

SEP 4 2003

Mr. Robert Strassburger
Vice President, Safety and Harmonization
Alliance of Automobile Manufacturers
1401 H Street, N.W.
Suite 900
Washington, DC 20005

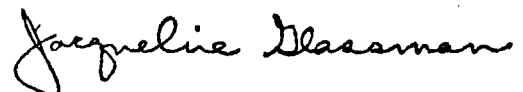
Dear Mr. Strassburger:

This is in reply to your letter of August 13, 2003, asking for an interpretation of the early warning reporting (EWR) rule, 49 CFR Part 579, Subpart C, with respect to the updating of certain information under Section 579.28(f).

You pointed out that under a NHTSA recordkeeping regulation, 49 CFR 576.5(b), manufacturers must retain, for five years, all the “underlying records” that form the basis for EWR information submitted under Part 579. You asked us to confirm your understanding that “manufacturers must update previously submitted information on fatalities or injuries pursuant to Section 579.28(f) for a period of five years from the quarter in which the fatality or injury was initially submitted to NHTSA.” You argued that, in view of the need (explained at a public meeting held on June 19, 2003) to submit updates as part of a resubmission of the entire Excel workbook containing fatality and injury information, “reporting updates beyond that time is inconsistent with the recordkeeping requirement.” We confirm your understanding, and note that it is extremely unlikely that a manufacturer would have to update any such reports at such a late date.

If you have any questions, you may call Taylor Vinson or Andrew DiMarsico of this Office (202-366-5263).

Sincerely,



Jacqueline Glassman
Chief Counsel