



NHTSA Interpretations 2003-FMVSS 108 Related

<u>Date</u>	<u>Docket#</u>	
1/6/03	14203	Determined that Safety Development Systems "Declaration Alert System" is not an original lighting equipment and is not regulated by FMVSS 108. However, because the system utilizes a steady-on warning lamp there is no impairment to other required lighting. A flashing light would be an impairment.
1/29/03	14390	Determined that the Dowling "U-Turn Traffic Signal Indicator" does not comply with FMVSS 108 requirements. It flashes and S5.5.10 requires that accessory lamps must be steady burning. It is not activated by the turn signal switch and it does not indicate left or right so it cannot be a supplemental turn signal lamp. It is an unfamiliar shape and has text both of which NHTSA has previously determined to be on impairment per S5.1.3.
3/19/03	14737	Determined that a red lighted logo located in the front of a vehicle could cause an impairment per FMVSS 108 S5.1.3 with regard to the amber front sidemarker lamps.
3/19/03	14740	Determined the Sound Off Inc. "Anti-Blow-By Secondary Warning Light System" does not meet FMVSS 108 requirements. The system cannot be treated as a supplement to the school bus warning lamp system since it does not operate in the same manner and can be deemed an impairment to the required lighting.
3/19/03	14743	Front and rear identification lamps must consist of 3 lamps. S5.7.1.4.1(c) requires conspicuity sheeting across the full width of rear underride protection device. This sheeting shall not be interrupted.
3/20/03	14745	A replacement headlamp must use the same replaceable bulb(s) as the original equipment uses.
4/11/03	14925	Confirmation that FMVSS 108 allows modulating motorcycle headlamps. State and local laws cannot prohibit federally permitted lighting.
5/5/03	15105	NHTSA defers to the State as to the installation and use of emergency lighting devices on its vehicles. In this case NHTSA believes that it is up to the state to determine if strobe systems can be added to headlamps, stop lamps and turn signal for emergency warning systems.
5/5/03	15106	California Title 13 prohibition of mounting a foglamp less than 100mm from a turn signal does not preempt federal law since fog lamps are not regulated by FMVSS 108.
6/3/03	15316	Declined to support or reject a KDL Associates proposed lighting system.

See Following Pages for Additional Ruling

NHTSA Interpretations 2003-FMVSS 108 Related (Cont.)

<u>Date</u>	<u>Docket#</u>	
6/3/03	15320	FMVSS 108 does not require SAE identification code markings.
6/3/03	15333	Sequentially illuminated LED stop and turn signal lamps are not permitted. All light sources must illuminate simultaneously. During the initial stage the stop and turn signal lamp would not comply, in this case, with the minimum luminous lens area requirement. Additionally NHTSA does not consider lamps with a changing illuminated area to be steady-burning.
6/4/03	15348	The use of two reflex reflectors, one mounted on the fender and one mounted on the decklid, is not permissible. SAE J594f requires that a single reflex reflector be compliant and not a combination of separate reflectors.
7/17/03	15651	It is not permissible to move the reflex reflector from the fender mount lamp to the decklid mount lamp in a two lamp assembly for replacement parts. Each OEM lamp must be replaced with a lamp with all the functions included. Replacement signaling and marker lamps for specific vehicles (nonuniversal) shall use the same sockets and bulbs used in the original equipment. A request for comments has been posted in the federal register.
8/11/03	15904	Hazard warning flashers may have a dual mode as long as each mode complies with SAE J945 FEB66. Flash rate must be determined by taking the arithmetic average of any 3 or more consecutive cycles. Not clear on method for calculating flash rate.
8/15/03	15960	A request of confirmation that FMVSS 108 preempts California Title 13 restriction that fog lamps shall not be closer than 10cm from the turn signal (section 691) was rejected. Fog lamps are not required lighting equipment and are not regulated except with regard to impairment. Additionally, CHP confirmed that fog lamps can be located closer than 10cm as long as the J588 multipliers are used.
9/12/03	16167	Modulating motorcycle headlamps are permitted per FMVSS 108 and would preempt any state law that forbids "flashing" headlamps.
9/30/03	16257	HID conversion kits are illegal. They do not conform to the dimensional and electrical specifications contained within 49CFRPart564.
9/30/03	16259	Confirmed that a motorcycle with a projector lower beam and projector upper beam mounted at the same height and symmetrically disposed around the vertical centerline is permitted (See 63FR41582)
10/31/03	16452	Identification lamps must be in a group of three and any additional lamps would cause an impairment. The public understands that the 3-lamp group indicates a large vehicle.
12/08/03	16669	Permits the use of LED "strobing" light sources in school bus warning systems by referencing previous interpretations which were not included.

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