

August 31, 2022

The Honorable Steven Cliff
Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

**Re: Agency Information Collection Activities; Notice and Request for Comment;
Consolidated Labeling Requirements for Motor Vehicles (Except the VIN) Docket No.
NHTSA-2022-0043**

Dear Administrator Cliff,

On July 26, 2022, the National Highway Traffic Safety Administration (NHTSA) published in the Federal Register a Notice and request for comments on a request for extension of a currently approved information collection of labeling information on seven Federal Motor Vehicle Safety Standards (FMVSS) for which NHTSA intends to seek OMB approval. The labeling requirements include brake fluid warning, glazing labeling, air bag warning labels, seat belt labeling, compressed natural gas (CNG) vehicle fuel label, and CNG fuel container labels. (the “Notice”). The National Association of Mutual Insurance Companies (“NAMIC”) welcomes the opportunity to respond to this request for comments.

NAMIC is the largest property/casualty insurance trade group with a diverse membership of more than 1,500 local, regional, and national member companies, including seven of the top 10 property/casualty insurers in the United States. NAMIC members lead the personal lines sector representing 55 percent of the auto market. Through our advocacy programs we promote public policy solutions that benefit NAMIC member companies and the policyholders they serve and foster greater understanding and recognition of the unique alignment of interests between management and policyholders of mutual companies.

The Notice specifically requested comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on

respondents, including the use of automated collection techniques or other forms of information technology.

As detailed in the Notice, FMVSS No. 105 and FMVSS No. 135 require that vehicles must have a brake fluid warning statement in letters at least one-eighth of an inch high on the master cylinder reservoirs, which states “WARNING: Clean filler cap before removing. Use only _____ fluid from a sealed container,” inserting the recommended type of brake fluid as specified in 49 CFR 571.116. The lettering shall be permanently affixed to be visible by direct view. Vehicle manufacturers provide warning statements on hydraulic brake reservoirs for an estimated 1,003 vehicle models. The warning statement helps ensure the proper maintenance of the master brake cylinder, which has obvious and important safety implications for the operation of the vehicle. NAMIC supports this aspect of the Notice as necessary for the proper performance of the functions of the Department and agrees that the information will have practical utility.

As also detailed in the Notice, FMVSS No. 205 provides labeling requirements for glazing and motor vehicle manufacturers, for proper maintenance and replacement as well as cleaning instructions to minimize the loss of transparency. As [noted](#) by NHTSA in 2019, The purpose of FMVSS No. 205 is to reduce injuries (e.g., lacerations) resulting from impact to glazing surfaces, to ensure a necessary degree of transparency in motor vehicle windows for driver visibility, and to minimize the possibility of occupants being thrown through the vehicle windows in collisions. NAMIC supports this aspect of the Notice as necessary for the proper performance of the functions of the Department and agrees that the information will have practical utility.

The next section of the Notice addresses FMVSS No. 208, which specifies requirements for both active and passive occupant crash protection systems for passenger cars, multipurpose passenger vehicles, trucks, and small buses. The required label warns of dangers a deploying air bag poses to children 12 and under. These labels advise occupants to always use seat belts, the back seat is the safest place for children, and to never place a rear-facing child seat in the front. Additionally, if a vehicle manufacturer recommends periodic maintenance or replacement of an inflatable restraint system installed in a vehicle, that vehicle must be labeled with the recommended schedule for maintenance or replacement. NAMIC supports this aspect of the Notice as necessary for the proper performance of the functions of the Department and agrees that the information will have practical utility.

The Notice also includes a section on FMVSS No. 209, which requires safety belts to be labeled with the year of manufacture, the model, and the name or trademark of the manufacturer, and FMVSS 303 and 304 which require labels on compressed natural gas (CNG), motor vehicle fuel containers. There are clear and obvious safety benefits of the proper labeling for seat belt and CNG container maintenance and replacement and NAMIC supports this aspect of the Notice as necessary for the proper performance of the functions of the Department and agrees that the information will have practical utility.

All of the labeling requirement addressed in the Notice must be placed on motor vehicle equipment when it is manufactured, and each are necessary for the proper maintenance and safe operation of

vehicle use on the nation's highways. NAMIC agrees with NHTSA that the lack of labeling could allow improper items of motor vehicle equipment to be installed on motor vehicles and could be the subject of failures or inadequate injury mitigations—increasing the risk for vehicle crashes, severe injuries, and even deaths. There is no question that the absence of airbag warning labels could result in children being seated in the front passenger seats, where the child would be at greater risk in an accident than if placed in a back-row seating position. The lack of CNG container labeling could obviously result in improper use of CNG containers resulting in a fire or explosion.

NAMIC is supportive of the Notice as another positive step in the possible range of safety data collection and reporting. NAMIC applauds the Notice as worthwhile action by NHTSA, and strongly urges NHTSA to consider proposing more wide and extensive auto safety data recording and reporting.

If you have any questions or require further information, please contact me at tkarol@namic.org. Thank you for your time and consideration.

A handwritten signature in blue ink, appearing to read 'Thomas J. Karol', with a large, sweeping initial 'T'.

Thomas J. Karol

General Counsel – Federal
National Association of Mutual Insurance Companies