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March 22, 2001

NHTSA-2001-8677-55

National Highway Traffic
Safety Administration
Docket Management
Room PL-401
400 Seventh Street, SW
Washington, DC 20590

Docket No. NHTSA 2001-8677; Notice 1 RIN 2127-A125

Dear Sir or Madam:

In the Federal Register of January 22, 2001 the National Highway Traffic Safety Administration (NHTSA) published an Advanced Notice of Proposed Rulemaking (ANPR) requesting comments on ways in which NHTSA could implement the "early warning requirements" of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act. Am-Safe Commercial Products, Inc. (AMSAFE) manufactures seat-belt systems for segments of the automotive industry.

AMSAFE has reviewed the ANPR and hereby submits comments on certain matters raised by the ANPR.

AMSAFE supports the purposes of the TREAD Act to enhance public safety and establish a system which will provide a more rapid recognition of potential safety-related problems.

Scope of Rule

The scope of the rule is important in ensuring its effective and efficient implementation. This can be accomplished through focusing on equipment which is safety-related or subject to a Federal Motor Vehicle Safety Standard (FMVSS).

Information To Be Reported

Warranties

AMSAFE believes a threshold needs to be established for submitting warranty information. In addition, we have in the past elected to complete a warranty program for a

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customer on a “commercially required” basis in order to retain the customer when we did not believe our product had any cause for the warranty claim. There needs to be mechanics in any new standard to recognize customer accommodation services.

Except for serious injury or death reports, we believe reporting should be subjected threshold levels to be determined as a percentage of quantity produced.

Any threshold level for reporting, other than serious injury or death, should be around the 5%-10% level of product produced by the manufacturer.

Internal Investigation

AmSafe does not believe reporting in this category is appropriate since it is the continuous review of products and improving them that is a standard operating procedure. Adding a formal reporting requirement to NHTSA for these activities will generate information that will be overwhelming and provide little useful information. We complete adequate testing (including independent testing) of all our products before they are sold to ensure they meet all requirements. Over the life span of these products, we may make numerous changes to improve their performance. Reporting on these improvements is unnecessary and not in scope of the intent of what NHTSA is trying to accomplish.

Identical/Substantially Similar Definitions

This is an issue of very serious concern to us. We find it difficult to accept that it should be our responsibility to report on same or “similar” component or product of a proprietary nature used by the supplier in his own right or by competitors from the same supply source. One cannot be expected to even be aware of this information. Similarly, if we in turn as suppliers are several tiers removed from the end user, then difficulties will exist in being aware of this information and in accepting the responsibility for reporting such. We feel that only information generated as a direct result of our own activity should be required to be reported.

Regulatory Burden

At this time it is difficult to compute the cost of complying with this section. However, there would be costs associated with the following:

Start Up

Possible acquisition of data management tools (software).
Training of the appropriate ASCP personnel.

On-Going

Hiring the necessary personnel to manage these requirements-we believe it would be at least a full time job, increasing our current headcount by more than 15%.



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AmSafe appreciates the opportunity to comment on the ANPR and to provide its views.

Respectfully,

A handwritten signature in black ink, appearing to read "Joe J.", with a long horizontal stroke extending to the right.