

May 16, 2016

Docket Management Facility, M-30  
U.S. Department of Transportation  
1200 New Jersey Avenue, S.E.,  
Washington, D.C. 20590

**RE: Docket No. NHTSA-2016-0042; Request for Information on State Registration  
Open Recall Notification**

The Center for Auto Safety (CAS) files this comment in response to the National Highway Traffic Safety Administration's (NHTSA) April 15, 2016, Request for Information on the two-year pilot program to inform consumers of open recalls at the time of state registration. The great majority of the questions posed by the request concern state registration operations, which can and should be addressed by individual states interested in providing input or participating in the pilot program. Unfortunately, NHTSA's Request for Information also suggests that the agency is absolving itself of the responsibility to assist states in tracking open recalls and repairs, a task that the agency is uniquely equipped to perform.

NHTSA's Request for Information seeks information on each state's capability to provide real time notice of open recalls, to track whether recall notice was provided, and to determine whether or not a repair has been completed on individual vehicles. Additionally, the Request for Information contains the following statement:

While the agency welcomes all comments, we do not envision the use of NHTSA's VIN look-up tool as a source of information for the pilot program. The VIN look-up tool was created for consumers. An increase in the demand on NHTSA's VIN look-up tool from a large enterprise submitting numerous queries could compromise its performance for its intended purpose. [[81 FR 22367](#)]

These portions of the Request for Information suggest that rather than improving the agency's current VIN recall database to allow for greater traffic, NHTSA intends to require each state to create its own system for tracking open recalls. CAS believes that this position creates both an undue burden on individual states and threatens the success of the pilot program, which is operating under time constraints that may not allow for the creation of separate open recall lookup systems for each state.

One needs to look no further than NHTSA's timeline in building its VIN lookup system to recognize the challenges that face each state involved in the pilot program. NHTSA's VIN lookup system [was unveiled to the public](#) on August 20, 2014, over two years after passage of the Moving Ahead for Progress in the 21st Century Act (MAP-21), and more than one

year later than mandated by Congress. Given the Fixing America's Surface Transportation Act (FAST Act) deadline of October 1, 2016 for implementation of the state registration pilot program, how does NHTSA propose that state DMVs ready their own systems for displaying open recalls in only five months, with far less experience and resources than the NHTSA had at its disposal when creating the federal VIN lookup system?

Additionally, NHTSA's resistance to allowing state DMVs to use the federal VIN lookup suggests that the agency envisions a separate open recall notification system for each state, rather than one centralized, real-time database that could serve all states. Putting aside the incredible waste of government resources that the creation of 50+ separate systems entails, this de-centralized model also greatly increases the amount of oversight required to ensure the accuracy of each state's system, not to mention the increased costs involved in managing the systems well into the future.

Furthermore, a centralized federal database of open recalls would make compliance significantly easier for manufacturers and dealers. Rather than having to work individually with every state to ensure proper reporting of open recalls and repairs, manufacturers and dealers would only have to report to one entity in the same way they do now with the federal VIN lookup. The chance for errors in reporting is also significantly reduced when using one system rather than many, and far less oversight is required to locate and correct these errors when they do occur.

Placing all of the open recall data under one roof has other benefits as well. The pilot program's goals differ from those of the NHTSA VIN lookup system in that the burden will be placed upon states to notify consumers of open recalls, rather than placing responsibility on consumers to visit the VIN lookup system. A centralized federal open recall database would allow states to note when a vehicle is registered in a different state, preventing duplicative notices being sent to old addresses. Manufacturers could also use the centralized system in order to acquire current registration information for the purposes of generating recall notifications.

For the foregoing reasons, CAS believes that NHTSA should make a determination that it will provide a more robust and expanded version federal VIN lookup system that can handle the additional traffic generated by its state partners in this pilot program and in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'm/b', written over a light blue horizontal line.

Michael Brooks  
Staff Attorney