

## DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety  
Administration

49 CFR Part 575

[Docket No. 82-20; Notice 1]

Consumer Information Regulations  
Operation of Utility Vehicles on Paved  
RoadwaysAGENCY: National Highway Traffic  
Safety Administration (NHTSA), DOT.

ACTION: Notice of proposed rulemaking.

**SUMMARY:** This notice proposed to add a new requirement to the Consumer Information Regulations for "utility vehicles," i.e., multipurpose passenger vehicles which have special features for occasional off-road operation. Some of these features cause utility vehicles to handle and maneuver differently from ordinary passenger cars under certain driving conditions. Making sharp turns or abrupt maneuvers when operating utility vehicles, even on paved roads, may result in loss of control. To ensure that drivers are aware of the handling differences between utility vehicles and passenger cars, the proposed amendment would require manufacturers to place a prescribed sticker on the windshield or dashboard to alert operators. The proposed new regulation would also require manufacturers to place information in the vehicle Owner's Manual concerning the proper method of on- and off-pavement driving for utility vehicles.

**DATES:** Comments on this notice must be received on or before February 14, 1983. Proposed effective date is 60 days after publication of final rule in the Federal Register.

**ADDRESS:** Comments should refer to the docket number and notice number of this notice and be submitted to: Docket Section, Room 5109, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Docket hours are from 8:00 a.m. to 4:00 p.m. (EDT), Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Mr. F. Cecil Brenner, Office of Market Incentives, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590 (202-426-1740).

**SUPPLEMENTARY INFORMATION:** This notice addresses a safety concern arising from the apparent lack of public awareness about the proper handling and operation of multipurpose passenger vehicles (defined in 49 CFR 571.3) which have special features for off-road operation or, more simply, "utility vehicles." These features typically

include relatively short wheelbase, a narrow track, high ground clearance, a high center of gravity, stiff suspension system, and four-wheel drive. Examples of utility vehicles in current production include: AMC Jeeps, Chevrolet Blazer, Ford Bronco, Plymouth Trail Duster, Dodge Ram Charger, VW Thing, Toyota Land Cruiser, and the GMC Jimmy.

Research indicated that utility vehicles are disproportionately more highly represented in rollover accidents than are passenger cars. A study conducted by the Highway Research Institute of the University of Michigan found that utility vehicles rollover at a rate at least five times higher than that experienced by the average passenger car. ("On-Road Crash Experience of Utility Vehicles", see NHTSA Docket 82-20.)

In addition, the same study and NHTSA fatal accident report data indicate that on a statistical basis, given a rollover accident, occupants are more likely to be killed in such vehicles than in passenger cars. Thus, the study indicated that the rates of death and disabling injury per accident could be twice as high with respect to utility vehicles.

Utility vehicles handle and maneuver differently from ordinary passenger cars under certain on-pavement driving conditions. For example, because of their higher center of gravity, narrower track and stiffer suspension, utility vehicles are more likely to roll over than passenger cars in case of sharp turns or abrupt maneuvers, even on paved roads and especially at high speeds. Sharp turns or abrupt maneuvers in these vehicles may result in loss of control or an accident.

The agency believes that these differences in safety statistics and apparent performance are due primarily to the lack of awareness by utility vehicle operators concerning the operational characteristics of vehicles with the design characteristics mentioned above, especially under conditions approaching the extreme limits of performance. The occurrence of accidents at observed rates is a clear indication that operators do not understand or appreciate the need for and methods of adjusting driving practice to compensate for the effects of the physical differences between their vehicles and passenger cars on the handling of their vehicles.

The agency has tentatively concluded that providing consumers with information about the handling of utility vehicles on paved roads would improve the safety record of those vehicles. Accordingly, the agency is proposing to

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add a new requirement to the NHTSA Consumer Information Regulations (49 CFR Part 575). The proposed amendment would require manufacturers to place a prescribed sticker on the windshield or dashboard of new utility vehicles to alert drivers concerning the special handling characteristics of those vehicles. Additionally, the proposed amendment would require manufacturers to include information in the vehicle Owner's Manual concerning the proper method of handling and maneuvering utility vehicles when driven on paved roads. The agency has recently reviewed the question of utility vehicle performance in connection with its review of a petition to open a defect proceeding with respect to a particular vehicle. The agency was unable to find that design characteristic of the subject vehicle alone warrant, based on evidence before the agency, opening of such a proceeding. This was concluded with respect to that vehicle, in light of the conclusion of related proceedings before the Federal Trade Commission and the agreement, by that manufacturer, to notify owners of existing vehicles, and provide for their use, such a label and warning as is contemplated herein, for application to new vehicles.<sup>1</sup>

NHTSA has examined the impacts of these proposed requirements and determined that this notice does not qualify as a major regulation within the meaning of Executive Order 12291 or as a significant regulation under the Department of Transportation regulatory policies and procedures. The agency has also determined that the economic and other impacts of this proposal are so minimal that a full regulatory evaluation is not required. The proposed requirement for a sticker and additional information in the vehicle Owner's Manual will result in only minimal costs to vehicle manufacturers and will not likely result in any cost to consumers.

The NHTSA has also considered the impacts of this proposal under the Regulatory Flexibility Act and hereby certifies that the proposed new requirements would not have a significant economic impact on a substantial number of small entities. As just discussed, the cost of the proposed requirements would be extremely small. Accordingly, there would be virtually no economic effect on any small organizations or governmental units which purchase utility vehicles. Moreover, few, if any, of the motor vehicle manufacturers would qualify as small entities.

Finally, the NHTSA has analyzed this proposal for purposes of the National Environmental Policy Act. The agency has determined that implementation of this action would not have any significant impact on the quality of the human environment.

Interested persons are invited to submit comments on the proposal. It is requested but not required that 10 copies be submitted.

All comments must be limited not to exceed 15 pages in length. Necessary attachments may be appended to these submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation (49 CFR Part 512).

All comments received before the close of business on the comment closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose, in the envelope with their comments, a self-addressed stamped postcard. Upon receiving the comments, the docket supervisor will return the postcard by mail.

#### List of Subjects in 49 CFR Part 575

Consumer protection, Labeling, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

(Secs. 103, 112, 119, 201, 203, Pub. L. 89-563, 80 Stat. 718, 725, 728 (15 U.S.C. 1392, 1401, 1407, 1421, 1423); delegation of authority at 49 CFR 1.50)

Issued on December 23, 1982.

Raymond A. Peck, Jr.,  
Administrator.

#### PART 575—[Amended]

In consideration of the foregoing, it is proposed that a new section 575.105 be added to 49 CFR Part 575, Consumer Information Regulations, to read as follows:

##### § 575.105 Utility Vehicles

(a) *Purpose and scope.* This section requires manufacturers of utility vehicles to alert owners that the particular handling and maneuvering characteristics of utility vehicles require special driving practices when those vehicles are operated on paved roads.

(b) *Application.* This section applies to multipurpose passenger vehicles which have special features for occasional off-road operation ("utility vehicles").

(c) *Required information.* Each manufacturer shall prepare and affix a vehicle sticker as specified in paragraph 1 of this subsection and shall provide in the vehicle Owner's Manual the information specified in paragraph 2 of this subsection:

(1) A sticker shall be affixed to the instrument panel, windshield frame or in some other location in each vehicle prominent and visible to the driver. The sticker shall be printed in a typeface and color which are clear and conspicuous. The sticker shall have the following or similar language:

This is a multipurpose passenger vehicle which will handle and maneuver differently from an ordinary passenger car, in driving conditions which may occur on streets and highways and off the road. As with other vehicles of this type, if you make sharp turns or abrupt maneuvers, especially at high speeds, you may lose control and crash. You should read driving guidelines and instructions in the Owner's Manual, and WEAR YOUR SEATBELTS AT ALL TIMES

The language on the sticker required by this paragraph may be modified as is desired by the manufacturer to make it appropriate for a specific vehicle design, to ensure that consumers are adequately informed concerning the unique propensities of a particular vehicle model.

(2)(i) The vehicle Owner's Manual shall include the following statement in its introduction:

As with other vehicles of this type, failure to operate this vehicle correctly may result in loss of control or an accident. Be sure to read

<sup>1</sup>Jeep C-15. See petition of Louis Kerlinsky, P81-018.

"on-pavement" and "off-road" driving guidelines which follow.

(ii) The vehicle Owner's Manual shall include the following statement in an "on-pavement" driving section:

Utility vehicles have higher ground clearance and narrower track to make them capable of performing in a wide variety of off-road applications. Specific design characteristics give them a higher center of gravity than ordinary cars. An advantage of the higher ground clearance is a better view of the road allowing you to anticipate problems. They are not designed for cornering at the same speeds as conventional 2WD vehicles any more than low-slung sports cars are designed to perform satisfactorily under off-road conditions. If at all possible, avoid sharp turning maneuvers. As with other vehicles of this type, failure to operate this vehicle correctly may result in loss of control or an accident.

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