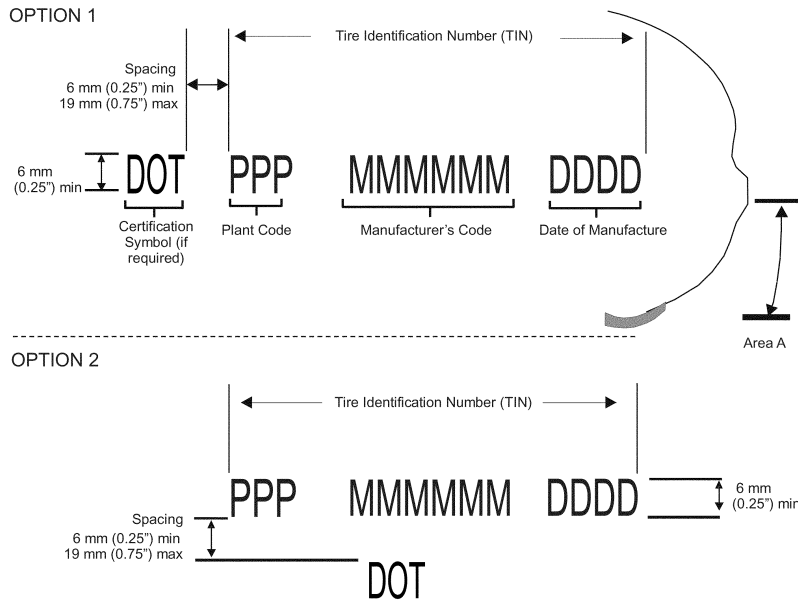
(4) *Fourth grouping.* The date code, consisting of four numerical symbols, is the final group. The date code must identify the week and year of manufacture. The first and second symbols of the date code must identify the week of

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the year by using “01” for the first full calendar week in each year, “02” for the second full calendar week, and so on. The calendar week runs from Sunday through the following Saturday. The final week of each year may include no more than six days of the following year. The third and fourth symbols of the date code must identify the

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last two digits of the year of manufacture. For example, 0109 means the tire was manufactured in the first full calendar week of 2009, or the week beginning on Sunday, January 4, 2009, and ending on Saturday, January 10, 2009. The date code must be positioned as shown in Figures 1 or 2 for new tires and retreaded tires, respectively.



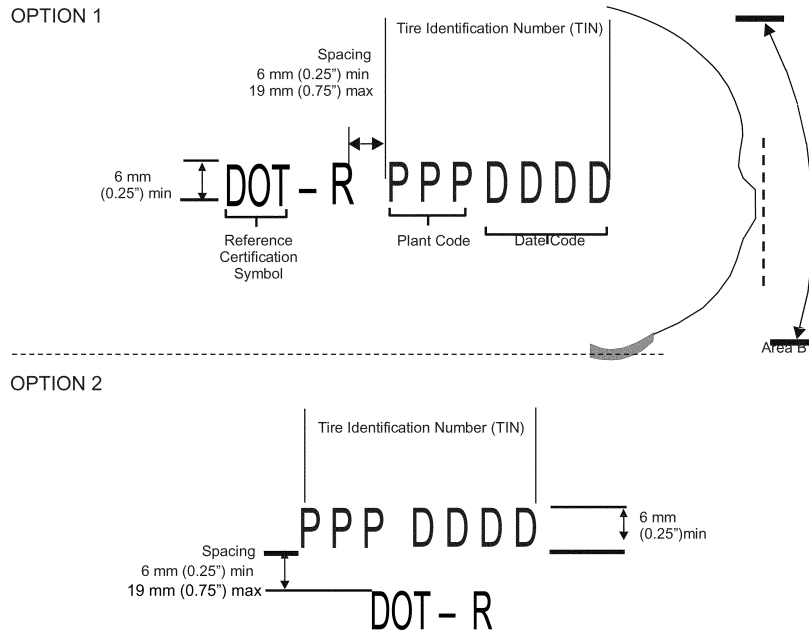
Notes

1. The TIN shall be in "Futura" Bold, Modified, or Condensed or "Gothic" characters. Other print types will be permitted if approved by NHTSA. The certifying symbol and the TIN shall be at least 6 mm in height and permanently molded 0.51 mm (0.020") to 1.02 mm (0.040") deep, measured from the surface immediately surrounding the symbols into or onto the tire at the indicated location on one side. As an option, the information contained in paragraph (b)(3) may also be laser etched in the same location to a depth of 0.25 mm (0.010") to 1.02 mm (0.040") consistent with the requirements of paragraph (d)(1). For tires with a cross section of 152 mm (6 inches) or less or with a bead diameter of 330 mm (13 inches) or less, the height of the characters may be 4 mm (0.156 inches) or greater.
2. The certification symbol is not part of the TIN and may only be marked by the manufacturer for tires it has certified to a Federal Motor Vehicle Safety Standard. The DOT symbol may be located to the left of TIN, or it may be wholly located above or below the Manufacturer's code. The spacing between the DOT symbol and the TIN shall be no less than 6 mm (0.25 inch) and no more than 19 mm (0.75 inch).
3. Groups of symbols in the TIN shall be in the order and number of symbols indicated, see Option 1 and Option 2, above. Deviation from the straight line arrangement will be permitted if required to conform to the curvature of the tire.
4. Locate the certification symbol and the TIN in the lower segment of one sidewall between the maximum section width and bead (Area A), so that data will not be obstructed by rim flange, unless maximum section width falls between the bead and one-fourth of the distance from the bead to the shoulder of the tire. For tires where the maximum section width falls in that area, locate all required labeling between the bead and one-half the distance from the bead to the shoulder so that the data will not be obstructed by the rim flange.
5. Manufacturers who were previously assigned two-symbol plant codes may continue to use two-symbol plant codes in accordance with the requirements of paragraph (g). For those tires, the two-symbol plant code is followed by a size code that is up to two symbols in length, a tire type code that is up to four symbols in length, and the four-symbol date code.

Figure 1: Tire Identification Number (TIN) for New Tires

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Notes

1. The TIN shall be in "Futura" Bold, Modified, or Condensed or "Gothic" characters. Other print types will be permitted if approved by NHTSA. The DOT symbol, the TIN, and the "R" shall be permanently molded 0.51 mm (0.020") to 1.02 mm (0.040") deep, measured from the surface immediately surrounding the symbols into or onto the tire at the indicated location on one side. As an option, the information contained in paragraph (b)(3) may be laser etched in the same location to a depth of 0.25 mm (0.010") to 1.02 mm (0.040") consistent with the requirements of paragraph (d)(1).
2. The "DOT" symbol is not part of the TIN and may only be marked onto tires that have been certified to a federal motor vehicle safety standard. The "R" symbol is not part of the TIN, but shall be marked by the retreader when the TIN is marked on the retreaded tire. The "R" may be located to the left of the TIN or it may be located above or below the TIN no less than 6 mm (0.25 inch) and not more than 19 mm (0.75 inch). The "DOT" symbol, when appropriate to mark, shall prefix the "R" by no less than 6mm (0.25 inch) and not more than 19 mm (0.75 inch). When marked above or below the TIN, the "DOT" symbol, when appropriate, the "R" symbol shall be wholly located above or below the TIN.
3. Groups of symbols in the TIN shall be in the order and number of symbols indicated. Deviation from the straight line arrangement shown will be permitted if required to conform to the curvature of the tire. Locate the certification symbol (if applicable), the "R", and the TIN in Area B, but not on the scuff ribs of the sidewall.
4. The retreaded tire TIN is comprised of the three character plant code followed by the four numerical character date code.
5. Retreaders may optionally use older TIN requirements specified in paragraph (g). These requirements specify, between the plant code and the date code, up to two symbols specifying the retread matrix or tire size code and up to four symbols for the tire type code.

Figure 2: Tire Identification Number (TIN) for Retreaded Tires

[80 FR 19560, Apr. 13, 2015]

§ 574.6 How to obtain a plant code.

To obtain a plant code required by § 574.5(b)(1), each manufacturer of new

or retreaded pneumatic tires, non-pneumatic tires, or non-pneumatic tire assemblies must apply in writing to the Office of Vehicle Safety Compliance, National Highway Traffic Safety Administration, 1200 New Jersey Ave. SW., Washington, DC 20590, identify itself as a tire manufacturer or retreader, and furnish the following information:

- (a) The name, or other designation identifying the applicant, and its main office address;
- (b) The name, or other identifying designation, of each individual plant operated by the manufacturer and the address of each plant, if applicable;
- (c) The name, or other identifying designation, of the corporate owner, if applicable, of each plant;
- (d) The email addresses, phone numbers, and fax numbers for each person or corporation listed, including the main office; and
- (e) The type of tires manufactured at each plant, *e.g.*, pneumatic tires for passenger cars, buses, trucks, or motorcycles; pneumatic retreaded tires; or non-pneumatic tires or non-pneumatic tire assemblies.

Note to § 574.6: Additional requirements for new tire manufacturers may be applicable. See 49 CFR parts 551 and 566.

[80 FR 19560, Apr. 13, 2015]

**§ 574.7 Information requirements—new tire manufacturers, new tire brand name owners.**

(a)(1) Each new tire manufacturer and each new tire brand name owner (hereinafter referred to in this section and § 574.8 as “tire manufacturer”) or its designee, shall provide tire registration forms to every distributor and dealer of its tires which offers new tires for sale or lease to tire purchasers.

(2) Each tire registration form provided to independent distributors and dealers pursuant to paragraph (a)(1) of this section shall contain space for recording the information specified in paragraphs (a)(4)(i) through (a)(4)(iii) of this section. Each form shall:

- (i) Have the following physical characteristics:
  - (A) Be rectangular;

- (B) Be not less than 3½ inches high, 5 inches long, and 0.007 inches thick;

- (C) Be not more than 4¼ inches high, 6 inches long, and 0.016 inch thick.

- (ii) On the address side of the form, be addressed with the name and address of the manufacturer or its designee, and include, in the upper right hand corner, the statement “Affix a postcard stamp.”

- (iii) On the other side of the form:

- (A) Include the tire manufacturer’s name, unless it appears on the address side of the form;

- (B) Include a statement explaining the purpose of the form and how a consumer may register tires. The statement shall:

- (1) Include the heading “IMPORTANT”.

- (2) Include the sentence: “In case of a recall, we can reach you only if we have your name and address.”

- (3) Indicate that sending in the card will add a person to the manufacturer’s recall list.

- (4) A tire manufacturer may voluntarily provide means for tire registration via the Internet, by telephone or other electronic means. If a tire manufacturer voluntarily provides a Web site or other means by which its tires can be registered, it may (but is not required to) include a sentence listing one or more such means, beginning with the phrase “Instead of mailing this form, you can \* \* \*.” Example: Instead of mailing this form, you can register online at [insert tire manufacturer’s registration Web site address].

- (5) Include the sentence: “Do it today.”

- (C) Include space for recording tire identification numbers for six tires.

- (D) Use shading to distinguish between areas of the form to be filled in by sellers and customers.

- (1) Include the statement: “Shaded areas must be filled in by seller.”

- (2) The areas of the form for recording tire identification numbers and information about the seller of the tires must be shaded.

- (3) The area of the form for recording the customer name and address must not be shaded.

- (E) Include, in the top right corner, the phrase “OMB Control No. 2127-0050”.



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(3) Each tire registration form provided to distributors and dealers that are not independent distributors or dealers pursuant to paragraph (a)(1) of this section must contain space for recording the information specified in paragraphs (a)(4)(i) through (a)(4)(iii) of this section. Each form must include:

(A) A statement indicating where the form should be returned, including the name and mailing address of the manufacturer or its designee.

(B) The tire manufacturers' logo or other identification, if the manufacturer is not identified as part of the statement indicating where the form should be returned.

(C) The statement: "IMPORTANT: FEDERAL LAW REQUIRES TIRE IDENTIFICATION NUMBERS MUST BE REGISTERED".

(D) In the top right corner, the phrase "OMB Control No. 2127-0050".

(4)(i) Name and address of the tire purchaser.

(ii) Tire identification number.

(iii) Name and address of the tire seller or other means by which the tire manufacturer can identify the tire seller.

(b) Each tire manufacturer shall record and maintain, or have recorded and maintained for it by a designee, the information from registration forms which are submitted to it or its designee. No tire manufacturer shall use the information on the registration forms for any commercial purpose detrimental to tire distributors and dealers. Any tire manufacturer to which registration forms are mistakenly sent shall forward those registration forms to the proper tire manufacturer within 90 days of the receipt of the forms.

(c) Each tire manufacturer shall maintain, or have maintained for it by a designee, a record of each tire distributor and dealer that purchases tires directly from the manufacturer and sells them to tire purchasers, the number of tires purchased by each such distributor or dealer, the number of tires for which reports have been received from each such distributor or dealer other than an independent distributor or dealer, the number of tires for which reports have been received from each such independent distributor or dealer, the total number of tires for

which registration forms have been submitted to the manufacturer or its designee, and the total number of tires sold by the manufacturer.

(d) The information that is specified in paragraph (a)(4) of this section and recorded on registration forms submitted to a tire manufacturer or its designee shall be maintained for a period of not less than five years from the date on which the information is recorded by the manufacturer or its designee.

(e) Tire manufacturers may voluntarily provide means for tire registration via the Internet, by telephone or other electronic means.

(f) Each tire manufacturer shall meet the requirements of paragraphs (b), (c) and (d) of this section with respect to tire registration information submitted to it or its designee by any means authorized by the manufacturer in addition to the use of registration forms.

(Authority: Secs. 108, 119, and 201, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407, and 1421); sec. 4, Pub. L. 97-311, 96 Stat. 1619 (15 U.S.C. 1418); and delegation of authority at 49 CFR 1.50)

[49 FR 4760, Feb. 8, 1984; 49 FR 5621, Feb. 14, 1984, as amended at 56 FR 49427, Sept. 30, 1991; 64 FR 36815, July 8, 1999; 67 FR 45872, July 10, 2002; 71 FR 39233, July 12, 2006; 73 FR 72368, Nov. 28, 2008]

**§ 574.8 Information requirements—tire distributors and dealers.**

(a) *Independent distributors and dealers.*

(1) Each independent distributor and each independent dealer selling or leasing new tires to tire purchasers or lessors (hereinafter referred to in this section as "tire purchasers") shall comply with paragraph (a)(1)(i), (a)(1)(ii) or (a)(1)(iii) of this section:

(i) At the time of sale or lease of the tire, provide each tire purchaser with a paper tire registration form on which the distributor or dealer has recorded the following information:

(A) The entire tire identification number of the tire(s) sold or leased to the tire purchaser, and

(B) The distributor's or dealer's name and street address. In lieu of the street address, and if one is available, the distributor or dealer's e-mail address or

Web site may be recorded. Other means of identifying the distributor or dealer known to the manufacturer may also be used.

(ii) Record the following information on a paper tire registration form and return it to the tire manufacturer, or its designee, on behalf of the tire purchaser, at no charge to the tire purchaser and within 30 days of the date of sale or lease:

(A) The purchaser's name and address,

(B) The entire tire identification number of the tire(s) sold or leased to the tire purchaser, and

(C) The distributor's or dealer's name and street address. In lieu of the street address, and if one is available, the distributor or dealer's e-mail address or Web site may be recorded. Other means of identifying the distributor or dealer known to the manufacturer may also be used.

(iii) Electronically transmit the following information on the tire registration form by any means listed on the form by the tire manufacturer, or by such other means as may be authorized by the tire manufacturer, to the tire manufacturer or its designee, using secure means (e.g., https on the Web), at no charge to the tire purchaser and within 30 days of the date of sale or lease:

(A) The purchaser's name and address,

(B) The entire tire identification number of the tire(s) sold or leased to the tire purchaser, and

(C) The distributor's or dealer's name and street address. In lieu of the street address, and if one is available, the distributor or dealer's e-mail address or Web site may be recorded. Other means of identifying the distributor or dealer known to the manufacturer may also be used.

(2) Each independent distributor or dealer that complies with paragraph (a)(1)(i) or (ii) of this section shall use either the tire registration forms provided by the tire manufacturers pursuant to §574.7(a) or registration forms obtained from another source. Paper forms obtained from other sources must comply with the requirements specified in §574.7(a) for forms provided

by tire manufacturers to independent distributors and dealers.

(3) Multiple tire sales or leases by the same tire purchaser may be recorded on a single paper registration form or in a single Web site transaction.

(4) Each independent distributor or dealer that is complying with paragraph (a)(1)(iii) with respect to a sale or lease shall include a statement to that effect on the invoice for that sale or lease and provide the invoice to the tire purchaser.

(b) *Other distributors and dealers.*

(1) Each distributor and each dealer, other than an independent distributor or dealer, selling new tires to tire purchasers:

(i) shall submit, using paper registration forms or, if authorized by the tire manufacturer, secure electronic means, the information specified in §574.7(a)(4) to the manufacturer of the tires sold, or to the manufacturer's designee.

(ii) shall submit the information specified in §574.7(a)(4) to the tire manufacturer or the manufacturer's designee, not less often than every 30 days. A distributor or dealer selling fewer than 40 tires of all makes, types and sizes during a 30 day period may wait until a total of 40 new tires is sold. In no event may more than six months elapse before the §574.7(a)(4) information is forwarded to the respective tire manufacturers or their designees.

(c) Each distributor and each dealer selling new tires to other tire distributors or dealers shall supply to the distributor or dealer a means to record the information specified in §574.7(a)(4), unless such means has been provided to that distributor or dealer by another person or by a manufacturer.

(d) Each distributor and each dealer shall immediately stop selling any group of tires when so directed by a notification issued pursuant to 49 U.S.C. 30118, *Notification of defects and non-compliance*.

[73 FR 72368, Nov. 28, 2008]

**§574.9 Requirements for motor vehicle dealers.**

(a) Each motor vehicle dealer who sells a used motor vehicle for purposes other than resale, who leases a motor

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vehicle for more than 60 days, that is equipped with new tires is considered, for purposes of this part, to be a tire dealer and shall meet the requirements specified in § 574.8.

(b) Each person selling a motor vehicle to first purchasers for purposes other than resale, that is equipped with new tires that were not on the motor vehicle when shipped by the vehicle manufacturer is considered a tire dealer for purposes of this part and shall meet the requirements specified in § 574.8.

(Authority: Secs. 103, 108, 112, 119, 201, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1397, 1401, 1407, 1421); secs. 102, 103, 104, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1411-1420); 92 Stat. 2689 (15 U.S.C. 1418); delegation of authority at 49 CFR 1.51)

[44 FR 7964, Feb. 8, 1979]

### § 574.10 Requirements for motor vehicle manufacturers.

Each motor vehicle manufacturer, or his designee, shall maintain a record of the new tires on or in each vehicle shipped by him or a motor vehicle distributor or dealer, and shall maintain a record of the name and address of the first purchaser for purposes other than resale of each vehicle equipped with such tires. These records shall be maintained for a period of not less than 5 years from the date of sale of the vehicle to the first purchaser for purposes other than resale.

(Authority: Secs. 103, 108, 112, 119, 201, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1397, 1401, 1407, 1421); secs. 102, 103, 104, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1411-1420); 92 Stat. 2689 (15 U.S.C. 1418); delegation of authority at 49 CFR 1.51)

[44 FR 7964, Feb. 8, 1979, as amended at 67 FR 45872, July 10, 2002]

## PART 575—CONSUMER INFORMATION

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575.302 Vehicle labeling of safety rating information (compliance required for model year 2012 and later vehicles manufactured on or after January 31, 2012).

### Subpart E—Energy Independence and Security Act; Consumer Information

575.401 Vehicle labeling of fuel economy, greenhouse gas, and other pollutant emissions information.

AUTHORITY: 49 U.S.C. 32302, 32304A, 30111, 30115, 30117, 30123, 30166, 30181, 30182, 30183, and 32908, Pub. L. 104-414, 114 Stat. 1800, Pub. L. 109-59, 119 Stat. 1144, Pub. L. 110-140, 121 Stat. 1492, 15 U.S.C. 1232(g); delegation of authority at 49 CFR 1.95.

### Subpart A—Regulations Issued Under Section 112(d) of the National Traffic and Motor Vehicle Safety Act; General

SOURCE: 35 FR 6867, Apr. 30, 1970, unless otherwise noted.

#### § 575.1 Scope.

This part contains National Highway Traffic Safety Administration regulations relating to consumer information.

[75 FR 15944, Mar. 30, 2010]