



DEPARTMENT OF
TRANSPORTATION
DOCKET OPERATIONS

Memorandum

U.S. Department
of Transportation

2013 JUN 24 A 11:39

**National Highway
Traffic Safety
Administration**

Subject: **ACTION:** Docket Submission: Congressional Letters
FMVSS No. 111 – Rear Visibility

Date: June 24, 2013

From: Jesse Chang
Attorney-Advisor

Reply to
Attn of:

To: Docket No. NHTSA-2010-0162

Attached for inclusion into Docket No. NHTSA-2010-0162 are four letters to members of Congress concerning the rulemaking to amend FMVSS No. 111.

Attachments:

Letter to The Honorable Fred Upton
Letter to The Honorable Henry A. Waxman
Letter to The Honorable John D. Rockefeller IV
Letter to The Honorable John Thune



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

June 20, 2013

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I am writing to update you regarding the progress that the U.S. Department of Transportation through its National Highway Traffic Safety Administration (NHTSA) has made on the current rulemaking to amend Federal motor vehicle safety standard (FMVSS) No. 111 to expand the required field of view to help drivers avoid backover crashes—especially those involving children. The especially high priority we give to the safety of children is the driving force behind our continued effort to ensure that this particular rulemaking is supported with robust analysis that comprehensively examines not only the rule's potential to save lives, but also the substantial input the Department has received from members of the public, and any additional societal impacts.

The Cameron Gulbransen Kids Transportation Safety Act of 2007 (K.T. Safety Act) requires a final rule no later than 36 months after the date of enactment of the Act (February 28, 2011). The Act further authorizes me to establish new deadlines if I determine that any of the statutory deadlines cannot be met and requires me to notify the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

The Department has made significant progress in developing the final rule as required by the Act. We published our Notice of Proposed Rulemaking on December 7, 2010. Shortly thereafter, we also held a public meeting and conducted a technical workshop to solicit additional input from the public. Last year, the Department determined that further research and data analysis was necessary to ensure the most protective and efficient rule possible. We stated that our additional analysis would focus on examining a wider range of vehicles and drivers.

The Department has now completed that additional research, which included not only a different vehicle type, but also 143 additional participants. As a result of this additional effort, the Department has expanded and increased the robustness of the available information on the backover crash problem as well as on the ability of drivers to use rear visibility systems to their advantage in avoiding backover crashes.

In spite of this progress, I have determined that additional time is required before the Department can finalize the proposed amendments to FMVSS No. 111. As I mentioned above, this rulemaking is important to the Department due to its focus on enhancing the safety of our children. Thus, it is especially important in this case for the Department to ensure that all aspects of the rule are supported by robust analysis and that any additional societal impacts are examined.

To this end, the Department has decided that additional time is necessary to analyze the impact of the rule. For example, as backover crashes often occur off of public roads under a large variety of

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circumstances, the Department believes that analyzing additional information through its Special Crash Investigations program will contribute significantly to its understanding of the backover crash problem. By identifying and analyzing cases that involve vehicles equipped with rear visibility systems, the Department will be able to further refine its understanding of how the proposed requirements address the real world safety risk. We anticipate that gathering this information, conducting a thorough analysis and integrating the information into a final rule will take approximately 18 months. On the basis of this additional analysis, the Department will move expeditiously toward issuing final requirements—no later than January 2, 2015. In the meantime, the Department is publishing a notice requesting public comments on changing our New Car Assessment Program (NCAP) to indicate which vehicle makes and models are equipped with rearview video systems.

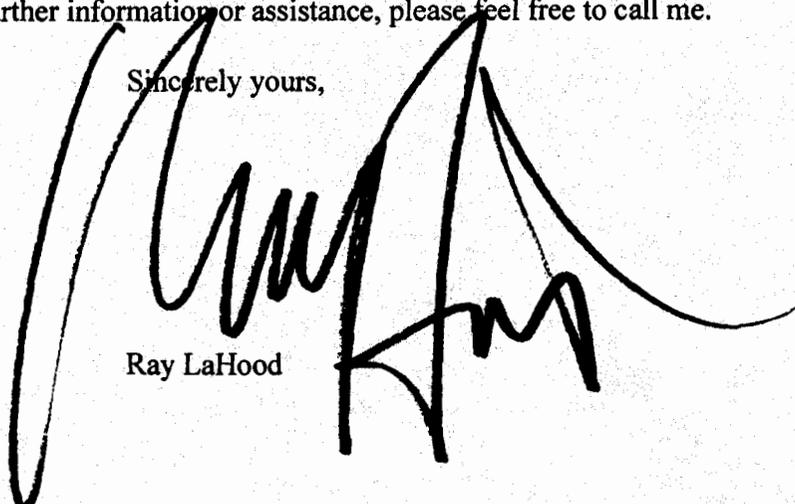
As you are aware, NCAP has been successful for many years in raising consumer awareness of vehicle safety and encouraging manufacturers to develop safer vehicles by issuing star ratings for new motor vehicle crashworthiness. In addition, NCAP currently recommends to consumers various other crash avoidance technologies that have a proven track record for addressing important safety problems. After the NCAP notice is published in the Federal Register, the public will have 30 days to submit comments. The Department will consider the comments received and publish another notice formally adding rearview video systems to the NCAP program. At that point, the Department will immediately begin to list rearview video systems in the “safety feature” section on the www.safercar.gov website for each vehicle model that has this safety feature available. The Department will then determine which vehicle models have a rearview video system that meets the basic performance criteria specified in the NCAP notice, and the Agency will recognize those vehicles as having a “Recommended Advanced Technology Feature.” We expect to have this information available to the public on the www.safercar.gov website by June 2014.

Thus, while the Department continues its work to finalize the amendments to FMVSS No. 111, the Department believes that incorporating rearview video systems into NCAP at this point could increase consumer interest in the important safety benefits of these systems and give recognition to manufacturers who are already making their vehicles safer by installing such systems on their vehicles. Through NCAP, I believe the Department will be able to begin supporting the proliferation of this important safety technology to the American public in anticipation of the final rule on the matter.

A similar letter has been sent the Ranking Member of the House Committee on Energy and Commerce and the Chairman and Ranking Member of the Senate Committee on Commerce, Science, and Transportation. If I can provide further information or assistance, please feel free to call me.

Sincerely yours,

Ray LaHood





THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

June 20, 2013

The Honorable John D. Rockefeller IV
Chairman
Committee on Commerce, Science
and Transportation
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

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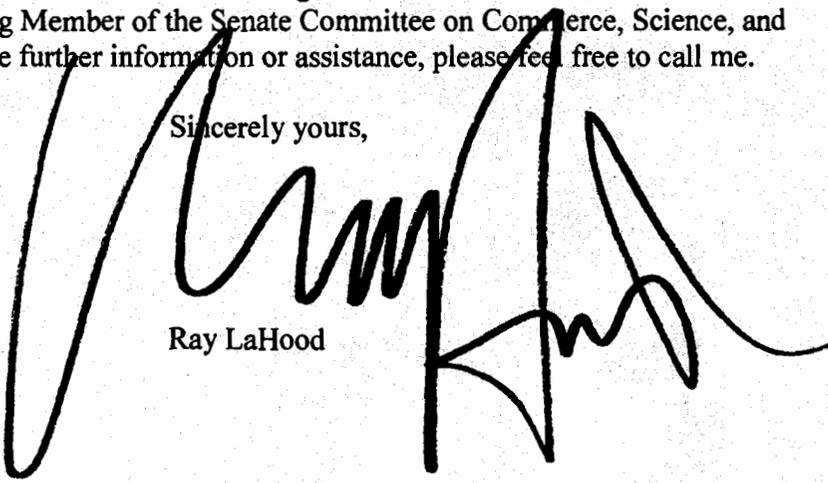
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Ranking Member
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U.S. House of Representatives
Washington, DC 20515

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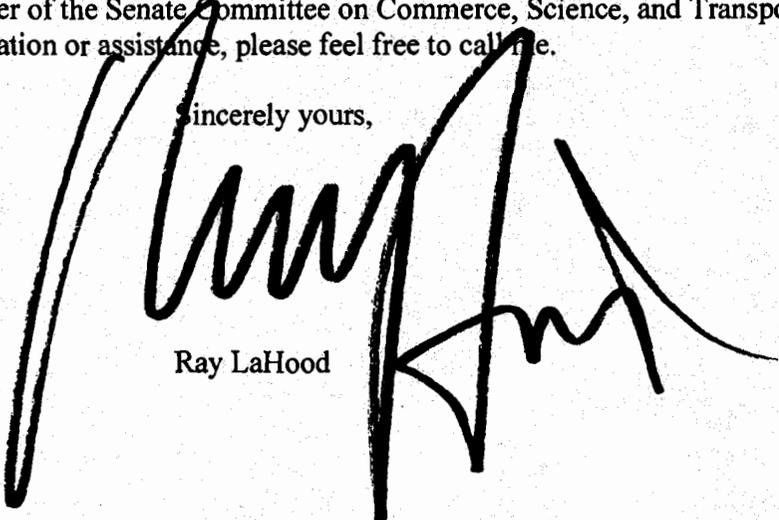
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