

bolster. The petitioner noted that the non-U.S. certified 1993 Volkswagen Golf III is supplied with mounting points and bolt holes for the installation of this equipment and that no structural changes are necessary.

Additionally, the petitioner stated that bumper shocks must be installed on the non-U.S. certified 1993 Volkswagen Golf III to comply with the Bumper Standard found in 49 CFR Part 581. The petitioner further noted that it may be necessary to install a U.S.-model bumper cover on some vehicles to accommodate the market lights.

One comment was received in response to the notice of the petition, from Volkswagen of America, Inc. ("Volkswagen"), the United States representative of the vehicle's manufacturer. In its comment, Volkswagen stated that in order to conform the non-U.S. certified 1993 Volkswagen Golf III to the requirements of Standard No. 108, all of the vehicle's lamps would have to be changed because they all lack DOT certification markings. Additionally, Volkswagen noted that sidemarkers and a high mounted stop lamp would have to be added to the vehicle, requiring wiring harness connections, and that the headlamp bulb connector plug must be changed to accommodate a U.S.-model headlamp.

Volkswagen further claimed that there are major differences between the U.S. certified and non-U.S. certified versions of the 1993 Volkswagen Golf III that affect compliance with Standard Nos. 207, 209, and 210. Specifically, Volkswagen stated that the non-U.S. certified version of the vehicle is equipped with a smaller engine (1.8 vs. 2.0 liters) that has its intake manifold mounted closer to the firewall, and that this difference could affect the manner in which the engine contacts the vehicle structure during frontal crash tests. Volkswagen further noted that the grill and radiator support structure in the non-U.S. certified 1993 Volkswagen Golf III is made from plastic rather than metal, and that this difference could affect energy absorption characteristics that have a bearing on frontal crash test performance.

Volkswagen also stated that in order to comply with Standard Nos. 207, 108 and 210, seat tracks that are welded to the floor on the non-U.S. certified 1993 Volkswagen Golf III would have to be removed and replaced with U.S.-model equipment. Volkswagen noted that the seat adjustment positions are different on U.S.-certified vehicles in order to assure crash test compliance for this vehicle, which is equipped with automatic shoulder belts to meet the

passive restraint requirements of Standard No. 208. Volkswagen also noted that because the retractor for the automatic shoulder belt is anchored to the vehicle tunnel, an anchorage reinforcement structure must be welded in place on non-U.S. certified models to assure compliance with Standard No. 210. Additionally, Volkswagen asserted that a manual lap belt would have to be installed for the non-U.S. certified Volkswagen Golf III to be equivalent to its U.S. certified counterpart. Volkswagen further noted that even if the restraint system and seat components were to be modified on the non-U.S. certified 1993 Volkswagen Golf III, there is no assurance that the vehicle would comply with Standards 207, 208, and 210 unless the petitioner conducts a full scale crash test on a modified vehicle.

Volkswagen also stated that, in order to comply with the Bumper Standard found in 49 CFR Part 581, the front and rear bumpers on the non-U.S. certified 1993 Volkswagen Golf III must be replaced with U.S.-model components. Volkswagen claimed that this would require modifications to the frame attachment points for the front and rear bumper that could also affect Standard No. 208 crash test performance.

Volkswagen concluded its comments by asserting that "substantial similarities between the European and the United States certified versions of the Golf III vehicle are lacking and that the European version cannot readily be modified to conform to U.S. standards."

NHTSA accorded J.K. an opportunity to respond to Volkswagen's comments. In its response, J.K. stated that in order to install U.S.-model headlights and marker lights on a non-U.S. certified 1993 Volkswagen Golf III, it must change everything on the front end of the vehicle except for the front fenders. In the process, J.K. asserts that all of the plastic front end parts that Volkswagen referred to in its discussion of Standard No. 208 are eliminated and replaced with U.S.-model steel parts that are bolted to existing mounting points, eliminating the need for any cutting or welding.

With respect to the Standard No. 208 compliance issues raised by Volkswagen, J.K. stated that the intake manifold on the non-U.S. certified 1993 Volkswagen Golf III's 1.8 liter engine is only one quarter of an inch closer to the firewall than the intake manifold on the 2.0 liter engine of its U.S. certified counterpart. J.K. asserts that this difference will not affect the crashworthiness of the non-U.S. certified vehicle.

Addressing Volkswagen's comments on Standard No. 210, J.K. stated that it examined the seat tracks on the non-U.S. certified 1993 Volkswagen Golf III, and found them to bear U.S. part numbers. As a consequence, J.K. stated that it was able to bolt manual lap belts to the seats without the need for modifications. Additionally, J.K. asserted that it carefully compared the tack and seat angle of the non-U.S. certified 1993 Volkswagen Golf III to that of its U.S. certified counterpart, and found these characteristics to be identical. J.K. further asserted that in order to install center passive restraint belt retractors on the non-U.S. certified 1993 Volkswagen Golf III, it replaced the entire center console with a U.S. model component, which could be bolted into existing holes without the need for modifications.

With respect to the Bumper Standard issues raised by Volkswagen, J.K. stated that the front bumper bolts directly to the new steel front end that it installs on the non-U.S. certified 1993 Volkswagen Golf III to accommodate U.S.-model headlamps. J.K. further asserted that it adds a reinforcing beam to assure compliance with the Bumper Standard, and that with these modifications, the vehicle meets or exceeds that standard's requirements.

NHTSA accorded Volkswagen an opportunity to respond to J.K.'s comments. In its response, Volkswagen stated that the inboard front seat tracks are identical on the U.S. certified and non-U.S. certified versions of the 1993 Volkswagen Golf III, but that the outboard tracks differ so that U.S. certified models can meet Standard 208 passive restraint requirements. Volkswagen further contended that in order to assure compliance with Standard No. 210, reinforcement plates must be welded to the tunnel for mounting the passive restraint retractor assembly. Volkswagen finally asserted that without conducting crash tests, J.K. "relies on intuition to justify FMVSS 208 compliance."

NHTSA accorded J.K. an opportunity to respond to these comments. In its response, J.K. stated that European and U.S.-model seat tracks cannot be interchanged on the 1993 Volkswagen Golf III. J.K. further asserted that Volkswagen equipped U.S.-model seat tracks on both the U.S.- and the non-U.S. certified versions of the vehicle after the company completed U.S. crash tests on the vehicle. J.K. additionally stated that it added reinforcement plates to the tunnel between the seats, on which it bolted the new seat retractors. J.K. finally observed that even if Volkswagen has not crash tested a 1993