



12 June 2025

(25-3879)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

Revision

The following notification is being circulated in accordance with Article 10.6.

1. Notifying Member: <u>UNITED STATES OF AMERICA</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2. Agency responsible: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT) 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
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Motor vehicle rear impact protection guards; Crash protection and restraint systems (ICS code(s): 43.040.80); Commercial vehicles (ICS code(s): 43.080)
5. Title, number of pages and language(s) of the notified document: Parts and Accessories Necessary for Safe Operation; Certification and Labeling Requirements for Rear Impact Protection Guards; (5 page(s), in English)
6. Description of content: Notice of proposed rulemaking - The Federal Motor Carrier Safety Administration (FMCSA) proposes to amend the Federal Motor Carrier Safety Regulations (FMCSRs) to rescind the requirement that the rear impact guard be permanently marked or labeled with a certification from the impact guard manufacturer as required by the National Highway Traffic Safety Administration's (NHTSA) applicable Federal Motor Vehicle Safety Standard (FMVSS). The certification label or marking provides motor carriers purchasing new trailers or new impact guards to replace damaged devices with a means to determine whether the equipment is certified as meeting the FMVSS. However, the labeling or marking requirement has proven problematic for motor carriers when the label or marking becomes illegible or wears off during the service life of the trailer or guard. This proposal would eliminate an unintended regulatory burden on motor carriers without compromising safety, as this NPRM would not affect the applicable FMVSS. The proposal would also rescind a guidance document pertaining to illegible, incomplete, or missing rear impact guard certification labels.
7. Objective and rationale, including the nature of urgent problems where applicable: Cost saving and productivity enhancement

8.	Relevant documents: 90 Federal Register (FR) 22942, 30 May 2025; Title 49 Code of Federal Regulations (CFR) Part 393 : https://www.govinfo.gov/content/pkg/FR-2025-05-30/html/2025-09704.htm https://www.govinfo.gov/content/pkg/FR-2025-05-30/pdf/2025-09704.pdf This notice of proposed rulemaking is identified by Docket Number FMCSA-2025-0107. The Docket Folder is available on Regulations.gov at https://www.regulations.gov/docket/FMCSA-2025-0107/document and provides access to primary documents as well as comments received. Documents are also accessible from Regulations.gov by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point by or before 4pm Eastern Time on 29 July 2025. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with FMCSA and will also be submitted to the Docket on Regulations.gov if received within the comment period.
9.	Proposed date of adoption: To be determined Proposed date of entry into force: To be determined
10.	Final date for comments: 29 July 2025
11.	Texts available from: National enquiry point [] or address, telephone or fax numbers and email and website addresses, if available, of other body: https://members.wto.org/crnattachments/2025/TBT/USA/25_03895_00_e.pdf