



WORKGROUP ON QUIET ROAD TRANSPORT VEHICLES

17-19 JANUARY 2011

MUNICH, GERMANY

Pedestrian Safety Enhancement Act of 2010

Pedestrian Safety Enhancement Act of 2010

- Signed into law on January 4, 2010
- Directs the Secretary of Transportation “to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.”
- Rulemaking Required:
 - 18 months after the date of enactment – initiate rulemaking (NPRM)
 - NLT than 36 months after the date of enactment – put rulemaking in place

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The Secretary shall—

- (1) “determine the minimum level of sound emitted from a motor vehicle that is necessary to provide blind and other pedestrians with the information needed to reasonably detect a nearby electric or hybrid vehicle operating at or below the cross-over speed...”. Critical operating scenarios are “including, but are not limited to, constant speed, accelerating, or decelerating”
- (2) “determine the performance requirements for an alert sound that is recognizable to a pedestrian as a motor vehicle in operation ”
- 3) “consider the overall community noise impact ”

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The Secretary

- “shall require manufacturers to provide, within reasonable manufacturing tolerances, the same sound or set of sounds for all vehicles of the same make and model”
- “shall prohibit manufacturers from providing any mechanism for anyone other than the manufacturer or the dealer to disable, alter, replace, or modify the sound or set of sounds, except that the manufacturer or dealer may alter, replace, or modify the sound or set of sounds in order to remedy a defect or non-compliance with the motor vehicle safety standard. “

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- PHASE-IN REQUIRED
- DOT “shall establish a phase-in period for compliance”
- “shall require full compliance with the required motor vehicle safety standard for motor vehicles manufactured on or after September 1st of the calendar year that begins 3 years after the date on which the final rule is issued”
- REQUIRED CONSULTATION
- consult consumer groups representing individuals who are blind, auto industry reps, technical standardization organizations, and international organizations

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- DOT shall determine application of standard to conventional motor vehicles - 48 months after the date of enactment [**JANUARY 4, 2015**] of the Act
- In the event that the Secretary determines there exists a safety need, the Secretary shall initiate rulemaking to extend the standard to conventional motor vehicles.

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▪ DEFINITIONS:

- (1) the term “alert sound” (herein referred to as the “sound”) means a vehicle-emitted sound to enable pedestrians to discern vehicle presence, direction, location, and operation;
- (2) the term “cross-over speed” means the speed at which tire noise, wind resistance, or other factors eliminate the need for a separate alert sound as determined by the Secretary;
- (3) the term “motor vehicle ” has the meaning given such term in section 30102(a)(6) of title 49, United States Code, except that such term shall not include a trailer (as such term is defined in section 571.3 of title 49, Code of Federal Regulations);

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- (4) the term “conventional motor vehicle” means a motor vehicle powered by a gasoline, diesel, or alternative fueled internal combustion engine as its sole means of propulsion;
- (5) the term “manufacturer” has the meaning given such term in section 30102(a)(5) of title 49, United States Code;
- (6) the term “dealer” has the meaning given such term in section 30102(a)(1) of title 49, United States Code;
- (7) the term “defect” has the meaning given such term in section 30102(a)(2) of title 49, United States Code;

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- (8) the term “hybrid vehicle” means a motor vehicle which has more than one means of propulsion; and
- (9) the term “electric vehicle” means a motor vehicle with an electric motor as its sole means of propulsion.