ALLIANCE FOR AUTOMOTIVE INNOVATION

November 9, 2026

Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue, SE
West Building, Ground Floor, Room W12-140
Washington, DC 20590

Re: Docket No. NHTSA–2026–1981; Notice of Intent to Establish a Negotiated Rulemaking Advisory Committee for Vehicle Lighting; Request for Comments and Solicitation of Nominations for Membership

Dear Administrator Morrison:

Alliance for Automotive Innovation ("Auto Innovators")[1] appreciates the opportunity to comment on the National Highway Traffic Safety Administration's ("NHTSA") notice of intent to establish a Negotiated Rulemaking Advisory Committee for Vehicle Lighting ("Committee"). As our September 14, 2026, letter to the agency[2] indicated, we strongly support NHTSA's efforts to modernize Federal Motor Vehicle Safety Standard (FMVSS) No. 108 and welcome the agency's decision to use this collaborative, technically grounded process to develop effective updates while maintaining or enhancing vehicle safety. Consistent with that letter, we are supportive of the agency's use of all available rulemaking tools to make the necessary improvements to the standard. NHTSA's recent action addressing FMVSS No. 108 requirements for Automated Driving Systems (ADS) contemplates changes to several areas of the standard that Auto Innovators identified in its letter as in need of modernization.[3]

FMVSS No. 108 serves critical safety purposes, but certain requirements no longer reflect modern vehicle lighting systems. Negotiated rulemaking offers an appropriate means to develop technically sound, consensus-based updates that accommodate beneficial technologies while maintaining or enhancing safety. For these reasons, Auto Innovators supports the Committee's establishment and offers the following recommendations regarding its scope and the proposed balance of representation.

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[1] Auto Innovators represents the full auto industry, including the manufacturers producing most vehicles sold in the U.S., equipment suppliers, battery producers, semiconductor makers, technology companies, and autonomous vehicle developers. Our mission is to work with policymakers to realize a cleaner, safer, and smarter transportation future and to ensure a healthy and competitive auto industry that supports U.S. economic and national security. Representing approximately 5 percent of the country's GDP, responsible for supporting nearly 10 million jobs, and driving $1 trillion in annual economic activity, the automotive industry is the nation's largest manufacturing sector.

[2] See Appendix A

[3] https://www.federalregister.gov/documents/2026/10/26/2026-21794/federal-motor-vehicle-safety-standards-modernization-of-fmvss-no-108-to-accommodate-ads-equipped

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1. Auto Innovators Supports the Formation and Proposed Scope of the Committee

Auto Innovators supports establishing this Committee and agrees that negotiated rulemaking is appropriate for the focused, technically complex issues involved in modernizing FMVSS No. 108. A collaborative process informed by objective evidence and stakeholder expertise can produce practical, durable, and consensus-based recommendations.

Among the topics identified by NHTSA, focused technical issues such as modernizing requirements for current lighting components and updating associated test procedures are particularly well suited to negotiated rulemaking. The Committee should prioritize issues that are sufficiently discrete and technically developed to permit meaningful negotiation and consensus within the Committee's two-year charter. A focused scope will help the Committee develop specific, evidence-based recommendations that NHTSA can translate efficiently into a workable regulatory proposal.

2. Auto Innovators Supports NHTSA's Proposed Balance of Committee Membership

Auto Innovators supports NHTSA's proposed balance of Committee membership. The identified categories appropriately reflect the principal affected interests and provide a sound foundation for productive deliberations. In selecting members, NHTSA should seek a collective balance of technical, safety, research, and implementation expertise and select members who have the authority to negotiate in good faith on behalf of the interests they represent.

Auto Innovators encourages NHTSA to establish the Committee promptly, appoint members who collectively represent the significantly affected interests and necessary expertise, and provide a focused charge and disciplined process. Auto Innovators stands ready to contribute technical expertise and implementation experience toward practical, safety-enhancing recommendations to modernize FMVSS No. 108.

Respectfully submitted,



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September 14, 2026

The Honorable Jonathan Morrison
Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Request to Initiate a Negotiated Rulemaking to Modernize FMVSS No. 108, "Lamps, Reflective Devices, and Associated Equipment"

Dear Administrator Morrison:

Alliance for Automotive Innovation ("Auto Innovators")[1] requests the National Highway Traffic Safety Administration (NHTSA) initiate a negotiated rulemaking process to modernize targeted provisions of Federal Motor Vehicle Safety Standard (FMVSS) No. 108, "*Lamps, Reflective Devices, and Associated Equipment*.[2]"

This request is intended to complement NHTSA's planned FMVSS No. 108 notices of proposed rulemaking (NPRMs)[3] by providing a parallel path to resolve discrete, technically complex issues where affected stakeholder input may be especially valuable in helping the agency identify consensus-based regulatory updates.

Auto Innovators applauds the Administration's commitment to alleviating unnecessary regulatory burdens and modernizing automotive safety standards.[4,5] Auto Innovators and its members have responded to several recent requests for comment by identifying

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[2] https://www.ecfr.gov/current/title-49/subtitle-B/chapter-V/part-571/subpart-B/section-571.108

[3] Per the U.S. Department of Transportation (DOT) 2026 unified agenda under RIN 2127-AL95, "*Assessment of Federal Motor Vehicle Safety Standards for Lighting*" and RIN 2127-AM70, "*Modernization of FMVSS 108 to Accommodate Automated Driving Systems (ADS)*."

[4] https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-prosperity-through-deregulation/

[5] https://www.nhtsa.gov/press-releases/av-framework-plan-modernize-safety-standards

deregulatory recommendations[6,7] and vestigial elements of certain FMVSS[8] that could be updated to better support the agency's safety mission while also fostering innovation. Federal Motor Vehicle Safety Standard No. 108 continues to serve critical safety purposes, but certain requirements no longer reflect modern vehicle lighting systems. Public remarks from NHTSA officials have identified this standard as an instructive example of the need for regulatory modernization.[9,10,11] Our response[12] to the *Vestigial Vehicle Safety Regulations* request for comment[13] contains an appendix detailing high-priority areas for FMVSS No. 108 reform.

While Auto Innovators continues to urge NHTSA to address the vestigial provisions identified in that response using any of the regulatory tools within its authority, certain FMVSS No. 108 updates may be better suited to negotiated rulemaking, given their discrete technical nature and the value of focused stakeholder input. Accordingly, Auto Innovators encourages NHTSA to consider initiating a negotiated rulemaking process for targeted FMVSS No. 108 issues in tandem with the planned 2026 NPRMs.[14,15] Such a process would provide a defined path for amending outdated aspects of the standard.

We recommend that NHTSA establish an FMVSS No. 108 negotiated rulemaking committee focused on the following issues identified in Auto Innovators' previous response[16] to NHTSA:

A. Marking Modernization (Sections 6.5.1, 6.5.3, and 6.5.3.4): Marking requirements in FMVSS No. 108 sections 6.5.1, 6.5.3, and 6.5.3.4 reflect legacy approaches to certification, replacement, and equipment identification. Some of these requirements may no longer provide meaningful traceability or safety benefits given current manufacturing practices and the use of integrated lighting assemblies. Updating these provisions would reduce

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[6] https://www.regulations.gov/comment/DOT-OST-2025-0026-0798
[7] https://www.regulations.gov/comment/OMB-2025-0003-8102
[8] https://www.regulations.gov/comment/NHTSA-2026-0133-0020
[9] https://www.nhtsa.gov/speeches-and-presentations/2025-the-merge-alliance
[10] https://www.nhtsa.gov/speeches-and-presentations/2026-SAE-Conference-Keynote
[11] https://www.mobilityengineeringtech.com/component/content/article/55050-wcx-nhtsa-open-to-negotiated-rulemaking-on-some-safety-issues
[12] lhttps://www.regulations.gov/comment/NHTSA-2026-0133-0020
[13] https://www.federalregister.gov/documents/2026/01/23/2026-01272/request-for-comment-on-vestigial-vehicle-safety-regulations
[14] https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=2127-AL95
[15] https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=2127-AM70
[16] https://www.regulations.gov/comment/NHTSA-2026-0133-0020

unnecessary design constraints and compliance burden by eliminating redundant marking requirements.

B. Clearance and Identification Lamp Requirements: Current FMVSS No. 108 requirements for clearance and identification lamps, including the 2032 mm vehicle width threshold and the continued use of three identification lamps in some applications, do not fully align with modern vehicle designs or international approaches. Updating these provisions would reduce unnecessary cost and engineering complexity.

C. Visually Aimed Headlamps (VOA) – Horizontal Adjustment (Section 10, including S10.18.4): Current requirements for visually aimed headlamps under Section 10, including S10.18.4, do not adequately accommodate horizontal adjustment for modern headlamp design and aiming. Updating these requirements to allow simplified adjusters or visual aiming cues in the beam pattern, as commonly used in other markets, could improve beam alignment while reducing reliance on costlier methods required under the current regulation.

D. Rear Turn Signal and Effective Projected Luminous Lens Area (EPLLA) Requirements (Table VII): Current minimum intensity and effective projected luminous lens area requirements for rear turn signal and stop lamps may not reflect modern lighting technology, effective real-world signal presentation, or established international approaches with known safety benefits. Revisiting these requirements would reduce cost and design burden by addressing U.S. requirements that can force market-specific designs without clear added safety benefits.

E. Vehicular Hazard Warning Signal Operating Unit: FMVSS No. 108 defines a vehicular hazard warning signal operating unit as a *"driver-controlled device*," creating a lack of clarity about whether hazard warning signals may activate automatically in emergency conditions. Updating the definition would provide greater certainty on permissible operation, including the potential use of specified lamps for automated high conspicuity signaling during events such as sudden deceleration, collision detection, vehicle disablement, or other conditions where particular care may be required by drivers exiting a vehicle or by other road users approaching the vehicle.

F. Incorporation of Logos into Lamps: FMVSS No. 108 does not expressly address illuminated logos, and current symmetry requirements may limit designs where a logo or

brand name is integrated into required vehicle lighting. Clarifying how logos may be incorporated into lamps, including where the lamp remains symmetrically mounted but has an asymmetrical internal structure (logo), would maintain safety while providing design flexibility.

G. Photometric Test Voltage Requirements: Current FMVSS No. 108 photometric test voltage requirements reflect legacy assumptions about vehicle electrical systems and may not align with modern architectures or real-world operating conditions. Updating these requirements would reduce unnecessary design constraints and testing burdens by better aligning compliance evaluations with how lamps operate on modern vehicles.

Generally, these items are well suited to negotiated rulemaking because they are discrete and technically mature. A balanced negotiated rulemaking committee could include vehicle manufacturers, lighting suppliers, semiconductor and sensor suppliers, test laboratories, standards development organizations, safety advocates, state enforcement interests, and other affected stakeholders. All these groups bring unique, important perspectives to the table to assist NHTSA as it formulates a new rule.

Again, we request that NHTSA initiate a negotiated rulemaking focused on targeted aspects of FMVSS No. 108 and coordinate that effort with the agency's other planned rulemakings. Auto Innovators and its members stand ready to support all of NHTSA's efforts to update FMVSS No. 108 to better reflect modern lighting technology while maintaining or enhancing the safety objectives of the standard.

Respectfully submitted,



Hilary M. Cain
Chief Policy & Strategy Officer
Alliance for Automotive Innovation

cc: Peter Simshauser, Chief Counsel
Shashi Kuppa, Acting Associate Administrator for Rulemaking