Montana State Legislature

Exhibit Number: 2

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EXHIBIT 2
DATE 1-26-05
HB 407

To: House Transportation Committee
Chairman Scott Mendenhall
Committee members

January 26, 2005

RE: HB 407

The following comments opposing HB 407 are offered on behalf of the Great Falls Trail Bike Riders Association (GFTBRA). The GFTBRA represents several hundred motorcycle riders from Great Falls and surrounding areas.

HB 407 proposes the requirement of DOT tires for all motor vehicles on a highway. As motorcycle riders, we oppose Section 1. 61-9-406 (1). This would adversely affect the recreational off highway vehicle riders throughout Montana.

DOT tests tires (on specific rims) for speed rating and load index and while this maybe important for highway use it does not relate to off highway vehicle travel. There's a large tire selection available and riders have their own personal preference for type/style/make/model. Many tires that are used for off road/dual sport riding by the motorcycle community do not have the DOT symbol but are safe. While there are knobby tires with the DOT symbol, the DOT symbol doesn't make the knobby tire safe for highways. This symbol is not large, and a motorcycle would have to be stopped to see if the tire complied or not.

Montana's description of a highway, 61-1-201 is "the entire width between the boundary lines of every publicly maintained **way** when any part thereof is open to the use of the public for purposes of vehicular travel". It includes dirt/gravel and black top surfaces. Currently the OHV family travels from point "a" to point "b" in the barrow pits, along shoulder of roads, and at times on the actual road surface. As you travel Hwy 200 at Lincoln, you can see those trails that run from town (motels, restaurants, gas stations) to trail heads. In Neihart, from town to Carpenter Creek road, Harley Creek road or to Jefferson Creek road, without good barrow pits, the shoulder of the road is used. Their destination is a dirt road, a "way" that would be affected by this bill. These travelers are families, retired people, locals and part time residents. This bill would eliminate their ability to pursue their recreational riding in a legal manner and directly affect the economy of rural communities.

We would encourage a close look at the economic impact the Paiute Trail and tourism have on the small rural communities in Utah before major changes in statutes affecting OHV recreation is contemplated.

We also question the need or reason for this amendment. We could not find statistics stating an increase in the accident rate for use of non-DOT tires for motorcycles or other vehicles. No safety issue has been identified. To our knowledge there has not been any federal mandate requiring Montana to comply with another ever-changing Federal Regulation or risk loss of federal funding.

We thank you for the opportunity to voice our opinion and hope that you will consider our comments when you consider this bill.

Mona Ehnes, President
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Information included:
49 CFR 571.119 Tire standards for vehicles other than passenger tires.
49 CFR 574.5 Tire identification requirements
Montana Code Annotated 2003 61-1-201 Highway definition

Federal Motor Carrier Safety Administration

Regulations

§ 571.119 Standard No. 119; New pneumatic tires for vehicles other than passenger cars.

S1. *Scope.* This standard establishes performance and marking requirements for tires for use on multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles.

S2. *Purpose.* The purpose of this standard is to provide safe operational performance levels for tires used on motor vehicles other than passenger cars, and to place sufficient information on the tires to permit their proper selection and use.

S3. *Application.* This standard applies to new pneumatic tires designed for highway use on multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles manufactured after 1948.

S4. *Definitions.* All terms defined in the Act and the rules and standards issued under its authority are used as defined therein.

Light truck tire means a tire designated by its manuafacturer as primarily intended for use on lightweight trucks or multipurpose passenger vehicles.

Model rim assembly means a test device that (a) includes a rim which conforms to the published dimensions of a commercially available rim, (b) includes an air valve assembly when used for testing tubeless tires or an innertube and flap (as required) when used for testing tubetype tires, and (c) undergoes no permanent rim deformation and allows no loss of air through the portion that it comprises of the tire-rim pressure chamber when a tire is properly mounted on the assembly and subjected to the requirements of this standard.

S5. *Tire and rim matching information.*

S5.1 Each manufacturer of tires shall ensure that a listing of the rims that may be used with each tire that he produces is provided to the public. For purposes of this section each rim listing shall include dimensional specifications and a diagram of the rim. However a listing compiled in accordance with paragraph (a) of this section need not include dimensional specifications or a diagram of a rim if the rim's dimensional specifications and diagram are contained in each listing published in accordance with paragraph (b) of this standard. The listing shall be in one of the following forms:

(a) Listed by manufacturer name or brand name in a document furnished to dealers of the manufacturer's tires, to any person upon request, and in duplicate to: Docket Section, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC

20590; or

(b) Contained in publications, current at the date of manufacture of the tire or any later date, of at least one of the following organizations:

The Tire and Rim Association

The European Tyre and Rim Technical Organisation

Japan Automobile Tire Manufacturers' Association, Inc.

Deutsche Industrie Norm

British Standards Institution

Scandinavian Tire and Rim Organization

The Tyre and Rim Association of Australia

S5.2 Information contained in a publication specified in S5.1(b) which lists general categories of tires and rims by size designation, type of construction, and/or intended use, shall be considered to be manufacturer's information pursuant to S5.1 for the listed tires, unless the publication itself or specific information provided according to S5.1(a) indicates otherwise.

S6. *Requirements.* Each tire shall be capable of meeting any of the applicable requirements set forth below, when mounted on a model rim assembly corresponding to any rim designated by the tire manufacturer for use with the tire in accordance with S5. However, a particular tire need not meet further requirements after having been subjected to and met the endurance test (S6.1), strength test (S6.2), or high speed performance test (S6.3).

S6.1 *Endurance.*

S6.1.1 Prior to testing in accordance with the procedures of S7.2, a tire shall exhibit no visual evidence of tread, sidewall, ply, cord, innerliner, or bead separation, chunking, broken cords, cracking, or open splices.

S6.1.2 When tested in accordance with the procedures of S7.2:

(a) There shall be no visual evidence of tread, sidewall, ply, cord, innerliner, or bead separation, chunking, broken cords, cracking, or open splices.

(b) The tire pressure at the end of the test shall be not less than the initial pressure specified in S7.2(a).

S6.2 *Strength.* When tested in accordance with the procedures of S7.3 a tire's average breaking energy value shall be not less than the value specified in Table II for that tire's size and load range.

S6.3 *High speed performance.* When tested in accordance with the procedures of S7.4, a tire shall meet the requirements set forth in S6.1.1 and S6.1.2 (a) and (b). However, this requirement applies only to motorcycle tires and to non-speed-restricted tires of 14.5-in nominal rim diameter or less marked load range A, B, C, or D.

S6.4 *Treadwear indicators.* Except as specified below, each tire shall have at least six treadwear indicators spaced approximately equally around the circumference of the tire that enable a person inspecting the tire to determine visually whether the tire has worn to a tread depth of one-sixteenth of an inch. Tires with 12-inch or smaller rim diameter shall have at least three such treadwear indicators. Motorcycle tires shall have at least three such

indicators which permit visual determination that the tire has worn to a tread depth of one-thirty-second of an inch.

S6.5 *Tire markings.* Except as specified below, each tire shall be marked on each sidewall with the information specified in paragraphs (a) through (j) of this section. The markings shall be placed between the maximum section width (exclusive of sidewall decorations or curb ribs) and the bead on at least one sidewall, unless the maximum section width of the tire is located in an area which is not more than one-fourth of the distance from the bead to the shoulder of the tire. If the maximum section width falls within that area, the markings shall appear between the bead and a point one-half the distance from the bead to the shoulder of the tire, on at least one sidewall. The markings shall be in letters and numerals not less than 0.078 inch high and raised above or sunk below the tire surface not less than 0.015 inch, except that the marking depth shall be not less than 0.010 inch in the case of motorcycle tires. The tire identification and the DOT symbol labeling shall comply with part 574 of this chapter. Markings may appear on only one sidewall and the entire sidewall area may be used in the case of motorcycle tires and recreational, boat, baggage, and special trailer tires.

(a) The symbol DOT, which shall constitute a certification that the tire conforms to applicable Federal motor vehicle safety standards. This symbol may be marked on only one sidewall.

(b) The tire identification number required by part 574 of this chapter. This number may be marked on only one sidewall.

(c) The tire size designation as listed in the documents and publications designated in S5.1.

(d) The maximum load rating and corresponding inflation pressure of the tire, shown as follows:

(Mark on tires rated for single and dual load): Max load single ___ lbs at ___ psi cold. Max load dual ___ lbs at ___ psi cold.

(Mark on tires rated only for single load:) Max load ___ lbs at ___ psi cold.

(e) The speed restriction of the tire, if 55 mi/h or less, shown as follows: Max speed ___ mph.

(f) The actual number of plies and the composition of the ply cord material in the sidewall and, if different, in the tread area;

(g) The words "tubeless" or "tube type" as applicable.

(h) The word "regroovable" if the tire is designed for regrooving.

(i) The word "radial" if a radial tire.

(j) The letter designating the tire load range.

S6.6 *Maximum load rating.* If the maximum load rating for a particular tire size is shown in one or more of the publications described in S5.1(b), each tire of that size designation shall have a maximum load rating that is not less than the published maximum load rating, or if there are differing published ratings for the same tire size designation, not less than the lowest published maximum load rating for the size designation.

S7. *Test procedures.*

S7.1 *General conditions.*

S7.1.1 The tests are performed using an appropriate new tube, tube valve and flap assembly (as required) that allows no loss of air for testing of tube-type tires under S7.2, S7.3, and