



Automotive Safety Council

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Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue SE
West Building Ground Floor
Room W12-140
Washington, DC 20590-0001

[Docket No. NHTSA-2020-0109]

RIN: 2127-AM04

ANPRM – Federal Motor Vehicle Safety Standards: Test Procedures

Subject: ANPRM seeking public comment on whether any test procedures for any Federal Motor Vehicle Safety Standards (FMVSS) may be a candidate for replacement, repeal, or modification for reasons other than for considerations relevant only to automated driving systems (ADS).

The Automotive Safety Council (ASC) is an industry trade association of 45 of the world's leading suppliers of Autonomous, Crash Avoidance and Occupant Protection automotive safety systems to the automobile industry. The mission of the Automotive Safety Council is to improve the safety of people through-out the world through the development, production and implementation of the latest automotive safety equipment by preventing accidents, protecting occupants and pedestrians when in a collision and to notify emergency responders after the collision when necessary.

The ASC is providing comments to the recently published ANPRM seeking public comment on whether any test procedures for any Federal Motor Vehicle Safety Standards (FMVSS) may be a candidate for replacement, repeal, or modification for reasons other than for considerations relevant only to automated driving systems (ADS) (Docket No. NHTSA-2020-0109). The ASC appreciates the opportunity to comment on this topic

General Comments:

The Automotive Safety Council appreciates that NHTSA seeks to improve the FMVSS test procedures and remove unnecessary burdens. In addition to the comments provided in this response, we feel there are significant opportunities to update the FMVSS beyond the scope of this ANPRM to address new technologies, improve occupant safety, and remove obsolete content in the regulations.

Testing Procedures:

FMVSS 108:

1. The current FMVSS108 test procedure was developed around decades old optical sensors and vehicle lighting technologies and is no longer optimal in real-world scenarios leveraging today's much more advanced technologies.

For example:

The test essentially compels today's smart sensors to operate no differently than the devices that were used to detect light in the 1960s. The test should be amended to reflect the true nature of on-road light sources and reflect the capabilities of smarter sensors that can assess various light sources and operate optimally to ensure the safety of all road users. A 25-candela light at 100 feet away should not suppress the high beams in the real-world.

FMVSS-208:

1. Address language for explosive devices as related to pyrotechnic devices to eliminate need for exemptions/waivers. Reference November 2019 Petition from the NAAHAC (North American Automotive Hazmat Action Committee).
2. Establish a process for regular update of Appendix A – see also ASC response to NPRM - Part 571 and 585; Occupant Crash Protection (Standard No. 208) (Docket No. NHTSA-2020-0094)

FMVSS-209 and TP-209:

1. Address issues described in Petitions submitted by this Council (ASC):

ASC would like to remind the NHTSA that it has submitted two Petitions for Rulemaking over the past several years that address items in FMVSS209, Seat Belt Assemblies (copies attached).

The first was submitted December 15, 2008, and included several proposed updates, corrections, and improvements to FMVSS209.

The second was submitted August 10, 2015 and included a request for an alternate test method to the Carbon-Arc light exposure test specified in FMVSS209.

2. An additional opportunity for improvement to FMVSS209 and associated test procedures would be to incorporate the various NHTSA interpretations to FMVSS209 NHTSA has made over the years so that the latest interpretation information is included in FMVSS209 text and requirements. It can sometimes be difficult to find the available or latest NHTSA interpretations.
3. Obsolete Equipment in TP-209:

The photographic documentation required to demonstrate product testing (p. 10) should be updated to reflect technology commonly used today. Recommend amending this standard to reflect characteristics like pixel, resolution/DPI, or another standardized measure of picture quality for digital images.

The test procedure for resistance to light (p. 16, p. 24) requires a light-exposure apparatus applying a Type E carbon-arc. Such devices are not readily available, and it is a relatively high burden to maintain current inventories. Propose allowing other light emitting sources with similar intensities (Xenon, for example).

In conclusion, the ASC welcomes this opportunity to comment on the ANPRM to improve Federal Motor Vehicle Safety Standard (FMVSS) test procedures. We welcome any invitation to visit the NHTSA office for a detailed discussion of these comments should the need arise.

Sincerely,



Douglas P. Campbell
President
Automotive Safety Council