



THE SECRETARY OF TRANSPORTATION
WASHINGTON DC 20590

February 6, 2014

The Honorable Jay D. Rockefeller IV
Chairman
Committee on Commerce, Science, and Transportation
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The purpose of this letter is to let you know that the U.S. Department of Transportation (DOT) was unable to issue within one year after enactment the final rules that were specified in Sections 31203 and 31306 of the Moving Ahead for Progress in the 21st Century Act (MAP-21). Section 31203 requires the Department to issue a final rule to provide an interpretation of the civil penalty factors to be used in determining the amount of penalty or compromise for violation of the Vehicle Safety Act. Section 31306 requires the Department to issue a final rule to promote vehicle defect reporting by requiring a sticker, decal, or other device in the glove compartment or other accessible location of passenger vehicles.

At DOT, improving transportation safety remains our top priority, and we greatly appreciate the flexibility provided in MAP-21, Section 31505, allowing the establishment of a new deadline for issuing a final rule when the initial deadline cannot be met. This flexibility grants DOT and the National Highway Traffic Safety Administration (NHTSA) the ability to strategically allocate our resources to ensure the maximum focus on safety. As such, NHTSA is working diligently to implement the various motor vehicle and highway safety improvements contained in MAP-21, as well as other rulemaking, enforcement, vehicle research, and highway safety activities that reduce highway injuries and deaths.

For example, in 2013, NHTSA issued two final rules that fulfill MAP-21 mandates to improve motor vehicle safety. One rule requires seatbelts on motorcoaches, and the other requires all major automakers and motorcycle manufacturers to provide consumers with online access to vehicle recall information that is searchable by the vehicle identification number. The NHTSA also recently issued a notice of proposed rulemaking in response to the MAP-21 mandate that the agency promulgate a standard to improve the protection of children seated in child restraint systems during side impact crashes.

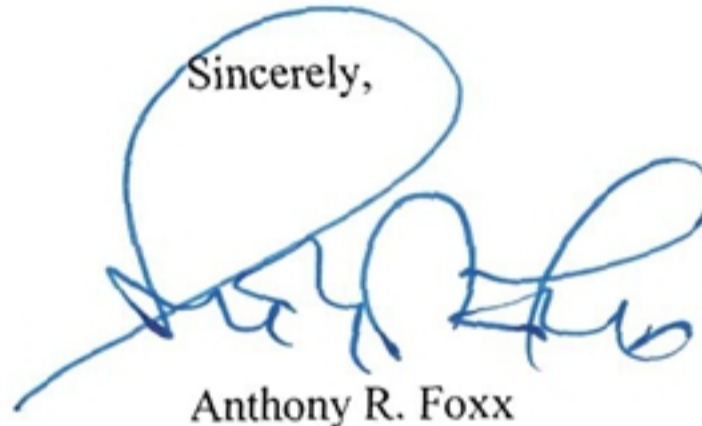
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The final rules required under Sections 31203 and 31306 are important parts of our larger safety effort. However, NHTSA must first issue a notice of proposed rulemaking for both of these mandates and then review and address public comments before issuing final rules. Considering the remaining rulemaking process and other rulemaking priorities, NHTSA must therefore make use of the latitude provided in Section 31505. We expect that we can publish a final rule to provide an interpretation of civil penalty factors by January 31, 2015, and that we can publish a final rule to promote vehicle defect reporting by September 30, 2015.

I have sent a similar letter to the Ranking Member of the Senate Committee on Commerce, Science, and Transportation, and to the Chairman and Ranking Member of the House Committee on Energy and Commerce.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anthony R. Foxx', is written over the word 'Sincerely,'. The signature is fluid and cursive, with a large loop at the top that partially overlaps the word 'Sincerely,'.

Anthony R. Foxx