



## NHTSA Interpretations 2004 - FMVSS 108 RELATED

Date	Docket#	
1/21/04	16928	Disallows the state of Tennessee from using oscillating motorcycle stop lamps. FMVSS 108 S5.5.10 requires that stop lamps be steady burning when activated. Interpretation search keyword/Requester: McBride
1/21/04	16930	Stated that auxiliary ID lamps for vehicles over 80" wide can be placed at a lower level than the top of the vehicle as long as there is no impairment of the effectiveness of other lamp functions.
1/22/04	16950	Permits the installation of auxiliary or supplemental stop and turn signal lamps as dual performance lamps combined with the vehicle clearance lamps. NHTSA ruled that there are some restrictions in placement to prevent the impairment of the effectiveness of the ID lamps.
1/22/04	16952	Ruled that a swiveling secondary lamp within a headlamp assembly that enhances cornering illumination by swiveling outboard at a rate proportion to vehicle speed and steering rate is an integral component of the headlamp and is thus regulated by FMVSS 108. As such, the design would violate the rules restricting the headlamp system to only 2 lower/2 upper beams and the headlamp must incorporate not more than two replaceable light sources per lamp.
1/23/04	16965	Legislation has been introduced in some states restricting or eliminating the option of replacing damaged lighting equipment with Non-OEM lamps. NHTSA believes it is within the States right to regulate this aspect of automotive lighting.
1/22/04	16966	Permits the disabling of DRLs by 3 <sup>rd</sup> Parties since DRLs are not required.
2/10/04	17078	Ruled that deceleration activated flashing brake lamps violated FMVSS 108 regulations. FMVSS 108 S5.5.10 requires that a stop lamp be steady burning. NHTSA specifies that this is necessary to maintain uniformity of signals to insure recognition by the general public.
3/18/04	17386	Small trailers (5'x8') must have front sidemarker lamps. No size exemptions.
4/1/04	17482	Rescinds NHTSA-03-15106. Withdraws a May 2, 2003 interpretation that a California law regarding fog lamp turn signal spacing is not preempted by FMVSS 108. This interpretation specifically states that no state may regulate fog lamp location beyond what is specified in FMVSS 108 which permits fog lamps to be less than 100cm from turn signals.

See following pages for additional NHTSA interpretations

## NHTSA Interpretations 2004 - FMVSS 108 RELATED (Cont.)

Date	Docket#	
4/2/04	17510	Limits the Flash Rate & Cycle of vehicle hazard warning signal flashers.
4/14/04	17586	Confirmed a May 22, 2003 interpretation that side or rear reflex reflectors must be contained within a single lamp and not in lamp pairs.
4/17/04	17589	Same as 17482
6/16/04	18322	Responded to a request for clarification of an earlier interpretation regarding hazard warning flash pattern in which every third off-time is extended from 250ms to 850ms with a 200ms On-time. NHTSA ruled that this would create a non-standard signal type that may confuse the public. Additionally, each individual flash cycle falls outside the allowable flash rate.
6/28/04	18522	Responded to an individual's concern that a new vehicle with "flickering" headlamps does not meet FMVSS 108. NHTSA confirmed that headlamps must be steady burning.
7/19/04	18699	Stated that the voltage drop in a motorcycle turn signal flasher must be less than 0.8V per FMVSS 108 S5.1.1.20 not the 0.4V or 0.45V limit of SAE J590b.
9/7/04	19096	Ruled that a proposed headlamp system containing two projector style upper beams flanking one projector style lower beam is impermissible since FMVSS 108 S7.5(a) requires that there be only two upper beams per system, not four, and that there be no more than two replaceable light sources in each headlamp. NHTSA also ruled that disabling the outer upper beam projector does not solve the problem because then the lower beams would not be located as far apart as practicable.
9/23/04	19234	Confirmed that front clearance and ID lamps must be amber (white is not allowed).
10/8/04	19349	Noted that FMVSS 108 does not specify when clearance, ID and sidemarker lamps are to be illuminated. NHTSA commented that there may be FMCSA or State regulations that specify if the lamps must be on during headlamp activation.
11/1/04	19574	FMVSS 108 mandates that stop lamps be steady burning when activated. Strobe stop lamps would not be permissible.
11/5/04	19609	Stated that HID conversion kits for halogen headlamp light sources were illegal. This is based on the assumption that FMVSS 108 S7.1, S7.5 & S7.7 requires that headlamps manufactured to replace original equipment headlamps must pass photometry with the OE designated light source. NHTSA did not answer secondary question of whether OSI HID Chevrolet Silverado kits were legal.
11/24/04	19769	NHTSA noted that it regulates passenger car bumper height ( $\leq 20$ "") but not SUV/Pickup bumper heights. NHTSA expressed concern regarding height differences and safety issues associated with this incompatibility. NHTSA noted that all vehicles headlamps have height restrictions, between 22" and 54"."

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