



**Comments of the
Motor & Equipment Manufacturers Association
to the
Federal Motor Carrier Safety Administration
RE: Notice of Proposed Rulemaking; Parts and Accessories Necessary
for Safe Operation; Authorized Windshield Area for the
Installation of Vehicle Safety Technology
Docket No. FMCSA–2021–0037
August 5, 2021**

The Motor & Equipment Manufacturers Association (MEMA) submits these comments to the Federal Motor Carrier Safety Administration (FMCSA) on its notice of proposed rulemaking (NPRM) to amend 49 CFR Part 393 as cited above.

MEMA represents more than 1,000 vehicle suppliers that develop innovative technologies and manufacture original equipment and aftermarket components and systems for use in passenger cars and commercial trucks.¹ MEMA represents its member companies through four divisions,² one of which is the Heavy Duty Manufacturers Association (HDMA). A typical commercial motor vehicle (CMV) contains more than 30,000 components and subsystems, the majority of which are developed through supplier innovation. Heavy duty motor vehicle suppliers are the key producers of critical advanced driver assistance systems (ADAS) and other safety technologies to avoid or mitigate vehicle crashes.

Broadly speaking, MEMA supports the FMCSA's proposal to increase the area within which certain vehicle safety technology devices may be mounted on the interior windshields of CMVs. The industry has long awaited such a revision to these rules. This action enhances safety, reduces exemption petitions, provides regulatory certainty for manufacturers and operators, and offers clarity for law enforcement. Thus, MEMA encourages FMCSA to proceed with finalizing this rulemaking as proposed.

¹ This industry operates in all 50 states, directly employs 907,000 people, and is the largest sector of manufacturing jobs in the United States. Direct, indirect, and induced vehicle suppliers' employment accounts for over 4.8 million U.S. jobs and contributes 2.5 percent to U.S. GDP.

² MEMA represents its member companies through its four divisions: Automotive Aftermarket Suppliers Association (AASA); Heavy Duty Manufacturers Association (HDMA); MERA - The Association for Sustainable Manufacturing; and Original Equipment Suppliers Association (OESA).

Specifically, MEMA's response to the agency's questions presented in the NPRM are as follows:

1. *Does the definition of vehicle safety technology need to be expanded further to address other potential technologies and/or multifunction devices such as electronic logging devices that incorporate technologies such as GPS that either require placement in the approximate middle of the CMV windshield or would benefit driver safety by not diverting the CMV driver's eyes from the road and would be subject to the positioning requirements of § 393.60(e)(1)?*

MEMA supports the FMCSA's proposed definition. MEMA recommends that the agency ensure that the windshield space allocation is prioritized for safety systems, such as crash avoidance and mitigation technologies, that require a clear and clean windshield in order to operate properly and effectively, as opposed to systems that can function effectively from other positions on the vehicle. For instance, a forward-looking camera must be within the swept area of the windshield wipers, whereas other equipment, for example a GPS unit that does not require a forward view, may be a potential distraction to the driver if mounted in the designated area.

In other words, the space designated by FMCSA as applicable for mounting devices on the windshield should not be construed as the "effective operational area" of non-safety related devices. Vehicles built (or subsequently retrofitted by the vehicle manufacturer or authorized supplier) with safety technologies that utilize windshield-mounted equipment are designed to work with the device mounted precisely where it is located. Any movement to accommodate other devices in the acceptable space may reduce, limit, or negate effectiveness of the safety system. Items such as camera offset, vehicle parameters and initial calibration, are critical to functions like automatic emergency braking, lane departure warning, and lane keeping assistance.

2. *Would the proposed position of allowable vehicle safety technologies (not more than 8.5 inches below the upper and 7 inches above the lower edge of the swept area of the windshield) be sufficient for current and developing devices?*

MEMA supports the FMCSA's proposal in the NPRM as the area designated appears to be sufficient for a typical over-the-road truck tractor. For additional consideration, MEMA suggests FMCSA further evaluate whether the area is sufficient for all vehicle types covered in the scope of the regulation. For instance, there may be large window applications where the dimensions may be limiting or not applicable (*e.g.*, tractors with split windshields, refuse trucks, motorcoaches, and school buses).

MEMA appreciates the opportunity to provide this feedback to FMCSA. If you have additional questions or would like more information, please contact Leigh Merino, vice president of regulatory affairs at lmerino@mema.org.