

INSURANCE INSTITUTE FOR HIGHWAY SAFETY

September 10, 2002

The Honorable Jeffrey W. Runge, M.D.
Administrator
National Highway Traffic Safety Administration
400 Seventh Street, S.W
Washington, D.C. 20590

**Notice of Proposed Rulemaking
Federal Motor Vehicle Safety Standard 500; Low-Speed Vehicles
Docket No. NHTSA 2002-12538**

Dear Dr. Runge:

The National Highway Traffic Safety Administration (NHTSA) has proposed amendments to Federal Motor Vehicle Safety Standard 500 aimed at alerting drivers of low-speed vehicles (LSVs) to the hazards associated with driving on roads with conventional motor vehicles. The Insurance Institute for Highway Safety supports the proposed rulemaking as a step toward making LSVs more apparent through reflective devices. However, the Institute believes the proposed rulemaking does not go far enough to reduce the hazards of driving LSVs on public roads.

The very light weight of LSVs and the lack of adequate protection for their occupants in the event of collisions with larger, heavier vehicles makes it imperative to reduce the likelihood of such crashes on city streets. Improved conspicuity will help in this regard.

Although NHTSA's efforts to warn potential buyers and operators of the dangers of operating LSVs in typical urban traffic is commendable, the proposed warning label itself -- "WARNING: LOW-SPEED VEHICLE with MINIMAL safety equipment compared to motor vehicles" -- is likely to be inadequate. It will be obvious to any purchaser that LSVs lack the safety features available in most motor vehicles. At the same time, the warning label fails to make the most important point, which is that the safe operating environment for these vehicles is extremely limited. The Institute suggests the following alternative label: "WARNING: This vehicle is a LOW-SPEED VEHICLE and it should only be used in low-speed and low-density traffic. Occupants of this vehicle face a significant risk of serious injury or death in collisions with larger vehicles." This stronger warning might reduce the use of LSVs on busier urban streets.

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Further, NHTSA should produce guidelines for states regarding what roads would be appropriate for LSVs. Seventeen states (Arizona, California, Colorado, Florida, Georgia, Hawaii, Iowa, Michigan, Nevada, New York, North Carolina, North Dakota, Oklahoma, Oregon, Tennessee, Utah, and Virginia) have laws allowing LSVs on public streets with speed limits up to 35 mph. Kansas allows LSVs on streets with speed limits up to 40 mph. Twenty-seven states have not enacted any specific laws on LSVs, but their current laws allow the vehicles to be driven on public streets. Even on roads with speed limits of 25 mph, travel speeds of 30+ mph are common. Collisions between cars, utility vehicles, or pickups and LSVs at such speeds can be catastrophic for the LSV occupants, so using speed limits as the sole criterion for determining where LSVs can be operated -- as many states do -- is not sufficient. It allows LSVs on roads that are potentially very dangerous. Yet there are only six states (Connecticut, Idaho, Maine, Minnesota, Washington, and Wisconsin) where LSVs currently are prohibited from public streets.

NHTSA notes that it is "not proposing any performance specifications in this document because of time considerations" (67 FR 46150). Stating that there may be a rapid increase in LSVs on roads due to zero emission vehicle mandates in states such as California, the agency says it needs to propose a rule that could be implemented quickly. Based on recent press accounts, the Institute agrees. However, in addition to this limited rulemaking, NHTSA needs to produce guidelines specifying the traffic environments in which LSVs can be driven safely.

Sincerely,



Adrian K. Lund, Ph.D.
Chief Operating Officer

cc: Docket Clerk, Docket No. NHTSA 2002-12538