

Comment from Jaime Pacheco-Orozco

The City of Los Angeles, Department on Disability (CLA-DOD), has reviewed the proposed SNPRM (Make Inoperative Exemptions, 85 FR 84281, Docket No. NHTSA-2016-0031) and concurs generally with the proposed NHTSA recommendations, allowing exceptions to the rear view visibility requirements and to allow rental companies (including ride-sharing companies) to make inoperative driver side knee bolster airbags.

With respect to the comments the following, the CLA-DOD provides the following:

1. Should rental companies be provided exemptions from the make inoperative prohibitions to make temporary vehicle modifications, permanent modifications or both?

-The CLA-DOD concurs that rental companies (and ride-sharing companies) should be allowed to make temporary modifications to the driver side knee bolster airbag for the duration of the rental agreement by an individual with a disability. Note, that the CLA-DOD is unsure if it possibly to disable just the driver side knee bolster airbag and leave intact the passenger knee bolster airbag. The CLA-DOD believes that this may be possible, as it has been customary to disable the passenger airbag system either through a key or button whenever a minor is seated in front seat (as in passenger truck without a rear seat). Additionally, the proposed modification possibly could be accomplished through a modification the controlling algorithm for the airbag system at the vehicle manufacturer end. This would allow rental companies to electronically disable/enable the knee bolster airbag system electronically, without limiting or disabling the entire airbag system.

2. Although Enterprise only asked NHTSA about the application of the make inoperative prohibition to disabling knee bolster airbags to accommodate installation of hand controls, should NHTSA provide a make inoperative exemption for other installations of adaptive equipment by rental companies.

- The CLA-DOD supports NHTSA making these exemptions if NHTSA deems these modifications appropriate and safe. We are committed to ensuring that accommodations that are accessible and safe and that enhance the driving experience for a person with a disability are made available upon request.

3. If a temporary modification to install adaptive equipment causes a malfunction telltale to illuminate, should the rental company be allowed to disable the telltale.

- The CLA-DOD would recommend that vehicle manufacturers be required to modify the algorithm controlling the telltale to account for the disabling of the driver side knee bolster airbag. This modification should be fairly easy for the manufacturer to reprogram. It is critically important for the driver and passengers of all vehicles to be advised if there is any other malfunctioning component in the vehicle's airbag system.

4. Would NHTSA need to provide a make inoperative exemption for installation of hand controls?

5. Should rental companies need to request an exemption for NHTSA or should the exemption be provided automatically within the regulation.

- The CLA-DOD would recommend that the exemption be granted within the regulation.

6. If rental companies are granted exemption by regulation alone...

- The CLA-DOD does not believe that additional documentation or notification is required.

7. Should rental companies be required to notify customers...

- The CLA-DOD concurs with NHTSA that customers be notified that safety equipment has been modified, which can be accomplished through the rental agreement. We recommend that the rental company explicitly require the renter to initial acceptance of the modification on the rental agreement.

