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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2021-0019; Notice 1]

Notice of Receipt of Petition for Decision that Nonconforming Model Year 2020-2021 GMC Sierra 2500HD Trucks are Eligible for Importation

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

ACTION: Receipt of petition.

SUMMARY: This document announces the National Highway Traffic Safety Administration (NHTSA) receipt of a petition for a decision that model year (MY) 2020-2021 GMC Sierra 2500HD Trucks (TKs) that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS) with a GVWR range of 6,105-6,950 lbs., 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 2020-2021 GMC Sierra 2500HD TKs) and are capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and may be submitted by any of the following methods:

- Mail: Send comments by mail addressed to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE, Washington, DC 20590.

- Hand Delivery: Deliver comments by hand to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 am to 5 pm except for Federal Holidays.
- Electronically: Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at https://www.regulations.gov/. Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493-2251.

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 comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard along with the comments. Note that all comments received will be posted without change to https://www.regulations.gov, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at https://www.regulations.gov by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a Federal Register notice published on April 11, 2000, (65 FR 19477-78).

FOR FURTHER INFORMATION CONTACT: Robert Mazurowski, Office of Vehicle Safety Compliance, NHTSA (202-366-1012).

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 MY 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 of each petition that it receives in the **Federal Register** 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**.

Diversified Vehicle Services Inc. (DVS), (Registered Importer R-98-165), of Indianapolis, Indiana has petitioned NHTSA to decide whether nonconforming 2020-2021 GMC Sierra 2500HD TKs are eligible for importation into the United States. The vehicles which DVS believes are substantially similar are MY 2020-2021 GMC Sierra 2500HD TKs sold 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 2020-2021 GMC Sierra 2500HD TKs to their U.S. certified counterparts and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

DVS submitted information with its petition intended to demonstrate that non-U.S. certified MY 2020-2021 GMC Sierra 2500HD TKs, as originally manufactured, conform to many applicable 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 the non-U.S. certified MY 2020-2021 GMC Sierra 2500HD TKs, as originally manufactured, conform to: FMVSS Nos.102, *Transmission Shift Position Sequence, Starter Interlock, and Transmission Braking Effect*, 103, *Windshield Defrosting and Defogging Systems*, 104, *Windshield Wiping and Washing 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, *Rear Visibility*, 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*, 126, *Electronic Stability Control Systems For Light Vehicles*, 135, *Light Vehicle Brake Systems*, 138, *Tire pressure monitoring systems*, 201, *Occupant Protection in Interior Impact*, 202, *Head Restraints; Mandatory Applicability Begins on September 1, 2009*, 203, *Impact Protection for the Driver from the Steering Control System*, 204, *Steering Control Rearward Displacement*, 205, *Glazing Materials*, 206, *Door Locks and Door Retention Components*, 207, *Seating Systems*, 208, *Occupant Crash Protection*, 209, *Seat Belt Assemblies*, 210, *Seat Belt Assembly Anchorages*, 212, *Windshield Mounting*, 213, *Child Restraint Systems*, 214, *Side Impact Protection*, 216, *Roof Crush Resistance; Applicable Unless a Vehicle is Certified to §571.216a*, 219, *Windshield Zone Intrusion*, 301, *Fuel System Integrity*, 302, *Flammability of Interior Materials*, 49 CFR Part 541, Theft Prevention, and, 49 CFR Part 565 VIN Requirements.

The petitioner also contends that the subject non-U.S. certified vehicles are capable of being readily altered to meet the following FMVSS, in the manner indicated:

FMVSS No. 101, *Controls and Displays*: the instrument cluster will require the addition of the word "BRAKE".

The petitioner additionally states a reference and certification label will need to be added to the left front door post area to meet the requirements of 49 CFR part 567.

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.

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

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