



USG 1341

Environmental Activities Staff
General Motors Corporation
General Motors Technical Center
Warren, Michigan 48090

October 28, 1975

Dr. James B. Gregory
Administrator
National Highway Traffic Safety
Administration
Nassif Building
Washington, DC 20590

Dear Dr. Gregory:

Transmitted herewith is a Petition for Amendment of Motor Vehicle Safety Standard No. 301, Fuel System Integrity, to specify that trailer hitches are to be removed when conducting the impact tests required by the standard. The Administrator's prompt action on this petition would be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "David E. Martin".

David E. Martin, Director
Automotive Safety Engineering

mdm
attach.

GENERAL MOTORS CORPORATION
PETITION FOR AMENDMENT
OF
MOTOR VEHICLE SAFETY STANDARD 301
FUEL SYSTEM INTEGRITY
PASSENGER CARS, MULTIPURPOSE PASSENGER VEHICLES
TRUCKS AND BUSES (OF 10,000 POUND GVWR OR LESS)

Description

General Motors hereby petitions the National Highway Traffic Safety Administration to amend Federal Motor Vehicle Safety Standard 301, Fuel System Integrity, to specify that trailer hitches are to be removed when conducting the impact tests required by the standard.

Introduction

In a meeting with NHTSA representatives in Washington on March 20, 1975, the NHTSA advised GM that vehicle manufacturers would be responsible for compliance with the rear moving barrier impact requirements of §6.2 of MVSS 301 with trailer hitches installed on vehicles in those situations where trailer hitches are offered as factory-installed or factory-approved dealer-installed options or accessories on such vehicles.

General Comments

General Motors believes the rear moving barrier requirements of MVSS 301 should not require testing with trailer hitches installed on the vehicle for the following reasons. First, a study of accident data available to GM fails to reveal any burn injuries or deaths attributed to penetration of the fuel system by a trailer hitch. Second, vehicle manufacturers market only 5% of all trailer hitches sold, therefore, the effect of our trailer hitch designs which would be needed to meet the

standard could not be detected in overall field performance. Third, since our sales are such a small portion of the market, a regulation that requires evaluating fuel system integrity with trailer hitches installed is discriminatory and places us at a severe marketing disadvantage. Fourth, the test as currently described is unrealistic with regard to evaluating the effect of trailer hitches on fuel system performance.

Discussion

a. Field Accident Statistics

As the NHTSA is well aware, the amount of field data available for studying fire fatalities and burn injuries is very limited. However, of approximately 7392 injury producing field accident cases* available to GM, there is not a single fatality or a burn injury involving a vehicle with a trailer hitch.

b. Standard's Effectiveness

Vehicle manufacturers account for only approximately 5% of all trailer hitches sold. Therefore, even if field data indicated that trailer hitch equipped vehicles increased the probability of a fuel leak and potential fire in a rear end accident, requiring vehicle manufacturers to test with trailer hitches installed would not materially affect the field accident situation. With the large percentage of the trailer hitch market dominated by non-vehicle manufacturers, we believe a standard that applies only to vehicle manufacturers would be ineffective and unfair.

c. Test Conditions

The rear impact test for MVSS 301 consists of impacting the test vehicle at 30 mph with a rigid flat faced moving barrier. The barrier face is 78 inches wide, 60 inches high, with a 5 inch ground clearance height. When considering how vehicles

*MIC data collected from 1972 to 1974 which are current model GM vehicles insured by MIC.

deform in actual car-to-car collisions, it is obvious that a rigid flat faced moving barrier would put an unrealistic concentrated load on a trailer hitch. Therefore, the lack of correlation between MVSS 301 rear moving barrier tests and the impacting of trailer hitches in "real world" collisions could result in vehicle manufacturers making costly modifications which would not be effective in field accident situations.

Conclusions

Therefore, considering 1) that GM field accident data does not contain a single injury or death caused by fuel system penetration by a trailer hitch, 2) the fact that vehicle manufacturers make only a small percentage of the trailer hitches installed on vehicles, and 3) the lack of field relevance of the rear moving barrier test with a trailer hitch installed; it can be concluded that allowing manufacturers to test vehicles to MVSS 301 without trailer hitches installed would not create an unreasonable risk to motor vehicle safety.

GM further believes that §108(b) of the Safety Act, as amended, does not preclude the Administrator from amending MVSS 301 as we have suggested. §108(b) states in part:

The Secretary may . . . amend or repeal such standard if he determines such amendment or repeal will not diminish the level of motor vehicle safety.

Our review of the legislative history of 1974 Amendments to the Safety Act reveals that Congress did not intend to restrict

the Administrator's freedom to amend MVSS 301 when he felt such amendment was necessary. As Representative Moss noted in remarks on the House floor:

All this amendment does is to take the currently proposed rule, which the Department of Transportation has developed after considerable research and order it to become effective by law. It does not block the Secretary from modifying standards in the future . . . 120 Cong REC H 8129 (daily ed. Aug. 12, 1974).

Since Congress did not mean to restrict the Administrator's authority to amend MVSS 301 and the only purpose of §108 was to make MVSS 301 "effective by law", GM believes our showing that the removal of trailer hitches before conducting MVSS 301 rear moving barrier impacts would not create an unreasonable risk to motor vehicle safety meets the requirement of §108(b) which specifies that the Administrator show that an amendment "will not diminish the level of motor vehicle safety" before MVSS 301 can be amended or repealed.

For these reasons General Motors petitions the NHTSA to amend MVSS 301 to allow removal of trailer hitches when the impact tests required by the standard are conducted.

NOTICES

National Highway Traffic Safety
Administration

JEEP CORP. ET AL

Denials of Petitions To Commence
Rulemaking

This notice sets forth the reasons for denial of three petitions for rulemaking to initiate or amend Federal motor vehicle safety standards promulgated under authority of § 103 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1391 et seq.). This notice is published in accordance with § 124 of the Act, which provides that the National Highway Traffic Safety Administration must grant or deny such petitions within 120 days, and "If the Secretary denies such petition he shall publish in the FEDERAL REGISTER his reasons for such denial" (§ 124(d)).

Jeep Corporation. (October 16, 1975). Petition to amend the present definition of "unloaded vehicle weight" in § 571.3 of Part 571 of Title 49 of the Code of Federal Regulations. Jeep's petition was denied because the NHTSA concluded that the decision to include work-performing accessories in calculation of unloaded

vehicle weight for test purposes should be made on a standard-by-standard basis, not generally as part of the definition of unloaded vehicle weight.

Freightliner Corporation (February 9, 1976). Petition to suspend the effectiveness of Standard No. 121, *Air Brake Systems*, and to commence rulemaking to reduce the emergency and parking brake requirements for trucks and buses, and to delete all service brake stopping-distance, brake timing, and dynamometer requirements, as well as all emergency and parking brake requirements for trailers. Freightliner's petition was denied because the NHTSA has determined that the accident record of heavy vehicles equipped with air brakes supports improvement of braking and directional control, and that the existing Standard No. 121 specifies such improved braking performance.

General Motors Corporation (October 28, 1975). Petition to amend Standard No. 301-75, *Fuel System Integrity*, to permit the removal of trailer hitches before testing a vehicle for compliance with the rear moving barrier crash requirements. General Motors' petition was denied because the agency concludes that the level of protection provided by Standard No. 301-75 should be met in all vehicles subject to the standard with whatever optional equipment is installed on the vehicle at the time of sale.

(Secs. 103, 119, Pub. L. 86-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); Sec. 106 Pub. L. 93-492, 88 Stat. 1482 (15 U.S.C. 1410); delegations of authority at 49 CFR 1.50 and 49 CFE 501.8.)

Issued on April 8, 1976.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

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