

## Comment from Lloyd Philpo'tt

February 6, 2020

The Honorable James C. Owens, Acting Administrator  
National Highway Traffic Safety Administration (NHTSA)  
c/o Docket Management Facility  
U.S. Department of Transportation  
1200 New Jersey Avenue S.E.  
West Building Ground Floor, Room W12-140  
Washington, D.C. 20590-001

Re: Docket No. NHTSA-2019-0121: Notice of Proposed Rulemaking:  
Replica Motor Vehicles; Vehicle Identification Number (VIN) Requirements;  
Manufacturer Identification; Certification

Dear Acting Administrator Owens:

Daniel Ingber with the Specialty Equipment Market Association (SEMA) provided comments to you this week on NHTSA's proposed rule to implement Section 24405 of the Fixing America's Surface Transportation Act (FAST Act) governing the sale of replica motor vehicles. A replica vehicle is one that RESEMBLES the body of another motor vehicle produced at least 25 years ago.

Please accept my comments in complete support of such comments by SEMA. Please note, that I am not a member of SEMA but have been in contact with them for the past three years regarding FAST Act. They have provided the automotive market a valuable resource to stay abreast of FAST Act, keeping us informed during this time when the government has not complied in a timely manner with FAST Act as written. In addition to their comments, please note that the delay of NHTSA to comply with the timeline of FAST Act has cost me and those with whom I would engineer, manufacture and market the replica vehicle, significant revenue for my conceptual design work prior to December 31, 2016, the date required by FAST Act for the final rules to be completed, and continued efforts during these past three years, but more importantly, such delay is in direct opposition to the United States Congress and the policies of President Donald Trump and his senior administrators as well as the professionals and workers of America and Alabama to build the economy of our country by providing responsible business enterprises and workplace jobs, as well as aesthetic quality of life products for people to appreciate our automotive heritage with vehicles resembling our past.

Such loss as well as lost revenue and profits includes:

Supplier contracts that were lost;

Increased cost of materials;

Lost tax deferments/subsidies offered by city, country and state;

Construction of new Innovation R&D Center halted;

Purchase of new production facility halted;

Purchase of new engineering and production equipment halted;

Professional and skilled worker jobs not filled;

Unfulfilled professional design accomplishments; i.e., Life is too short for such delays.

Another issue relates to the size of replica vehicles.

Considering requirements of an exact size, or say 10%+- body and component/assembly sizes, this is problematic because many early 20th Century cars were based on a population of smaller anthropometrics. Thus, to fit the population of today, especially a large 95th percentile person, the size must be greater than the original in specific areas of the interior, such translating to a greater overall size in order to maintain the integrity of overall aesthetic proportions. Issues such as retaining old specifications for door thickness, though in compliance with the rules, could be safer to occupants if the possibility of increased thickness and material strength were allowed. Additionally, some very small autos may be safer if they were scaled up. Conversely, certain huge very old vehicles can be scaled down to fit today's common general dimensions, for reduced weight, thus reduced energy consumption in use, thus reduced pollution. Let the marketplace decide.

Please also consider the economies of scale are still important in manufacturing variability, providing alternative replica designs which serve people's interest today as vehicles of enthusiastic transportation enjoyment and entertainment with the efficiency of e-Power as well as combustion engines.

My comments are based on my 50+ years of experience in industrial design, engineering, marketing and production, consulting to global businesses and automotive companies as well as small mom and pop shops. The very nature of FAST Act is to support small businesses such that we are not encumbered with huge government regulations, thus making the production of replica vehicles affordable to the marketplace.

I appreciate this opportunity to share my comments on the proposed rule.

Please contact me if you have any questions.

Please put REPLICA in all e-mail subject headings.

Sincerely,

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