

[Products Liability Law Daily Wrap Up, FINAL RULES—MOTOR VEHICLES—Effective, compliance dates for ‘quiet cars’ sound requirements set by NHTSA, \(Dec. 14, 2016\)](#)

Products Liability Law Daily Wrap Up

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February 13, 2017, has been set as the effective date for the National Highway Traffic Safety Administration's safety standard that requires all newly-manufactured hybrid and electric light vehicles to make audible noise when traveling in reverse or forward at low speeds. The new standard, Federal Motor Vehicle Safety Standard No. 141, *Minimum Sound Requirements for Hybrid and Electric Vehicles*, will help pedestrians, particularly those who are blind or have low vision, detect the presence, direction, and location of these quieter vehicles. NHTSA has set a phase-in compliance schedule, designating September 1, 2018, as the initial compliance date and requiring full compliance by September 1, 2019. Petitions for reconsideration of this final rule must be received by January 30, 2017 (*NHTSA Final Rule*, [81 FR 90416](#), December 14, 2016).

The Pedestrian Safety Enhancement Act (PSEA) of 2010 provides that NHTSA must establish performance requirements for an alert sound that is recognizable as a motor vehicle in operation so that blind and other pedestrians are able to detect a nearby electric vehicle or hybrid vehicle operating at lower speeds. Accordingly, the new standard requires all hybrid and electric light vehicles with four wheels and a gross vehicle weight rating of 10,000 pounds or less to make audible noise when traveling in reverse or forward at speeds up to 30 kilometers per hour (about 19 miles per hour). At higher speeds, the sound alert is not required because other factors, such as tire and wind noise, provide adequate audible warning to pedestrians. In its Environmental Assessment of the new standard, NHTSA reported that the noise impacts resulting from the sound requirements will be negligible to humans. Auto manufacturers must equip all new hybrid and electric vehicles with sounds that meet the new federal safety standard by September 1, 2019, and half of new hybrid and electric vehicles must be in compliance one year prior to the final deadline.

The new safety standard, described by NHTSA Administrator Dr. Mark Rosekind as a "common-sense tool," aims to prevent about 2,400 pedestrian injuries each year. The measure has been lauded by advocacy groups, including the American Council of the Blind and the National Federation of the Blind. According to Mark A. Riccobono, President of the National Federation of the Blind, "The full implementation of the Pedestrian Safety Enhancement Act of 2010 will protect all pedestrians, especially the blind, as well as cyclists. This regulation will ensure that blind Americans can continue to travel safely and independently as we work, learn, shop, and engage in all facets of community life."

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