

United States Senate

WASHINGTON, DC 20510

April 12, 2018

Ms. Heidi King
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Deputy Administrator King,

We write to inquire about the status of several crucial automobile safety rulemakings, which the National Highway Traffic Safety Administration (NHTSA) has failed to implement by its statutory deadlines.

For decades, Congress has worked on a bipartisan basis to enact laws to improve automobile safety and reduce vehicle-related fatalities. Many of these laws direct NHTSA to establish safety standards, which the agency is responsible for implementing and enforcing. These acts of Congress cannot have their life-saving impact if they are not actually implemented. We urge you to implement these provisions without delay.

Unfortunately, over the past few years, NHTSA has missed several key statutory deadlines for the development of these rules, and we are concerned that the agency's inaction has put drivers, passengers, and the public at risk. Specifically, NHTSA has missed ten key statutory rulemaking deadlines under the 2012 Moving Ahead for Progress in the 21st Century Act (MAP-21) and the 2015 Fixing America's Surface Transportation (FAST) Act. The following is a list of several statutorily mandated, yet incomplete, rulemakings that could improve the safety of our nation's roads:

DUE October 1, 2014 and mandated in MAP-21

- **Motorcoach Rollover Structural Integrity (Sec. 32703(b)(1))**, which would increase the strength of motorcoach roofs to prevent serious occupant injury or death in rollover crashes.
- **Motorcoach Anti-Ejection Countermeasures (Sec. 32703(b)(2))**, which would enhance the resilience of motorcoach doors and windows to prevent occupant ejection.
- **Side Impact Requirements for Child Restraint Systems (Sec. 31501(a))**, which would improve the safety of child seats.

DUE October 1, 2015 and mandated in MAP-21

- **Improved Child LATCH Restraint System (Sec. 31502)**, which would make it easier to use the anchors and tethers needed to secure child's seats.
- **Rear Seat Belt Reminders (Sec. 31503)**, which would provide safety belt use reminders for rear seats.

DUE August 29, 2016 and mandated in FAST Act

- **Notification of Vehicle Safety Recalls Via Electronic Means (Sec. 24104)**, which would require manufacturers of motor vehicles or replacement equipment to notify consumers of recalls via electronic means, including email, social media, or targeted online campaigns.

DUE December 4, 2016 and mandated in FAST Act

- **Updating Tire Pressure Monitoring Regulations (Sec. 24115)**,¹ which would help prevent the unintentional resetting of tire pressure monitoring systems to unsafe pressure levels without alerting the driver.
- **Corporate Responsibility For NHTSA Report (Sec. 24112)**, which would mandate that a senior official responsible for safety must certify that the information being submitted in a safety defect or compliance investigation is accurate and comprehensive.
- **Crash Avoidance Technologies on Vehicle Label (Sec. 24322)**, which would ensure that crash avoidance information, such as forward collision warnings, is prominently displayed at the point of sale.²

DUE June 4, 2017 and mandated in FAST Act

- **Retention of Safety Records by Manufacturers (Sec. 24403)**, which would ensure manufacturer of motor vehicles or motor vehicle equipment retain safety critical records for at least ten years.

To better understand the cause for these missed deadlines, the status of the rulemakings, and the expected completion dates, we respectfully request that, for each of the above listed rulemakings, you answer the following questions by May 1st, 2018.

1. Why did NHTSA miss the statutory deadline for the rulemaking?

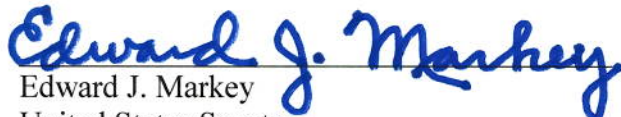
¹ A proposed rule was statutorily required to be published no later than December 4, 2016.

² Safety Through Informed Consumers Act S. 1535, 2015

2. What is the current stage of the rulemaking process and when does NHTSA expect to progress to the next stage?
3. When does NHTSA expect to issue a final rule?

Thank you for your attention to these important safety issues. If you have any questions about this request, please have your staff contact Daniel Greene of Senator Markey's staff at 202-224-2742.

Sincerely,


Edward J. Markey
United States Senator


Richard Blumenthal
United States Senator