

March 16, 2022

Dr. Steven Cliff  
Acting Administrator  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue S.E., West Building  
Washington D.C. 20590-0001

**RE: Federal Motor Vehicle Safety Standard No. 141, Final Rule to Allow Driver-Selectable Vehicle Sounds, RIN: 2127-AL93 [NHTSA-2019-0085-0001]**

Dear Dr. Cliff,

The Alliance for Automotive Innovation (“Auto Innovators”) and the National Federation of the Blind (NFB) are providing these comments in response to the most recent Fall 2021 Unified Regulatory Agenda, which indicates NHTSA’s intent to terminate the rulemaking proceeding, which is well along in its development toward an amendment to FMVSS 141 that would permit manufacturers to provide a limited selection of driver-selectable sounds.<sup>1</sup> Auto Innovators is a trade association representing manufacturers that produce approximately 99% of all light duty vehicles sold in the United States and our mission is to develop a cleaner, safer, and smarter transportation future. The National Federation of the Blind is the transformative membership and advocacy organization of blind Americans with affiliates, chapters, and divisions in the fifty states, Washington DC, and Puerto Rico. We jointly submit these comments to the agency strongly urging reconsideration of the agency’s intent to terminate this important rulemaking.

In response to the December 14, 2016 final rule establishing FMVSS 141,<sup>2</sup> the predecessor organizations to Auto Innovators, the Alliance for Automobile Manufacturers and Global Automakers, submitted a petition for reconsideration to the final rule to allow driver selectable sounds.<sup>3</sup> In that letter, the petitioners argued that driver-selectable sounds were necessary “for customer acceptance reasons” and that the number of sounds for any given make, model, trim level, and model year vehicle should be allowed up to five driver-selectable alert sounds. The NFB submitted comments in support of the industry’s position in this regard.<sup>4</sup>

Auto Innovators and the NFB continue to assert that, without the option to select an alternative compliant alert sound, consumers who dislike the alert sound that is initially equipped with their vehicle may seek to disable the alert sound altogether. This outcome could eliminate the safety benefit to all pedestrians and vulnerable road users, including blind pedestrians. However, if

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<sup>1</sup> <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202110&RIN=2127-AL93>

<sup>2</sup> Docket No. NHTSA–2016–0125, 81 Fed. Reg. 90416

<sup>3</sup> Docket No. NHTSA-2016-0125-0016

<sup>4</sup> Docket No. NHTSA-2019-0085-0021

alternate alert sounds were an option in the final rule, those same consumers would be more likely to select a sound from the limited selection of compliant alert sounds that would better suit them and thus preserve the associated pedestrian safety benefits.

Auto Innovators and the NFB recognize that the Pedestrian Safety Enhancement Act that led to the adoption of FMVSS 141 contemplates that no person other than a manufacturer or dealer should be allowed to disable, alter, replace, or modify the sound or set of sounds installed in a vehicle for purposes of FMVSS 141 compliance. Nevertheless, we have identified a significant and worrying trend of online tutorials targeting lay persons unfamiliar with vehicle maintenance. These tutorials provide specific steps to take to disable the pedestrian warning sound in their vehicles. A simple Internet search using the phrase “how to disable my vehicle's pedestrian noise generator” returns a substantial number of relevant results, including step-by-step guides and videos. The tutorials range from pulling fuses from the fuse box, to more advanced guides on how to remove the pedestrian warning speaker itself and wire in a resistor so as not to trigger a warning light on the instrument cluster.

We again urge you to reconsider termination of the rulemaking proceeding to allow driver-selectable alert sounds into FMVSS 141 and work with stakeholders to address any outstanding issues related to this rulemaking.

Sincerely,



Scott Schmidt  
Vice President, Safety Policy  
Alliance for Automotive Innovation



John Paré  
Executive Director, Advocacy and Policy  
National Federation of the Blind