

None of the injury allegations and only one of the incidents severe enough to require collision repairs involved a vehicle that had been remedied under the recall and that crash was reported as a minor parking lot collision resulting in \$1,100 of front end damage. NHTSA's analysis of crash and injury allegations indicates that Ford's recall remedy appears to have been effective in mitigating the safety hazards associated with loss of power steering assist while driving in the subject vehicles.

### 3.3 Analysis: Summary

The Petitioner references the similar experience of others as identified in complaints to NHTSA and through various websites and online forums in support of the position that Ford's remedy was not adequate. The Petitioner's claim is serious and the frustration Petitioner experienced is understood by NHTSA. However, the defect identified by Ford was "[l]oss of power steering assist while driving" caused by a particular defect in the torque sensor and not, as Petitioner understands it, by any EPAS malfunction requiring replacement of the steering column or torque sensor, under any operating condition, regardless of cause. NHTSA's research and knowledge on this subject supports Ford's conclusion that the safety risk is limited to the loss of power steering assist while driving.

In contrast, a driver who does not have power steering assist when starting the vehicle will know that immediately, as it will be difficult to turn the steering wheel at low speeds, and will be prepared to compensate for it while driving (or may choose not to drive). Ford's software update remedy, as explained in Ford's DIRs, "changes the torque sensor fault strategy and will no longer remove power steering assist during an ignition cycle for a single torque sensor fault. Additionally, the software update will provide audible and visual warnings to the driver in the unlikely event that a torque sensor fault is detected."

Because Ford's change in fault logic prevents the loss of power steering assist while the vehicle is in operation (if there is only one fault), the safety risk, *i.e.* the loss of power steering assist while driving, is addressed. Instead, the vehicle will turn off the power steering assist when the vehicle is turned off (or, as Ford puts it, after that "ignition cycle"). Thus, the safety risk of losing power steering assist while driving has been resolved. Further, the addition of visual and audio warnings to the driver in the event a torque sensor fault is detected alerts the driver to the need for

service to the EPAS system prior to a loss of power steering assist and to the need for additional effort required to maneuver the vehicle if power steering assist is removed by the system before service repairs are performed. Thus, Ford's software update remedy does address the safety risk identified, which is the loss of power steering assist while driving, and without warning.

This is not to say that the Petitioner may not have good reason to be displeased with the result. Approximately two months after receiving Ford's recall repair, Petitioner's vehicle suffered the problem that two months earlier would have entitled her to a remedy that instead would cost her approximately \$1,000 to obtain. This is certainly cause for frustration. However, NHTSA's authority over vehicle manufacturers is limited to issues related to safety. In this instance, Ford's software update remedy removed the safety risk of a driver losing power steering assist, without warning, while operating the vehicle.

Because the nature of the complaint does not allow NHTSA to grant the petition, we will only briefly address the other factors set out in the regulations. On those points the agency notes that while the alleged breach of the obligation to remedy is serious, there is no factual breach in this instance and that NHTSA does not have any ability to resolve the problem because the problem is outside the agency's authority to enforce automotive safety. Further, the existence of similar complaints, both in online forums (as noted by the Petitioner) and in NHTSA's databases searched in reference to this petition, does not support granting this petition because, again, there is no factual breach. Additionally, given the circumstances here, a hearing is not necessary to evaluate the alleged problem. Therefore, NHTSA has decided a hearing should not be held.

### 4.0 Conclusion

The Petitioner alleges facts that understandably have caused frustration surrounding the repair and operation of her vehicle covered by NHTSA Recall No. 14V-284. However, the issues raised in the petition do not warrant a public hearing because the remedy Ford provided addresses the safety risk posed by loss of power steering assist. That safety risk arises from the unexpected change in steering effort the driver may experience while driving. Since Ford's remedy resolves the safety risk over which NHTSA has legal authority, NHTSA has decided not to hold a hearing on whether Ford has reasonably

met the remedy requirements of the Safety Act.

For the reasons set forth above, NHTSA hereby denies Defect Petition DP15-001.

**Authority:** 49 U.S.C. 30120(e); 49 CFR part 557; delegations of authority at 49 CFR 1.95 and 501.8.

**Jeffrey M. Giuseppe,**

*Associate Administrator for Enforcement.*

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## U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

### Notice of Open Public Meetings

**AGENCY:** U.S.-China Economic and Security Review Commission.

**ACTION:** Notice of open public meetings.

**SUMMARY:** Notice is hereby given of meetings of the U.S.-China Economic and Security Review Commission to review and edit drafts of the 2018 Annual Report to Congress. The Commission is mandated by Congress to investigate, assess, and report to Congress annually on the "the national security implications of the economic relationship between the United States and the People's Republic of China." Pursuant to this mandate, the Commission will hold public meetings to review and edit drafts of the 2018 Annual Report to Congress.

**DATES:** The meetings are scheduled for Thursday, July 12, 2018, from 9:00 a.m. to 5:00 p.m.; Friday, July 13, 2018, from 9:00 a.m. to 5:00 p.m.; Thursday, August 2, 2018, from 9:00 a.m. to 5:00 p.m.; Friday, August 3, 2018, from 9:00 a.m. to 5:00 p.m.; Thursday, September 6, 2018, from 9:00 a.m. to 5:00 p.m.; Friday, September 7, 2018, from 9:00 a.m. to 5:00 p.m.; Thursday, October 4, 2018, from 9:00 a.m. to 5:00 p.m.; and Friday, October 5, 2018, from 9:00 a.m. to 5:00 p.m.

**ADDRESSES:** 444 North Capitol Street NW, Room 231, Washington, DC 20001. Public seating is limited and will be available on a "first-come, first-served" basis. *Reservations are not required to attend the meetings.*

**FOR FURTHER INFORMATION CONTACT:** Any member of the public seeking further information concerning these meetings should contact Kerry Sutherland, 444 North Capitol Street NW, Suite 602, Washington, DC 20001; telephone: 202-624-1454, or via email at [ksutherland@uscc.gov](mailto:ksutherland@uscc.gov). *Reservations are not required to attend the meetings.*

**SUPPLEMENTARY INFORMATION:**

*Purpose of Meeting:* Pursuant to the Commission's mandate, members of the Commission will meet to review and edit drafts of the 2018 Annual Report to Congress.

The Commission is subject to the Federal Advisory Committee Act (FACA) with the enactment of the Science, State, Justice, Commerce and Related Agencies Appropriations Act, 2006 that was signed into law on November 22, 2005 (Pub. L. 109–108). In accordance with FACA, the Commission's meetings to make decisions concerning the substance and recommendations of its 2018 Annual Report to Congress are open to the public.

*Topics To Be Discussed:* The Commission will consider draft report sections addressing some or all of the following topics:

- U.S.-China Economics and Trade Relations, including: Year in Review: Economics Trade; U.S.-China Economic Challenges; and China's Agricultural Policies: Trade, Investment, Safety, and Innovation.
- U.S.-China Security Relations, including: Year in Review: Security and Foreign Affairs; and China's Military Modernization.
- China and the World, including: Belt and Road Initiative; China's Relations with U.S. Allies; China and Taiwan; China and Hong Kong; and China and North Korea Contingencies.
- China's High Tech Development, including: Next Generation Connectivity.

*Required Accessibility Statement:* These meetings will be open to the public. The Commission may recess the meetings to address administrative issues in closed session.

The Commission will also recess the meetings around noon for a lunch break.

At the beginning of the lunch break, the Chairman will announce what time the meetings will reconvene.

*Authority:* Congress created the U.S.-China Economic and Security Review Commission in 2000 in the National Defense Authorization Act (Pub. L. 106–398), as amended by Division P of the Consolidated Appropriations Resolution, 2003 (Pub. L. 108–7), as amended by Pub. L. 109–108 (November 22, 2005), as amended by Pub. L. 113–291 (December 19, 2014).

Dated: June 18, 2018.

**Daniel W. Peck,**

*Executive Director, U.S.-China Economic and Security Review Commission.*

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