



ZERO EMISSION
TRANSPORTATION
ASSOCIATION

June 14, 2024

Ms. Sophie Shulman
Acting Administrator
National Highway Traffic Safety Administration
United States Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

**RE: Docket No. NHTSA-2024-0012
Federal Motor Vehicle Safety Standards; FMVSS No. 305a Electric-Powered
Vehicles: Electric Powertrain Integrity Global Technical Regulation No. 20,
Incorporation by Reference**

Submitted via Rulemaking Portal: <http://www.regulations.gov>.

The Zero Emission Transportation Association (ZETA) is an industry-backed coalition of member companies advocating for 100% electric vehicle (EV) sales. ZETA is committed to enacting policies that drive EV adoption, create hundreds of thousands of jobs, dramatically improve public health, and significantly reduce emissions. Our coalition spans the entire EV supply chain including vehicle manufacturers, charging infrastructure manufacturers and network operators, battery manufacturers and recyclers, electricity providers, and critical minerals producers, among others.

We thank the Department of Transportation's (DOT) National Highway Traffic Safety Administration (NHTSA) for the opportunity to comment on its proposal to create Federal Motor Vehicle Safety Standard (FMVSS) 305a as it relates to EVs and EV battery safety.¹ ZETA and its member companies stand by the safety of their products and believe that uniformity of safety standards across jurisdictions will benefit the broader EV industry. We applaud and support NHTSA for its effort to bring U.S. safety regulations into further harmonization with global standards—standards which were developed through a rigorous engagement process.² We believe the proposed rule is thoughtfully drafted and will provide automakers with clear and objective rules governing battery safety standards and testing procedures. We do, however, believe there are a few minor elements of the proposal that could benefit from additional NHTSA clarification in the final rule. We discuss these in further detail below.

¹ 89 Fed. Reg. 26704 (April 15, 2024)

² <https://unece.org/fileadmin/DAM/trans/main/wp29/wp29wgs/wp29gen/wp29registry/ECE-TRANS-180a20apple.pdf>

Component-Level Testing

ZETA recommends that NHTSA allow both component-level and vehicle-level testing for REESS safety requirements in order to ensure flexibility among manufacturers while still maintaining integrity and rigor in testing procedures. There may be instances where component-level testing would make more practical sense than vehicle-level testing and vice versa. Additionally, automakers who have historically performed component-level REESS testing could face hurdles in transitioning to vehicle-level testing, including changing logistics, higher costs, and lack of testing equipment availability. ZETA believes that in certain circumstances component-level testing would not impact the stringency or accuracy of the REESS test procedures, but would allow for a more seamless transition to the new FMVSS No. 305a.

ZETA also recommends that NHTSA allow automakers to specify their own boundary conditions for component-level testing. Each vehicle model is different, and conditions such as mounting points and load conditions should reflect the conditions in each vehicle model rather than a one-size-fits-all standard. Allowing for a range of boundary conditions specific to the vehicle model would enable more efficient, flexible, and accurate testing procedures.

Thermal Event Warning

ZETA commends NHTSA for its thermal event warning requirements, which will ensure sufficient warning is given to drivers in the event of a hazardous thermal runaway. In the past, however, heater-activated thermal runaway tests have faced long delays between initiating the heater and the actual triggering of thermal runaways and in some cases did not propagate beyond the initiating single cell. ZETA therefore recommends that the timing requirement for the audio-visual warning system be based on time since initiation of a propagating thermal runaway, rather than time since activation of the heater. This would ensure that warning systems are not held to higher standards than intended in the case of a non-propagating thermal runaway or one needing significant time for propagation.

Emergency Response Guide Requirements

ZETA supports NHTSA's proposed Emergency Response Guide (ERG) requirements, which will help educate first and second responders around the country in use and handling of EVs. We encourage NHTSA to continue working with industry stakeholders moving forward to ensure that ERG format and information requirements are reflective of current international and industry best practices.

Conclusion

ZETA and our member companies appreciate your consideration of the points raised in these comments. We have also encouraged our member companies to submit comments in their

individual capacities and we urge NHTSA to give their feedback full consideration as well. If you have any questions or concerns, please contact me at al@zeta2030.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'AG', with a long horizontal flourish extending to the right.

Albert Gore
Executive Director
Zero Emission Transportation Association