



November 24, 2003

Dr. Jeffrey Runge, Administrator
National Highway Traffic Safety Administration
U.S. Department of Transportation
400 7th Street, S.W.
Washington, D.C. 20590

Dear Dr. Runge:

Public Citizen submits these comments on the National Highway Traffic Safety Administration's ("NHTSA") rulemaking regarding Federal Motor Vehicle Safety Standard ("FMVSS") No. 101, Controls and Displays. *See* Docket No. NHTSA-03-16194. With vehicles presenting an increasingly complex array of controls and telltales, we believe it is generally advantageous to public safety to establish an adequately wide range of standardized symbols associated with these vehicle features and functions. Standardization of symbols may help to prevent driver confusion when changing from one vehicle to another, and especially in emergency driving situations when the immediate recognition of certain symbols may be critical to avoiding harm. Moreover, we support the agency's expansion of the display requirements to apply to vehicles whose Gross Vehicle Weight Rating ("GVWR") exceeds 10,000 lbs.

We have reservations, however, about this rulemaking. As Advocates for Highway and Auto Safety points out, this proposal is, for all intents and purposes, a harmonization effort, as the proposed standards are essentially those established by the International Standards Organization ("ISO"). *See* ISO 2575:2000. *See* Docket No. NHTSA-03-16194-6. As we have previously noted in comments to the agency, in practice, harmonization commonly results in weakened standards and safety compromises, due to the intense downward pressure on standards from international trade bodies. In addition, once standards are harmonized, efforts to upgrade them at a later date could take years if high-standard countries like the United States wait for all the other countries to agree. Instead of just adapting ISO voluntary standards — some of which are unclear — NHTSA should justify its rulemaking with reference to hard data and solid research demonstrating that the agency has thoroughly analyzed the safety benefits of embracing these new symbols and assessed their in-vehicle use.

We are pleased that the agency has incorporated the symbols already covered by FMVSS No. 101 — symbols that the public is already familiar with — in the proposed set of symbols. These symbols include key vehicle functions or features, such as the windshield wiping system, the high beam telltale, and the fuel level telltale. However, as

the agency itself has found in past rulemakings,¹ many of the ISO symbols are not intuitively obvious. Examples of ambiguous proposed symbols abound: the symbols for “Engine on-board diagnostics,” “Engine coolant fan,” “Retarder,” “Transmission malfunction,” etc. Many proposed symbols would be better explained to the vehicle operator if they were accompanied and/or replaced by labels in English.

Public Citizen strongly objects to the agency’s lax approach to regulating the content of vehicle owner’s manual. NHTSA reports that, to test if all vehicles’ owner’s manuals include all the symbols used in the vehicle and explains their meanings, the agency evaluated the owner’s manuals of 12 randomly chosen vehicles. All 12 manuals selected displayed and explained the symbols used in the particular vehicle. This does not mean, however, that they will be in the future for all vehicles, particularly if the agency does not require it. It is foolish for NHTSA to decide, based on anecdotal evidence, that it is unnecessary to require that manufacturers list such information in their vehicles’ owner’s manuals, particularly when the agency is proposing such a significant expansion of symbols.

If anything, NHTSA’s observations regarding the content of the owner’s manuals suggests that a standard mandating that all symbols used in a vehicle be shown and explained in the vehicle’s manual would incur no cost or negligible costs on manufacturers while ensuring that all vehicle operators have access to this necessary information. Public Citizen suggests that the agency include such a requirement in their final rule on the proposed changes to FMVSS No. 101. Any possible cost resulting from such a requirement is more than justified given the cost savings to manufacturers from standardization of symbols in their vehicles.

Sincerely,

Laura MacCleery
Counsel for Automotive Safety and Regulatory Affairs
Public Citizen

¹ 68 FR 55218; Sept. 23, 2003: “Commenter opposed to using ISO symbols also cited several past NHTSA rulemakings, especially several on the brake standards, in which the agency had expressed reluctance to permit ISO symbols whose meaning it did not believe to be intuitively obvious, *i.e.*, immediately understandable without the necessity for any education or memorization.”