

CLIENT ALERT

NHTSA Proposes New Rules To Address Keyless Ignition Safety

Dec.22.2011

On December 12, 2011, the National Highway Traffic Safety Administration (NHTSA) issued a notice of proposed rulemaking seeking to address safety issues relating to keyless ignition controls. The notice reportedly stems from vehicle owner complaints to NHTSA that have arisen in three situations: one, the driver's inability to power down a moving vehicle when he or she was panicking, for example, when the brakes failed; two, the vehicle rolling away because the driver turned off the propulsion system, but did not put the vehicle into "park"; and three, the driver exiting a vehicle, but unintentionally leaving it running. The complaints NHTSA reviewed highlighted the risks of crashes, and in the third situation, dangers associated with carbon monoxide.

In response to these concerns, NHTSA's proposed new rules contain a number of new requirements for vehicles with keyless ignition systems, including:

- Controls that stop operation of the vehicle within 0.5 seconds of the control being pressed, regardless of whether the vehicle is stationary or moving;
- An internal audible warning for any driver who attempts to shut down the propulsion system without having put the vehicle into "park," an alert which must last until the vehicle is placed into "park";
- An external audible warning for any driver who exits a vehicle without having put the vehicle into "park," an alert which must last until the vehicle is placed into "park" or for one minute, whichever occurs first; and
- An external audible warning for any driver who exits a vehicle without first turning off the propulsion system, an alert which must last for one second.

Comments on any of these proposals must be received by the agency by March 12, 2012. If adopted, the rules would go into effect approximately two years after they become final.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

Daniel T. Campbell

Partner – Washington, D.C.

Phone: +1 202.624.2544

Email: dcampbell@crowell.com

Scott L. Winkelman

Partner – Washington, D.C.

Phone: +1 202.624.2972

Email: swinkelman@crowell.com