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TO: DIRECTOR, NHTSA
FROM: GUY DORLEANS

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NHTSA, Docket Management Facility
US D.O.T
400, Seventh Street SW
Room PL-401
Washington DC 20590-001
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NHTSA Docket 03-15651

Dear Sirs,

The following is Valeo's reply to your request for comments published by your Administration on July 17th, 2003 in the Federal Register Volume 68, No 137. Valeo is a company that manufactures headlamps and signaling lamps for both OEM and after sales markets.

Draft interpretation 1. Answer to Calcoast.

In principle Valeo supports the position of your Administration: a replacement part must offer the same functions as the part it may replace. The words "same functions" must be understood as functions of the same name, present in the same number. But it cannot be understood as a necessity to provide exactly the same lighting values. It is generally understood that a replacement part for a broken part must be the same in shape and dimension, but some parts are sold to allow the vehicle owner to improve the lighting and signaling capabilities of their vehicle. These later parts are either more efficient, with higher lighting values, or look different and better.

Valeo suggests that the answer of your Administration be broken down into two categories:

Replacement parts, to which Valeo agrees strictly speaking with your interpretation, or
Adaptable parts, to which some degree of design and cosmetic flexibility must be granted.

It is undoubtedly true that adaptable parts (often sold in kits for the complete vehicle) must be accompanied by complete and thorough explanations, should these kits modify the features the vehicle had when it was certified. More precisely in the case of the replacement part for the rear of the Honda Civic, a warning should have been made available to the user on the need to install a conforming replacement reflex reflector in the same place as the original one.



You note in your request for comment that "... someone might install the replacement outboard lamps only, thus causing the vehicle to lose the reflex function entirely". Valeo concurs that such a modified vehicle would violate the FMVSS 108.

Valeo believe that the vehicle or headlamp manufacturer is free to put on the market adaptable parts that knowingly modify the vehicle, as long as the functionality is maintained and relevant warnings and explanations are readily available. The situation you depict refers to a faulty use of a good part. This does not induce the responsibility of the vehicle or headlamp manufacturer who does not in turn deserve to see his right to do business being restricted.

Valeo urges the NHTSA to reconsider its interpretation.

Draft interpretation 2.

The same distinction as above appears to be relevant:

Replacement parts	intended for repair purpose
Adaptable parts	often used in complete kits by automobile enthusiasts

For replacement parts, Valeo agrees with your interpretation. Kits of the adaptable part must be dealt with differently. It is the responsibility of the kit manufacturer to carefully evaluate the ability of the said kit to fit and perform to the specific vehicle, for which it has been designed. The "must fit" demand is not restricted to geometrical and dimensional consideration. All aspects of a good design must be taken into account: electrical consumption, electromagnetic compatibility, temperature, durability, fuel efficiency, etc ...

It is the responsibility of the manufacturer to devote sufficient time and care to the design and manufacture of the kit, especially if the new design incorporates light source changes.

Reputable manufacturers include in the kits, complete and thorough instructions for installation. The instructions list the advantages and the installation difficulties, as well as indicating the short list of the specific vehicles in which they can be fitted. In recent years, the tendency has been to restrict the adaptability of a given kit to only one specific vehicle, thus restricting the possibility of misuse.

Valeo urges the NHTSA to reconsider its interpretation.

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Valeo also wishes to call to NHTSA's attention the heavy consequences these stringent interpretations may have on business. On the ground that some parts should not have been placed on the market, an across-the-board prohibition of style-intensive and/or of style-enhancing kits would create a strong prejudice to the activities of bona fide manufacturers, depriving them from revenue and depriving the owners of the pleasure to improve -safely- their vehicles.

Do not hesitate to contact me should further information be needed.

Guy Dorleans
International and Regulatory affairs Manager