

September 30, 2019

VIA REGULATIONS.GOV

U.S. Department of Transportation

1200 New Jersey Avenue

West Building Ground Floor

Room W12-140

Washington, D.C. 20590-0001

RE: Comment on Advance Notice of Proposed Rulemaking on Amendment of Federal Motor Vehicle Safety Standard No. 208, "Occupant crash protection," to require seatbelt warning systems for rear seatbelts (September 27, 2019) Docket No.: NHTSA-2019-0093

Dear Department of Transportation:

Thank you for the opportunity to submit public comment on this proposed rulemaking. I am a third year law student providing a few suggestions regarding the specifications of rear-passenger seatbelt warning systems, which I contend should be required for ordinary, light-duty passenger cars, SUVs, and trucks.

I. Specifications of rear-passenger seatbelt warning systems

A. The rear-passenger seatbelt warning systems should be audio-visual.

Current warning systems for driver and front-passenger seats are audio-visual. As the notice describes, these systems have been effective in encouraging driver and front-passenger seatbelt use.

Because the purpose of a rear-passenger seatbelt warning system is the same as the purpose of a front-passenger warning system—to ensure passenger safety—the warning systems should be functionally similar. The relative safety of rear passengers compared to those of front passengers in collisions should not reduce the extent and efficacy of the warning given. Additionally, young children primarily sit in the backseats, lending further support for requiring systems that equally encourages rear passengers to be buckled up.

B. The rear-passenger seatbelt warning systems should alert the driver of the vehicle and, optionally, the passengers in addition.

Front-passenger seatbelt warning systems warn the driver in the driver's dashboard with a visual signal, and the audio signal is typically loud enough for all

passengers in the vehicle to hear. Again, the signals of the systems for rear seatbelt warnings should not be reduced for the sake of consumer acceptance or because rear passengers are statistically in less danger than front passengers. Therefore, the driver of the vehicle should be fully informed about the operation of the vehicle and the safety of its occupants via systems that function similarly to front-passenger warning systems: alerting the driver with a visual signal on the dashboard and an audio signal loud enough for rear passengers and the driver to hear.

Manufacturers *could* implement warnings that only the rear passengers could take notice of, but those should only be in addition to warnings that the driver receives. Furthermore, if young children—or even adults—are in the backseat, they may be less likely to notice the signal or act on it if they do. To account for this, the driver should be made aware of whether all passengers are wearing their seatbelts.

C. The rear-passenger seatbelt warning systems should provide a “change of status” warning.

The purpose of rear- or front-passenger seatbelt warning systems would be defeated if the warnings are only given before passengers initially buckle their seatbelts and are not given when passengers subsequently unbuckle their seatbelts. Safety should be encouraged throughout the trip.

And because the lives of rear passengers are just as precious as those of front passengers, it would be seemingly arbitrary to change the extent of the system for rear-passenger warning systems—e.g., allowing the alert system to turn on ten seconds after the system would turn on for front passengers. Except for some technical or economic infeasibility of implementing the same system for rear-passenger systems, which seems unlikely, the primary justification for changing the system for rear passengers is simply “comfort” (i.e., avoidance of frustration or annoyance with the warnings) or to sustain consumer acceptance. Neither of these is sufficient to support changing the efficacy of warning systems for rear passengers.

II. Conclusion

In sum, warning systems for rear-passenger seatbelts should be required in all light-duty cars, SUVs, and trucks. The systems should be functionally similar to front-passenger seatbelt warning systems because they both serve the same purpose of ensuring passenger safety.

Thank you for consideration of my comment.

Respectfully submitted,

Gianni Puglielli