

time frame because of judicial interference or other circumstances beyond the Attorney General's control does not affect the validity of a later determination.

(e) If certification is granted, the certification will be published in the **Federal Register** and will identify the date on which the State established its qualifying capital counsel mechanism. Certification is a final determination by the Attorney General that the State meets the statutory requirements for certification. There is no authorization or procedure for suspending, reconsidering, revoking, or denying certification with respect to a State for which certification has been granted.

§ 26.23 Severability.

If any provision of this subchapter, or the application of such provision to any person or circumstance, is found to be invalid, that shall not affect the validity of any other provision or application.

Dated: March 12, 2026.

Pamela Bondi,

Attorney General.

[FR Doc. 2026-05134 Filed 3-13-26; 8:45 am]

BILLING CODE 4410-BB-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA-2026-0628]

RIN 2127-AM72

Federal Motor Vehicle Safety Standards; Modernization of FMVSS No. 102 To Accommodate ADS-Equipped Vehicles

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking.

SUMMARY: NHTSA is proposing to amend Federal Motor Vehicle Safety Standard (FMVSS) No. 102, "Transmission shift position sequence, starter interlock, and transmission braking effect." The proposed modification would exempt vehicles equipped with Automated Driving Systems (ADS) that do not have manually operated driving controls from the requirement for a transmission shift position display. This rulemaking would remove unnecessary regulatory burdens and costs associated with a display designed to aid a person driving the vehicle. As the transmission shift position display does not fulfill the

same safety need in an ADS-equipped vehicle without manually operated driving controls, the amendment will not impact vehicle safety. This action is part of a larger NHTSA effort to address vehicle automation in the agency's regulations.

DATES: Comments should be submitted no later than April 15, 2026.

ADDRESSES: You may submit comments identified by the docket number in the heading of this document or by any of the following methods:

- *Federal eRulemaking Portal:* Go to www.regulations.gov. Follow the instructions for submitting comments on the electronic docket site by clicking on "Help" or "FAQ."
- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Suite W58-213, Washington, DC 20590 between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal Holidays. To be sure someone is there to help you, please call (202) 366-9826 or (202) 366-9317 before coming.
- *Fax:* 202-493-2251.

Instructions: All submissions must include the agency name and docket number or Regulatory Information Number (RIN) for this rulemaking. Note that all comments received will be posted without change to www.regulations.gov, including any personal information provided. Please see the Privacy Act discussion below. We will consider all comments received before the close of business on the comment closing date indicated above. To the extent possible, we will also consider comments filed after the closing date.

Docket: For access to the docket to read background documents or comments received, go to www.regulations.gov at any time or to 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. Telephone: 202-366-9826.

Confidential Business Information: If you claim that any of the information in your comment (including any additional documents or attachments) constitutes confidential business information within the meaning of 5 U.S.C. 552(b)(4) or is protected from disclosure pursuant to 18 U.S.C. 1905, please see the detailed instructions given under the Public Participation heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments

from the public to inform its decision-making process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at www.transportation.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Regardless of whether commenters identify themselves, all timely comments will be considered fully.

FOR FURTHER INFORMATION CONTACT: For technical issues, you may contact Ms. Lina Valivullah, Office of Automation Safety; Telephone: 202-366-1810; Email: Lina.Valivullah@dot.gov; Facsimile: 202-493-2739. For legal issues, you may contact Mr. David Jasinski, NHTSA Office of the Chief Counsel, Email: David.Jasinski@dot.gov. The mailing address of these officials is: National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Executive Summary
- II. Background
- III. Proposed Change
- IV. Request for Comment
- V. Rulemaking Analyses and Notices
- VI. Public Participation

I. Executive Summary

This rulemaking focuses on vehicles equipped with Automated Driving Systems (ADS) that do not have manually operated driving controls. These vehicles currently are not available for consumer purchase; however, there is considerable investment into the safe testing, development, and validation of these vehicles, as well as localized deployment by manufacturers and rideshare operators. Vehicle automation technology has the potential to reduce roadway crashes and fatalities while increasing mobility. As the technology is still maturing, and many of the potential benefits are yet to be realized, NHTSA is engaging in a process to remove unnecessary barriers to technological innovation while ensuring motor vehicle safety is not compromised.

NHTSA seeks to address the application of certain existing crash avoidance standards to ADS-equipped vehicles without manually operated driving controls. In this document, NHTSA proposes to amend Federal

Motor Vehicle Safety Standard (FMVSS) No. 102, “Transmission shift position sequence, starter interlock, and transmission braking effect.” The proposed modification would exempt vehicles without manually operated driving controls from the requirement for a transmission shift position display. This rulemaking would remove the regulatory burdens and costs of a display that is unnecessary for an ADS-equipped vehicle without manually operated driving controls with no negative impact to vehicle safety.

NHTSA is working on multiple rulemakings to address requirements for ADS-equipped vehicles. This notice solely addresses a display requirement in FMVSS No. 102 for vehicles without manually operated driving controls. The proposed exception does not apply to ADS-equipped vehicles with manually operated driving controls.

II. Background

This proposed rule addresses ADS-equipped vehicles that do not have manually operated driving controls. An ADS commonly is considered to be a combination of hardware and software that can perform all real-time operational and tactical functions required to operate a vehicle on a sustained basis.¹ These functions traditionally are performed by a person using manually operated driving controls. As defined in 49 CFR 571.3 and used throughout this document, *manually operated driving controls* means a system of controls: (i) used by an occupant for real-time, sustained, manual manipulation of the motor vehicle’s heading (steering) and/or speed (accelerator and brake); and (ii) positioned such that they can be used by an occupant, regardless of whether the occupant is actively using the system to manipulate the vehicle’s motion. In an ADS-equipped vehicle designed to be operated only by an ADS, manually operated driving controls may not be necessary.

NHTSA has published prior **Federal Register** notices requesting comment, proposing changes, and updating existing regulations to address vehicle automation. These notices include a Request for Comment (RFC), “Removing Regulatory Barriers for Vehicles with Automated Driving Systems,” published on February 13, 2018,² and a subsequent Advance Notice of Proposed

Rulemaking (ANPRM) with the same title published on May 28, 2019.³ The RFC posed questions about identifying and addressing regulatory barriers for vehicles that lack traditional manual controls or have unconventional seating. The ANPRM focused on the challenges of testing and verifying compliance for vehicles without traditional manual controls. A separate NPRM, “Occupant Protection for Automated Driving Systems,”⁴ was published in 2020, with the corresponding Final Rule, “Occupant Protection for Vehicles with Automated Driving Systems,” published on March 30, 2022.⁵ The rulemaking focused on crashworthiness standards for ADS-equipped vehicles without manual driving controls, revising definitions and updating occupant protection standards to exclude vehicles specifically designed not to contain any occupants. The 2022 Final Rule also established the definition in 49 CFR 571.3 for *manually operated driving controls*. On December 3, 2020, NHTSA published an ANPRM titled, “Framework for Automated Driving Systems,” to discuss and request comment on the manner in which the agency would define, assess, and manage objectively the safety of ADS performance while ensuring the needed flexibility to enable further innovation.⁶ The ANPRM included recognition of a phased approach to addressing ADS safety, including NHTSA’s modernization of the FMVSS for ADS-equipped vehicles without traditional manual driving controls.

NHTSA proposes an exception to an existing requirement for ADS-equipped vehicles that do not contain manually operated driving controls and therefore cannot be driven by a person in the vehicle. ADS-equipped vehicles without manually operated driving controls currently face regulatory barriers presented by requirements related to manual controls unnecessary for operation of the vehicle by the ADS. While vehicles not intended to be driven manually may not have manually operated driving controls, others may have manually operated driving controls if converted from a conventional vehicle or if equipped with controls for specialized use. NHTSA maintains that any vehicle equipped with manually operated driving controls must continue to meet all existing safety requirements, regardless of whether the vehicle is equipped with an ADS.

III. Proposed Change

Background

FMVSS No. 102, “Transmission shift position sequence, starter interlock, and transmission braking effect,” includes requirements to reduce the likelihood of shifting errors and unintended acceleration. The standard applies to passenger cars, multi-purpose passenger vehicles, trucks, and buses. Section S3.1.4 of FMVSS No. 102 requires that the transmission shift positions, including the positions in relation to each other and the position selected, be displayed in view of the driver when; (a) the ignition is in a position where the transmission can be shifted; or (b) the transmission is not in park. This information is displayed to minimize the likelihood of the driver shifting to the wrong position or mistaking what gear the vehicle is in. These driver errors can lead to unintended accelerations and crashes.

Proposal

In ADS-equipped vehicles that do not have manually operated driving controls, there is no safety need addressed by visually displaying the transmission shift positions because the shift position information is stored in, and the transmission shifting is controlled by, the ADS. A visual display of the transmission shift positions in such a vehicle is unnecessary and does not aid the safe operation of the vehicle because there is not a human driving the vehicle who could make errors related to shift position. The instantaneous transmission shift position display in an ADS-operated vehicle does not communicate future vehicle maneuvers and therefore provides no inherent safety benefit for people in or around the vehicle. Vehicle manufacturers may choose to remove the transmission shift position display to reduce visual clutter and to provide customizable displays for the occupants in ADS-equipped vehicles without manually operated driving controls. Excepting ADS-equipped vehicles without manually operated driving controls from the transmission shift position display requirement does not preclude manufacturers from displaying vehicle direction or transmission shift position information or including additional visual displays to enhance situation awareness for occupants.

For these reasons, NHTSA proposes to add a clause to S3.1.4.3 of FMVSS No. 102, excepting vehicles without manually operated driving controls from the shift position display requirement. The proposed change accommodates these vehicle designs without affecting

¹ See, e.g., SAE, Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles, J3016_202104 (April 30, 2021), available at https://www.sae.org/standards/content/j3016_202104/; Tex. Transp. Code § 545.451.

² 83 FR 6148.

³ 84 FR 24433.

⁴ 85 FR 17624.

⁵ 87 FR 18560.

⁶ 85 FR 78058.

vehicle safety. The proposed update would not affect the requirements for non-ADS vehicles or for ADS-equipped vehicles with manually operated driving controls. NHTSA requests comment regarding unintended safety implications not addressed in the proposal.

Proposed Effective Date

As provided by 49 U.S.C. 30111(d), an FMVSS may not become effective before the 180th day after the standard is prescribed or later than one year after it is prescribed. However, NHTSA may provide a different effective date after finding, for good cause shown, that a different effective date is in the public interest. NHTSA must publish the reasons supporting such a finding. Similarly, 5 U.S.C. 553(d) provides that a final rule cannot become effective until at least 30 days after the date of publication except, among other reasons, the rule grants or recognizes an exemption, relieves a restriction, or for good cause found and published with the rule. It is in the public interest for this proposed rule, if adopted, to be effective immediately. Because this proposed rule, if adopted, would remove an unnecessary regulatory requirement for ADS-equipped vehicles without manually operated controls, there does not appear to be a need for lead time for regulated entities to comply. In addition, this proposed rule, if adopted, would provide an exemption and relieve a restriction for ADS-equipped vehicles. NHTSA seeks comment on whether the rule could be made effective within a time period shorter than 180 days or upon publication of any final rule.

IV. Request for Comment

NHTSA seeks public comment on the proposed changes to except vehicles without manually operated driver controls from S3.1.4.3 of FMVSS No. 102.

V. Rulemaking Analyses and Notices

Executive Order (E.O.) 12866, E.O. 14192, and E.O. 14219

NHTSA has considered the impact of this rulemaking action under Executive Orders 12866, 14192, and 14219. This proposed rule does not meet the criteria of a “significant regulatory action” under Executive Order 12866. Therefore, the Office of Management and Budget (OMB) has not reviewed this proposed rule under those orders. This proposed rule, if finalized as proposed, is expected to be an E.O. 14192 deregulatory action because it removes an unnecessary regulatory burden for

the reasons discussed above. At this stage, the agency has not quantified any potential benefits or costs. For this rule, NHTSA does not anticipate any new regulatory costs, as it would remove unnecessary requirements without adding any new requirements. NHTSA does not anticipate any safety disbenefits for the proposed changes. The primary benefit of this rule would be reduced compliance costs. However, given the still-developing nature of this market, NHTSA cannot quantify the number of vehicles that may be potentially affected by this proposed rule. Further, without this regulatory change, NHTSA believes that these vehicles would seek exemptions from this standard, rather than include the unnecessary equipment. Finally, though NHTSA could seek to quantify compliance costs on a per-vehicle basis, any estimate based on traditional vehicle configurations may not be accurate, given the different design and nature of ADS-equipped vehicles without manually operated driving controls. NHTSA requests comment on these assumptions and any other information that could help quantify their impacts in the final rule.

Regulatory Flexibility Act

Under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612) (as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996; 5 U.S.C. 601 *et seq.*), agencies must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rulemaking on small entities (*i.e.*, small businesses, small organizations, and small government jurisdictions). No regulatory flexibility analysis is required, however, if the head of an agency or an appropriate designee certifies that the rulemaking will not have a significant economic impact on a substantial number of small entities. NHTSA has concluded and hereby certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities. As the factual basis for this certification, NHTSA finds as follows: As described elsewhere in the preamble, NHTSA proposes to remove unnecessary regulatory burdens and costs associated with a transmission shift position display unnecessary for an ADS-equipped vehicle without manually operated driving controls, with no negative impact to vehicle safety.

National Environmental Policy Act

The Department has analyzed the environmental impacts of this notice of proposed rulemaking pursuant to the

National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*). Pursuant to 49 CFR 1.81, the Secretary has delegated the “functions” under NEPA to the Administrators “as they relate to the matters within the primary responsibility of each Operating Administration.” NHTSA has determined that this rule is categorically excluded pursuant to 23 CFR 771.118(c)(4). Categorical exclusions are actions identified in an agency’s NEPA procedures that do not normally have a significant impact on the environment and therefore do not require either an environmental assessment (EA) or environmental impact statement (EIS). *See* DOT Order 5610.1D § 9. In analyzing the applicability of a categorical exclusion, the agency must also consider whether extraordinary circumstances are present that would warrant the preparation of an EA or EIS. *Id.* at § 9(b). The Department’s Operating Administrations (OAs) may apply CEs established in another OA’s procedures. *Id.* at § 9(f). To do so, the Operating Administration “must evaluate the action for extraordinary circumstances identified in the OA procedures in which the CE is established to determine if a normally excluded action may have a significant impact and coordinate with the originating OA to ensure that the CE is being applied correctly.” *Id.* This rulemaking, which proposes to amend FMVSS No. 102, “Transmission shift position sequence, starter interlock, and transmission braking effect,” to exclude ADS-equipped vehicles without manually operated driving controls from the requirement for a transmission shift position display, is categorically excluded pursuant to 23 CFR 771.118(c)(4): Planning and administrative activities not involving or leading directly to construction, such as: Training, technical assistance and research; promulgation of rules, regulations, directives, or program guidance; approval of project concepts; engineering; and operating assistance to transit authorities to continue existing service or increase service to meet routine demand. NHTSA has coordinated with the Federal Transit Administration to ensure that this CE is being applied correctly. NHTSA does not anticipate any environmental impacts, and there are no extraordinary circumstances present in connection with this rulemaking.

Executive Order 13132 (Federalism)

NHTSA has examined this rule pursuant to Executive Order 13132 (64 FR 43255, August 10, 1999) and has tentatively concluded that no additional

consultation with States, local governments, or their representatives is mandated beyond the rulemaking process. The agency has tentatively concluded that this rule does not have sufficient federalism implications to warrant consultation with State and local officials or the preparation of a federalism summary impact statement. NHTSA expects that this rule, if adopted, would not have “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.”

NHTSA rules can have a preemptive effect in two ways. First, the National Traffic and Motor Vehicle Safety Act contains an express preemption provision: When a motor vehicle safety standard is in effect under this chapter, a State or a political subdivision of a State may prescribe or continue in effect a standard applicable to the same aspect of performance of a motor vehicle or motor vehicle equipment only if the standard is identical to the standard prescribed under this chapter. 49 U.S.C. 30103(b)(1). It is this statutory command by Congress that preempts any non-identical State legislative and administrative law addressing the same aspect of performance. NHTSA is not aware of any State motor vehicle equipment or inspection laws or regulations that require ADS-equipped vehicles that do not have manual driving controls to be equipped with transmission shift positions displays. However, NHTSA seeks comment on whether any such State requirements exist that would be preempted by this rule, if adopted.

The express preemption provision described above is subject to a savings clause under which compliance with a motor vehicle safety standard prescribed under this chapter does not exempt a person from liability at common law. 49 U.S.C. 30103(e). Pursuant to this provision, State common law tort causes of action against motor vehicle manufacturers that might otherwise be preempted by the express preemption provision generally are preserved.

NHTSA rules can also preempt State law if complying with the FMVSS would render the motor vehicle manufacturers liable under State tort law. Because most NHTSA standards established by an FMVSS are minimum standards, a State common law tort cause of action that seeks to impose a higher standard on motor vehicle manufacturers generally will not be preempted. If and when such a conflict does exist—for example, when the

standard at issue is both a minimum and a maximum standard—the State common law tort cause of action is impliedly preempted. See *Geier v. American Honda Motor Co.*, 529 U.S. 861 (2000).

Pursuant to Executive Orders 13132 and 12988, NHTSA has considered whether this proposed rule would preempt State common law causes of action. The agency’s ability to announce its conclusion regarding the preemptive effect of one of its rules reduces the likelihood that preemption will be an issue in any subsequent tort litigation. This rule simply proposes to allow for the removal of transmission shift position displays in ADS-equipped vehicles that do not have manual driving controls. These displays were intended only for a human driver operating a vehicle with manual driving controls, and do not serve a safety purpose for ADS-equipped vehicles that do not have manual driving controls. NHTSA believes that this change will have no effect on safety. Thus, NHTSA tentatively concludes that no conflict with State common law causes of action would occur. Without any conflict, there could not be any implied preemption of a State common law tort cause of action. NHTSA also seeks comment on this tentative conclusion.

Executive Order 12988 (Civil Justice Reform)

With respect to the review of the promulgation of a new regulation, section 3(b) of Executive Order 12988, “Civil Justice Reform” (61 FR 4729; Feb. 7, 1996), requires that Executive agencies make every reasonable effort to ensure that the regulation: (1) clearly specifies the preemptive effect; (2) clearly specifies the effect on existing Federal law or regulation; (3) provides a clear legal standard for affected conduct, while promoting simplification and burden reduction; (4) clearly specifies the retroactive effect, if any; (5) specifies whether administrative proceedings are to be required before parties file suit in court; (6) adequately defines key terms; and (7) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General. This document is consistent with these requirements.

Pursuant to this Order, NHTSA notes as follows. The issue of preemption is discussed above. NHTSA notes further that there is no requirement that individuals submit a petition for reconsideration or pursue other administrative proceedings before they may file suit in court. In addition, the rule provides a clear legal standard for

compliance, while promoting simplification and burden reduction by excepting vehicles without manual controls from the requirements without any reduction in safety.

Privacy Act

Please note that anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT’s compliance with the Privacy Act, see www.transportation.gov/privacy.

National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104–113, as amended by Public Law 107–107 (15 U.S.C. 272), directs the agency to evaluate and use voluntary consensus standards in its regulatory activities unless doing so would be inconsistent with applicable law or is otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) developed or adopted by voluntary consensus standards bodies, such as the Society of Automotive Engineers (SAE). The NTTAA directs us to provide Congress (through OMB) with explanations when the agency decides not to use available and potentially applicable voluntary consensus standards.

Unfunded Mandates Reform Act

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, requires Federal agencies to prepare a written assessment of the costs, benefits, and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of more than \$100 million annually (adjusted for inflation with base year of 1995). Adjusting this amount by the implicit gross domestic product price deflator for the year 2024 results in \$187 million (125.224/66.937 = 1.87). This NPRM would not result in a cost of \$187 million or more to either State, local, or tribal governments, in the aggregate, or the private sector. Thus, this NPRM is not subject to the requirements of sections 202 of the UMRA.

Executive Order 13609 (Promoting Regulatory Cooperation)

The policy statement in section 1 of Executive Order 13609 provides, in part: The regulatory approaches taken by foreign governments may differ from those taken by U.S. regulatory agencies to address similar issues. In some cases, the differences between the regulatory approaches of U.S. agencies and those of their foreign counterparts might not be necessary and might impair the ability of American businesses to export and compete internationally. In meeting shared challenges involving health, safety, labor, security, environmental, and other issues, international regulatory cooperation can identify approaches that are at least as protective as those that are or would be adopted in the absence of such cooperation. International regulatory cooperation can also reduce, eliminate, or prevent unnecessary differences in regulatory requirements.

In addition, section 24211 of the Infrastructure, Investment, and Jobs Act (Pub. L. 117–58), Global Harmonization, provides that DOT “shall cooperate, to the maximum extent practicable, with foreign governments, nongovernmental stakeholder groups, the motor vehicle industry, and consumer groups with respect to global harmonization of vehicle regulations as a means for improving motor vehicle safety.”⁷

The proposed amendment would except certain vehicles from current regulations and therefore does not implicate any issues regarding international regulatory cooperation.

Severability

The issue of severability of FMVSSs is addressed in 49 CFR 571.9. It provides that if any FMVSS or its application to any person or circumstance is held invalid, the remainder of the part and the application of that standard to other persons or circumstances is unaffected. Comments are requested on the severability of this proposed FMVSS.

Regulation Identifier Number

The Department of Transportation assigns a regulation identifier number (RIN) to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda twice annually. You may use the RIN contained in the heading at the beginning of this document to find this action in the Unified Agenda.

Rulemaking Summary, 5 U.S.C. 553(b)(4)

As required by 5 U.S.C. 553(b)(4), a summary of this rule can be found in the Abstract section of the Department’s Unified Agenda entry for this rulemaking at <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=2127-AM72>.

VI. Public Participation*How long do I have to submit comments?*

Please see **DATES** section at the beginning of this document.

How do I prepare and submit comments?

- Your comments must be written in English.
- To ensure that your comments are correctly filed in the Docket, please include the Docket Number shown at the beginning of this document in your comments.
- Your comments must not be more than 15 pages long. (49 CFR 553.21). We established this limit to encourage you to write your primary comments in a concise fashion. However, you may attach necessary additional documents to your comments. There is no limit on the length of the attachments.
- If you are submitting comments electronically as a PDF (Adobe) File, NHTSA asks that the documents be submitted using the Optical Character Recognition (OCR) process, thus allowing NHTSA to search and copy certain portions of your submissions. Comments may be submitted to the docket electronically by logging onto the Docket Management System website at www.regulations.gov. Follow the online instructions for submitting comments.
- You may also submit your comments, including the attachments, to Docket Management at the address given above under **ADDRESSES**.

Please note that pursuant to the Data Quality Act, in order for substantive data to be relied upon and used by the agency, it must meet the information quality standards set forth in the OMB and DOT Data Quality Act guidelines. Accordingly, we encourage you to consult the guidelines in preparing your comments. OMB’s guidelines may be accessed at <http://www.whitehouse.gov/omb/fedreg/reproducible.html>. DOT’s guidelines may be accessed at http://www.bts.gov/programs/statistical_policy_and_research/data_quality_guidelines.

How can I be sure that my comments were received?

If you wish Docket Management to notify you upon its receipt of your comments, enclose a self-addressed, stamped postcard in the envelope containing your comments. Upon receiving your comments, Docket Management will return the postcard by mail.

How do I submit confidential business information?

You should submit a redacted “public version” of your comment (including redacted versions of any additional documents or attachments) to the docket using any of the methods identified under **ADDRESSES**. This “public version” of your comment should contain only the portions for which no claim of confidential treatment is made and from which those portions for which confidential treatment is claimed has been redacted. See below for further instructions on how to do this.

You also need to submit a request for confidential treatment directly to the Office of the Chief Counsel. Requests for confidential treatment are governed by 49 CFR part 512. Your request must set forth the information specified in Part 512. This includes the materials for which confidentiality is being requested (as explained in more detail below); supporting information, pursuant to Part 512.8; and a certificate, pursuant to Part 512.4(b) and Part 512, Appendix A.

You are required to submit to the Office of the Chief Counsel one unredacted “confidential version” of the information for which you are seeking confidential treatment. Pursuant to Part 512.6, the words “ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION” or “CONFIDENTIAL BUSINESS INFORMATION CONTAINED WITHIN BRACKETS” (as applicable) must appear at the top of each page containing information claimed to be confidential. In the latter situation, where not all information on the page is claimed to be confidential, identify each item of information for which confidentiality is requested within brackets: “[].”

You are also required to submit to the Office of the Chief Counsel one redacted “public version” of the information for which you are seeking confidential treatment. Pursuant to Part 512.5(a)(2), the redacted “public version” should include redactions of any information for which you are seeking confidential treatment (*i.e.*, the only information that should be unredacted is information for which you are not seeking confidential treatment).

⁷H.R. 3684 (117th Congress) (2021).

NHTSA is currently treating electronic submission as an acceptable method for submitting confidential business information to the agency under Part 512. Please do not send a hardcopy of a request for confidential treatment to NHTSA's headquarters. The request should be sent to Dan Rabinovitz in NHTSA's Office of the Chief Counsel (NCC) at Daniel.Rabinovitz@dot.gov. You may either submit your request via email or request a secure file transfer link. Manufacturers or any companies that already have a Confidential Business Information (CBI) Portal account or an Enterprise Account with NHTSA should use the CBI Portal for their submission. If you submit a CBI request, please also email a courtesy copy of the request to David Jasinski at David.Jasinski@dot.gov.

Will the Agency consider late comments?

We will consider all comments that Docket Management receives before the close of business on the comment closing date indicated above under **DATES**. To the extent possible, we will also consider comments that Docket Management receives after that date. If Docket Management receives a comment too late for us to consider in developing the final rule, we will consider that comment as an informal suggestion for future rulemaking action.

How can I read the comments submitted by other people?

You may read the comments received by Docket Management at the address given above under **ADDRESSES**. The hours of the Docket are indicated above in the same location. You may also see the comments on the internet. To read the comments on the internet, go to www.regulations.gov. Follow the online instructions for accessing the dockets.

Please note that, even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically check the Docket for new material.

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles.

Proposed Regulatory Text

In consideration of the foregoing, NHTSA proposes to amend 49 CFR part 571 as set forth below:

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

■ 1. The authority citation for part 571 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.95.

■ 2. Section 571.102 is amended by revising S3.1.4.3, to read as follows:

§ 571.102 Standard No. 102; Transmission shift position sequence, starter interlock, and transmission braking effect.

S3.1.4.3 Such information need not be displayed when the ignition is in a position that is used only to start the vehicle, or in a vehicle without manually operated driving controls.

Issued on March 11, 2026, in Washington, DC, under authority delegated in 49 CFR 1.95.

Jonathan Morrison,
Administrator.

[FR Doc. 2026–05024 Filed 3–13–26; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA–2026–0629]

RIN 2127–AM71

Federal Motor Vehicle Safety Standards; Modernization of FMVSS No. 103 and FMVSS No. 104 To Accommodate ADS-Equipped Vehicles; Incorporation by Reference

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking.

SUMMARY: NHTSA is proposing to amend Federal Motor Vehicle Safety Standards (FMVSS) No. 103, “Windshield defrosting and defogging systems,” and FMVSS No. 104, “Windshield wiping and washing systems.” The proposed modifications would except vehicles equipped with Automated Driving Systems (ADS) that do not have manually operated driving controls from these standards. This rulemaking would remove unnecessary regulatory burdens and costs associated with systems intended to provide visibility for a person driving the vehicle. As these systems do not fulfill the same safety need on an ADS-equipped vehicle without manually operated driving controls, the proposed changes are not expected to have

adverse safety effects. Manufacturers may still provide these systems if they choose to do so. These actions are part of a larger NHTSA effort to address vehicle automation in the agency's regulations. This proposal would also harmonize FMVSS Nos. 103 and 104 with current industry standards through incorporations by reference.

DATES: Comments should be submitted no later than April 15, 2026.

Proposed Effective Date: Vehicles manufactured 180 days after the publication date of the final rule.

ADDRESSES: You may submit comments identified by the docket number in the heading of this document or by any of the following methods:

- *Federal eRulemaking Portal:* Go to www.regulations.gov. Follow the instructions for submitting comments on the electronic docket site by clicking on “Help” or “FAQ.”

- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Suite W58–213, Washington, DC 20590 between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal Holidays. To be sure someone is there to help you, please call (202) 366–9826 or (202) 366–9317 before coming.

- *Fax:* 202–493–2251.

Instructions: All submissions must include the agency name and docket number or Regulatory Information Number (RIN) for this rulemaking. Note that all comments received will be posted without change to www.regulations.gov, including any personal information provided. Please see the Privacy Act discussion below. We will consider all comments received before the close of business on the comment closing date indicated above. To the extent possible, we will also consider comments filed after the closing date.

Docket: For access to the docket to read background documents or comments received, go to www.regulations.gov at any time or to 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. Telephone: 202–366–9826.

Confidential Business Information: If you claim that any of the information in your comment (including any additional documents or attachments) constitutes confidential business information within the meaning of 5 U.S.C. 552(b)(4) or is protected from disclosure pursuant to 18 U.S.C. 1905, please see the detailed instructions given under the