



# Risk Insights

SAFETY SOLUTIONS FOR YOUR BUSINESS

## HIGHLIGHTS

- Vehicles with a gross weight rating of more than 26,000 pounds would have to be equipped with speed limiting devices.
- The devices would be pre-set at the time of manufacture.
- The speed limiting devices would have to be maintained for the service life of the vehicle.

## IMPORTANT DATES

### September 7, 2016

The FMCSA and the NHTSA issued a proposed rule that would require large motor vehicles to be equipped with speed limiting devices.

### November 7, 2016

Public commentary regarding the proposed rule must be submitted by this date.

## Proposed Rule on Speed Limiters for Large Vehicles

### OVERVIEW

On **Sept. 7, 2016**, the National Highway Traffic Safety Administration (NHTSA) and the Federal Motor Carrier Safety Administration (FMCSA) issued a joint [proposed rule](#) that would require large commercial vehicles to be equipped with speed limiting devices. The proposed rule defines large commercial vehicles as multipurpose passenger vehicles, trucks, buses and school buses with a gross vehicle weight rating (GVWR) of more than 26,000 pounds (11,793.4 kilograms).

The NHTSA and FMCSA are inviting the public to comment on the proposed rule by **Nov. 7, 2016**.

### ACTION STEPS

Motor carriers and employers with commercial motor vehicles should review the proposed rule and express any concerns with the agencies' proposal by Nov. 7, 2016. Specifically, the agencies are looking for commentary and suggestions on:

- ✓ Options to lower the costs of implementation;
- ✓ Whether a three-year, phased-in implementation would be appropriate; and
- ✓ Whether the final rule should be retroactive (meaning that it would affect vehicles that currently operate on the nation's highways).

### The Proposed Rule

The proposed rule would require affected vehicles to be equipped with a device that limits how fast a large vehicle can travel. The FMCSA and the NHTSA are of the opinion that limiting the speed of large vehicles will reduce the number of fatalities and injuries that result from collisions. Limiting the speed at which large vehicles travel also increases the ability of the vehicles' safety features and highway safeguards to protect drivers, passengers and bystanders.

The proposal does not impose mandatory systems to prevent tampering with speed limiting devices, nor does it specify whether new processes should be put in place to restrict individuals from adjusting the speed setting manually, at their own discretion.

The agencies are currently seeking public commentary and suggestions on the proposal, but are specifically seeking input regarding:

- ✓ Options that would lower implementation costs for the proposal;
- ✓ Whether a three-year, phased-in implementation timeline for manufacturers is adequate; and
- ✓ Whether the final rule should be retroactive and require large vehicles that are currently in operation to be retrofitted with speed limiting devices. Though the agencies are considering a retroactive provision for the final rule, the provision was not included in the proposal due to the technical feasibility of implementation, the costs, the enforcement considerations and the impact it may have on small businesses.

### Affected Vehicles

The proposed rule would affect only large vehicles. Large vehicles, for purposes of this rule, would include multipurpose passenger vehicles, trucks, buses and school buses with a GVWR of more than 26,000 pounds (11,793.4 kilograms).

As proposed, the rule would require commercial motor vehicle manufacturers to install speed limiting devices and set the speed limit for new vehicles only.

### Speed Limiting Devices

Under the proposed rule, speed limiting devices would need to be set at a speed limit that will be pre-determined by the final rule. The proposed rule does not currently include a proposed speed maximum, but suggests that the agencies have been looking at either a 65 or 68 mph limit (a 60 mph limit has been also considered but is currently seen as in unworkable option).

The proposal would also require speed limiting devices to allow inspectors to read their current speed limit settings, as well as the two previous settings (including the time and date when the settings were changed) through a vehicle's on-boarding diagnostic connection.

Finally, motor carriers that operate affected vehicles in interstate commerce would be required to maintain the speed limiting devices for the service life of the vehicle.