

INSURANCE INSTITUTE FOR HIGHWAY SAFETY

December 1, 2008

David Kelly
Acting Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE, West Building
Washington, DC 20590

Notice of Proposed Rulemaking: 49 CFR Part 571 Federal Motor Vehicle Safety Standards, Motorcycle Helmets; Docket No. NHTSA-2008-0157

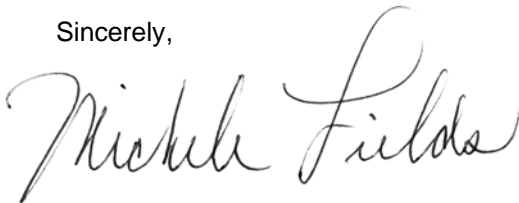
Dear Mr. Kelly:

On October 2, 2008, the National Highway Traffic Safety Administration (NHTSA) proposed amendments to Federal Motor Vehicle Safety Standard (FMVSS) No. 218, Motorcycle Helmets. The Insurance Institute for Highway Safety (IIHS) supports the proposed labeling amendments and suggests a way to further strengthen them.

IIHS supports the proposed requirement that the label certifying compliance with federal standards be a water decal placed beneath the helmet's clear coating. This requirement would facilitate enforcement of state helmet laws by making counterfeit labels used on novelty helmets easy to distinguish from legitimate certifications. It also would reduce the potential for consumers to mistake novelty helmets with counterfeit labels for FMVSS-certified motorcycle helmets.

The proposal requires the label to name the manufacturer, the model of the helmet, and the DOT symbol followed by the word "certified," and provides several examples of complying designs. IIHS agrees that specific language on the label indicating that the helmet meets federal requirements is essential. However, we do not agree with NHTSA's conclusion that adding the word "certified" is sufficiently unambiguous to deter counterfeit labeling. Instead, we recommend that the label include a specific reference to FMVSS 218 so that counterfeiters cannot maintain that the label has any meaning other than that the helmet is certified as compliant with FMVSS 218.

Sincerely,



Michele Fields
General Counsel

cc: Docket Clerk, Docket No. NHTSA-2008-0157