



**National Highway Traffic Safety Administration  
Conformity Assessment Program**

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# NHTSA Overview

## Primary Mission:

- SAFETY- Save lives, prevent injuries and reduce economic costs due to road traffic and non-traffic crashes through education, research, safety standards and enforcement activity.
- Consumer Programs - Increase fuel economy, damageability protection, and theft protection, reduce odometer tampering, and provide consumer information.

## Enforcement Responsibilities:

- **Vehicle Safety:** Recalls for **defective** or **noncompliant** vehicles or equipment
- **Fuel Economy:** Civil penalties for violations of CAFE standards by manufacturers
- **Odometer Fraud:** Criminal prosecution of offenders

# NHTSA Enforcement

- Basic principles:
  - **Self-certification vs. Type Approval:** manufacturers must certify that their vehicles and equipment comply with the Federal Motor Vehicle Safety Standards (FMVSS).
  - **Prohibition:** a person may not manufacture for sale, offer for sale, introduce into commerce, or import a noncompliant/defective vehicle or equipment.
  - **Importers are manufacturers:** Statutory definition of “manufacturer” states this, so importers share duties of manufacturers.

# NHTSA Enforcement

- Basic principles (continued):
  - **Duty to recall:** a manufacturer must do a recall (i.e., notify owners and provide remedy without charge for the entire population of affected vehicles or equipment) if it learns of a safety defect /noncompliance
  - **NHTSA may order a recall if it decides there is a defect/noncompliance**
  - **Defect** that creates an unreasonable risk to safety warrants a recall.
  - **Fully compliant vehicles or equipment may contain safety defects.**

# NHTSA Enforcement

- Compliance Enforcement (OVSC)
  - Ensures vehicles/equipment comply with 63 safety standards, the bumper and theft prevention standards, and CAFÉ requirements
  - Randomly selects vehicles and equipment for testing and inspection to determine compliance
  - Vehicles or equipment that do not comply must be recalled
- Defects Enforcement (ODI)
  - Identifies defects in vehicles/equipment that present an unreasonable risk to safety
  - Vehicles or equipment that contain defects related to safety must be recalled
  - Ensures remedy is adequate for serious defects

# NHTSA Compliance Enforcement

- Use Risk Based Selection for:
  - Test Standards
  - Test vehicles/equipment items
- Compliance Testing/Inspections
  - 230 Vehicle Tests/yr (destructive and non-destructive)
  - 800 Equipment Tests/yr
  - Conduct compliance inspections at industry shows/exhibits
- Import Vehicles
  - 20,000 Nonconforming Vehicle Imports Processed/yr
  - 10 Import Eligibility Petitions Processed/yr (40 FR notices)
- Other activities
  - 20 Petitions for Inconsequentiality (40 FR notices) processed/yr
  - Conduct compliance investigations when warranted
  - Collect civil penalties for CAFÉ violations (avg. between \$13 -20 million/yr)

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# Enforcement Recalls

- Coordinates more than 600 recalls of vehicles and equipment in an average year
  - In 2010, 722 recalls occurred; of those, 648 were vehicle recalls covering 20.2 million vehicles
  - In 2010, collected over \$50 million for untimely recalls
- About 75 percent of recalls are related to defects; the remainder concern compliance
- Although only about 23 percent of recalls result from NHTSA investigations, those recalls account for 50 to 60 percent of products recalled



# Enforcement Challenges

- Maintaining surveillance over increasing number of regulated vehicles/equipment items being imported by new entrant manufacturers
  - China and India have expressed great interest in exporting more products to U.S. market
  - Working on MOU with CPB's Commercial Targeting and Analysis Ctr. For suspect automotive lighting , M/C helmets, and tires
- Promoting greater use of Best Importer Practices
  - NHTSA published in FR recommended Best Practices in 2008
  - Outlines requirements that must be met and strategies to increase the safety of imported vehicles and equipment.
  - See NHTSA website at [www.nhtsa.gov/about/importsafety](http://www.nhtsa.gov/about/importsafety)