



DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2026-0496; Notice 1]

Kawasaki Motors Corp., U.S.A., Receipt of Petition for Decision of Inconsequential Noncompliance

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

ACTION: Receipt of petition

SUMMARY: Kawasaki Motors Corp., U.S.A. (Kawasaki) has determined that certain model year (MY) 1979-1981 and MY 2017-2025 Kawasaki motorcycles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 122, *Motorcycle Brake Systems*.

Kawasaki filed a noncompliance report dated November 4, 2025, and subsequently petitioned NHTSA (the “Agency”) on November 5, 2025, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces receipt of Kawasaki’s petition.

DATES: Send comments on or before [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 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.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

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: Joshua Ulbricht, General Engineer, NHTSA, Office of Vehicle Safety Compliance, joshua.ulbricht@dot.gov.

SUPPLEMENTARY INFORMATION:

I. Overview: Kawasaki determined that certain MY 1979-1981 Kawasaki Police 1000, MY 1980 Kawasaki KZ750, MY 1980 Kawasaki 1000 Shaft Drive, MY 1980 Kawasaki 1000 LTD, MY Kawasaki Z1 Classic, MY 1980 Kawasaki KZ1000, MY 1980 Kawasaki Z1R, MY 2024-2026 Kawasaki Ninja ZX-6R, MY 2017-2025 Kawasaki Z125 Pro, MY 2022-2025 Kawasaki KLR 650 do not fully comply with paragraph S.5.1.9(d) of FMVSS No. 122, *Motorcycle Brake Systems* (49 CFR 571.122).

Kawasaki filed a noncompliance report dated November 4, 2025, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Kawasaki petitioned NHTSA on November 5, 2026, 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*.

This notice of receipt of Kawasaki's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or another exercise of judgment concerning the merits of the petition.

II. Motorcycles Involved: Approximately 125,585 of the following Kawasaki motorcycles manufactured between January 2, 1979, and July 28, 2025, were reported by the manufacturer:

- MY 1979-1981 Kawasaki Police 1000
- MY 1980 Kawasaki KZ750
- MY 1980 Kawasaki 1000 Shaft Drive,
- MY 1980 Kawasaki 1000 LTD
- MY 1980 Kawasaki Z1 Classic
- MY 1980 Kawasaki KZ1000

- MY 1980 Kawasaki Z1R
- MY 2024-2026 Kawasaki Ninja ZX-6R
- MY 2017-2025 Kawasaki Z125 Pro
- MY 2022-2025 Kawasaki KLR 650

III. Rule Requirements: Paragraph S5.1.9(d) of FMVSS No. 122 includes the requirements relevant to this petition. The rule requires that motorcycles using hydraulic braking systems must have a statement on the master cylinder which reads:

“Warning: Clean filler cap before removing. Use only *(fluid type as specified in accordance with 49 CFR 571.116)* fluid from a sealed container.”

The required statement must be permanent, easily visible, or within 4 inches of the brake-fluid filler plug or cap, and of a contrasting color with its background if not engraved or embossed.

IV. Noncompliance: Kawasaki explains that certain Kawasaki motorcycles equipped with a front and rear master brake cylinder do not comply with paragraph S5.1.9(d) of FMVSS 122. It was discovered that the wording engraved on some rear brake fluid reservoir caps did not match the statement required by the FMVSS as it omitted the words “Warning:” and “...from a sealed container” and the phrase “[c]lean filler cap before removing.”

V. Summary of Kawasaki’s Petition: The following views and arguments presented in this section, “V. Summary of Kawasaki’s Petition,” are the views and arguments provided by Kawasaki. They have not been evaluated by the Agency and do not reflect the views of the Agency. Kawasaki describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

Kawasaki provides background information on the noncompliant motorcycles. The subject motorcycles have a front and rear hydraulic brake master cylinder, each with its own brake fluid cap used to refill the brake fluid. While the front fluid cap was found to be fully compliant in all cases, some of the rear caps on the motorcycles were found to be missing part of

the text required by paragraph S5.1.9(d) FMVSS 122. While the rear caps met all other relevant requirements, they did not include the word “Warning” or the phrase “[c]lean filler cap before removing”; as well, they did not include the complete sentence “[u]se only (fluid type) fluid from a sealed container.”

Kawasaki states that they will correct the filler caps on all remaining motorcycles being produced for MY 2026 and for all following model years, but they do not consider noncompliant filler caps from previous model years an increased safety risk. Kawasaki suggests that having the compliant text on the front filler cap, as well recommending that the users regularly monitor the fluid level and have the fluid changed by a qualified technician should reduce any risk to safety that this noncompliance may have produced.

Kawasaki provides a description of the noncompliance alongside pictures of the noncompliant fuel caps and portion of the relevant FMVSS text. Kawasaki states that while some rear fluid caps display most, but not all text required by the FMVSS, all front caps have the full required text. As well, says Kawasaki, both sets of caps have the information and the necessary DOT brake fluid type engraved at a letter size that meets FMVSS requirements in the direct view of the user.

Kawasaki states that the required information is easily available to users through other sources. As the front filler cap has the required engraved statement that the user should clean the filler cap before removing and use brake fluid only from a sealed container, Kawasaki believes that it is “illogical” for the operator to conclude that these steps are only needed when replacing brake fluid in the front brake cylinder and not the rear cylinder as well.

Kawasaki also states that they advise users to have the brake fluid in their motorcycle changed by a qualified technician every two years. Kawasaki presumes that a trained technician would know to follow the established protocol of cleaning the cap and using the correct fluid from a sealed container regardless of the missing language on the cap. Kawasaki notes that, while most of the noncompliant motorcycles were produced in the last few years, about a third of

the noncompliant motorcycles were produced several decades ago and are unlikely to still be in service.

Kawasaki believes that certain features of the subject motorcycles reduce opportunities for users to inadvertently contaminate the brake system. Kawasaki recommends that users check the motorcycle's vehicle brake fluid level daily and have their brake fluid changed by a qualified technician; because motorcycle's brake fluid level can be checked through a clear reservoir container without the need to open the filler cap, the users would not need to regularly, if ever, open the fuel cap themselves. Additionally, Kawasaki claims that because the filler cap is held to the master cylinder by a set of screws, removing the filler cap would require intentional action on the part of the user and be unlikely to occur accidentally.

Kawasaki provides an example of an inconsequential noncompliance granted by NHTSA that they believe serves as precedent for granting their petition. NHTSA granted a petition from Jaguar Land Rover in 2019¹ for vehicles that used a removable brake fluid warning label over the neck of the brake fluid reservoir instead of the permanently affixed label required by the FMVSS. Kawasaki states that NHTSA granted the petition because the chance of the label detaching from the filler neck was "highly improbable," the same information was available in other locations and sources, and "most important[ly]" a marking on the brake fluid cap indicating the required brake fluid type.

Kawasaki also provides an example of a petition² that was denied by NHTSA in 2023 and makes the case that their petition is substantively different from this petition. The denied petition in question was for vehicles that omitted the required statement entirely as well as the indication of the brake fluid type on the filler cap. Kawasaki states that their petition is different because the subject motorcycles have all the required statement on the front cap, most of the required statement on the rear cap, and indicate the proper brake fluid type on both caps.

¹ 84 FR. 13095, April 3, 2019

² 88 FR. 57169, August 22, 2023

Kawasaki concludes by stating its belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety and 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.

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 motorcycles that Kawasaki no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant motorcycles under their control after Kawasaki 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. 2026-09151 Filed: 5/7/2026 8:45 am; Publication Date: 5/8/2026]