Alliance OF AUTOMOBILE MANUFACTURERS

August 13, 2004

Jacqueline S. Glassman, Esq.
Chief Counsel
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Ms. Glassman:

RE: Request for Comments on Draft Interpretations of FMVSS No. 108, NHTSA Docket No. 03-15651, 68 Fed.Reg. 42454 (July 17, 2003)

The Alliance of Automobile Manufacturers, whose members are BMW Group, DaimlerChrysler, Ford Motor Company, General Motors, Mazda, Mitsubishi Motors, Porsche, Toyota and Volkswagen, is writing to supplement our October 31, 2003 response to the Request for Comments on two draft interpretations of FMVSS No. 108 that was published in the Federal Register on July 17, 2003.

In particular, one Alliance comment appears to have given the Agency the impression that vehicle electrical systems are designed to accommodate any electrical load imposed by any replacement lamp which utilizes light sources different than those supplied as original equipment.

> "In the context of using different light sources in replacement lamps, NHTSA raised concerns about the potential that replacement lighting equipment incorporating different light sources could present a risk of overloading the vehicle electrical system or a risk of fire. The Alliance submits that the risk of overloading the vehicle electrical system or causing a fire is not inherent to whether the light source matches the one selected by the vehicle manufacturer but rather is a function of proper circuit design and protection and robust lamp design. In any event, NHTSA has ample authority under its safety defect responsibilities to address any such problem of electrical overload or fire presented by replacement lighting equipment, should it actually arise."

The intent of the previous comments by the Alliance was to indicate replacement lighting equipment incorporating different light sources do not necessarily present a risk of overloading the vehicle electrical system or a risk of fire. Vehicle manufacturers design electrical circuits and their protection features to accommodate some variation in electrical load, but cannot be expected to design the electrical system to accommodate any and all electrical loads that could possibly be imposed by replacement lighting equipment. In general, light sources that impose a smaller, or similar electrical load than the original equipment light sources would present little risk of overloading the vehicle electrical system.

Conversely, light sources that impose a larger electrical load than the original equipment light sources, or grossly modify the original electrical architecture may present a greater risk of overloading the vehicle electrical system. The risk of overloading the vehicle electrical system is dependent on the interaction between the specific circuit design, its protection and the modified electrical load, or electrical architecture imposed by the replacement lighting equipment.

The intent of our previous comments was reiterated in our response to specific questions in the Request for Comments.

1. *May a lamp manufacturer design a replacement lamp to use a different wattage bulb, such as switching from an 1157 to a 2057?*

Alliance Response: The Alliance believes that most lamps can tolerate some variation in wattage without adversely affecting performance, and that FMVSS No. 108 should not be interpreted to preclude the use of different wattage bulbs in replacement lamps (as long as the replacement lamp continues to meet all performance and operating requirements of FMVSS 108 in the system installation.

3. *Some manufacturers of replacement lamps are completely changing the bulbs used including wattage, color and base type by including a replacement wiring harness and sockets. Is this permitted?*

Alliance Response: As long as the replacement lamp meets all of the applicable FMVSS 108 specifications and operating and performance requirements in the system installation, there should be no reason to preclude the replacement lamp from providing a different bulb wattage, color, base and/or wiring harness and sockets.

It should be noted that a smaller electrical load than the original equipment light sources could render inoperative the vehicle's compliance to FMVSS 108 paragraph S5.5.6, turn signal lamp outage indication.

As stated in our October 31, 2003 response, the Alliance urges NHTSA to conduct rulemaking to amend the standard, rather than use the interpretation process to make such a significant change in the standard that would have such broad implications for the lighting sector of the motor vehicle industry.

Sincerely,

Robert Strassburger
Vice President, Safety and Harmonization
Alliance of Automobile Manufacturers