NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** United States of America  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT) [1704]  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  Please submit comments to: USA WTO TBT Enquiry Point, Email: [usatbtep@nist.gov](mailto:usatbtep@nist.gov) |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Motor vehicle standards; test procedures; Test conditions and procedures in general (ICS 19.020), Road vehicles in general (ICS 43.020), Road vehicle systems (ICS 43.040) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Federal Motor Vehicle Safety Standards: Test Procedures (5 page(s), in English) |
| **6.** | **Description of content:** Advance notice of proposed rulemaking - NHTSA is issuing this ANPRM to seek public comment on whether any test procedures for any Federal Motor Vehicle Safety Standards (FMVSS) may be a candidate for replacement, repeal, or modification, for reasons other than for considerations relevant only to automated driving systems (ADS). This document is a continuation of the Agency's efforts to improve the FMVSS and minimize burdens. The Agency takes this action in response to its review of the FMVSS and to public comments solicited by DOT in a 2017 notice on its regulatory reform efforts. The commenters requested that NHTSA amend test procedures for air brakes and occupant crash protection. NHTSA has also identified some possible additional test procedure issues and discusses them in this Notice. In addition, this ANPRM also seeks comments and supporting information relating to any other test procedures which may be a candidate for replacement, repeal or modification, not just those specifically discussed in this Notice. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety; Cost saving and productivity enhancement |
| **8.** | **Relevant documents:**   * 85 Federal Register (FR) 79456, 10 December 2020; Title 49 Code of Federal Regulations (CFR) Part 571: <https://www.govinfo.gov/content/pkg/FR-2020-12-10/html/2020-27001.htm>   <https://www.govinfo.gov/content/pkg/FR-2020-12-10/pdf/2020-27001.pdf>  This advance notice of proposed rulemaking is identified by Docket Number NHTSA‑2020‑0109. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket?D=NHTSA-2020-0109> and provides access to primary documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov/) by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](mailto:usatbtep@nist.gov). Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator and will also be submitted to the [Docket](https://www.regulations.gov/docket?D=NHTSA-2020-0109) on Regulations.gov if received within the comment period.  On 2 October 2017, the Department of Transportation (DOT) published a Notice of Regulatory Review in the Federal Register inviting "the public to provide input on existing rules and other agency actions that are good candidates for repeal, replacement, suspension, or modification" at <https://www.govinfo.gov/content/pkg/FR-2017-10-02/html/2017-21101.htm> and <https://www.govinfo.gov/content/pkg/FR-2017-10-02/pdf/2017-21101.pdf>. The Docket Folder is available on [Regulations.gov](http://www.regulations.gov/) at <https://www.regulations.gov/docket?D=DOT-OST-2017-0069> and provides access to primary documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov/) by searching the Docket Number.  Related actions notified under the symbol [G/TBT/N/USA/164](http://tbtims.wto.org/en/Notifications/Search?ProductsCoveredHSCodes=&ProductsCoveredICSCodes=&DoSearch=True&ExpandSearchMoreFields=False&NotifyingMember=&DocumentSymbol=usa%2F164&DistributionDateFrom=&DistributionDateTo=&SearchTerm=&ProductsCovered=&DescriptionOfContent=&CommentPeriod=&FinalDateForCommentsFrom=&FinalDateForCommentsTo=&ProposedDateOfAdoptionFrom=&ProposedDateOfAdoptionTo=&ProposedDateOfEntryIntoForceFrom=&ProposedDateOfEntryIntoForceTo=) "Federal Motor Vehicle Safety Standards; Air Brake Systems" are identified by Docket Numbers NHTSA-2013-0011, NHTSA-2009-0175 and NHTSA-2005-21462. The Docket Folders are available on Regulations.gov at <https://www.regulations.gov/docket?D=NHTSA-2013-0011>, <https://www.regulations.gov/docket?D=NHTSA-2009-0175> and <https://www.regulations.gov/docket?D=NHTSA-2005-21462>, and provide access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov/) by searching the Docket Numbers individually. |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 8 February 2021 |
| **11.** | **Texts available from: National enquiry point [** **]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  <https://members.wto.org/crnattachments/2020/TBT/USA/20_7639_00_e.pdf> |