



March 30, 2017

Subject: ANSI / SVIA 1-201X

Ms. Hope Nesteruk
ATV Project Manager
Consumer Product Safety Commission
5 Research Place
Rockville, MD 28050

Dear Ms. Nesteruk,

The Specialty Vehicle Institute of America (SVIA) has received your ballot on the proposed American National Standard referenced above. Your included comments were reviewed on February 14, 2017, further considered on March 13, 2017, and this response finalized on March 20, 2017.

Your ballot indicated approval and provided comment, which is responded to below.

Comment – Regarding the effective date stated in section 1 Scope, “beginning with the 2019 model year vehicles,” staff reiterates the concerns expressed at the October 25, 2016 meeting in Dallas, and staff urges SVIA to select an earlier effective date. Staff believes that the standard update provision of CPSA section 42(b)(1) provides a model to guide selection of a reasonable effective date for modifications to the standard. 15 U.S.C. § 2089(b)(2). This provision anticipates that when SVIA revises its standard, the Commission will promulgate a final rule to update the standard 300 days after SVIA notifies CPSC of modifications to the standard, unless the Commission determines that the revision is not reasonably related to the safe performance of ATVs. In 2012, SVIA revised its standard and the Commission amended CPSC’s standard to reflect the revision. The Commission provided a 60-day effective date; therefore, the final rule was effective roughly 1 year after SVIA notified the Commission of the revision. We also urge SVIA to express the effective date in terms of production date, as was the case in ANSI-SVIA-1-2007 and ANSI-SVIA-1-2010, rather than the more ambiguous model year. Staff notes that, although the revision addresses several new optional provisions, such as NPTs, the requirement changes are limited to the increased conspicuity requirements. Given that many ATVs already meet these requirements in full or in part, staff does not believe an earlier effective date would be burdensome. Therefore, staff questions the need for 2 full years for the standard to become effective, and staff strongly encourages a production- based effective date in early 2018.

Response: As we discussed during the October 25, 2016 meeting, using model year for applicability of the standard provides a reasonable way to implement new requirements. As we further discussed, planning and specifications for 2018 models already have been finalized or nearly so.

Planning for the 2019 model year is already underway with the updated requirements of the revised standard in mind. Assuming the CPSC follows the timeline summarized in your comment, 2019 model year vehicles will be in production for release in the 2018 calendar year.

Comment – Finally, we noted that the canvass draft references two of the ANSI Z535 Safety Alerting family of standards, ANSI Z535.4-2007 and ANSI Z525.6-2006. Both of these standards were updated in 2011, and we encourage the TAP to reference the current approved versions of the Safety Alerting standards.

Response: The ANSI references have been updated consistent with your comment.

Thank you for taking the time to participate in the canvass ballot. A re-circulation ballot and any outstanding objections will be forwarded in the near future.

Regards,

A handwritten signature in black ink that reads "Thomas S. Yager". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Thomas S. Yager
Vice President