

GOVERNMENT CLAMPS DOWN ON HID CONVERSION KITS

NHTSA Does Not Recognize "For Off-Road Use Only" Disclaimer

As SEMA has reported in the past, the National Highway Traffic Safety Administration (NHTSA) is targeting high intensity discharge (HID) conversion kits for enforcement actions.

NHTSA has concluded that it is impossible to produce HID conversion kits (converting a halogen system to HID) that would be compliant with the federal lighting standard, Federal Motor Vehicle Safety Standard (FMVSS) No. 108. The noncompliant kits frequently include an HID bulb, ballast, igniter, relay and wiring harness adapters. NHTSA believes this equipment presents a safety risk to the public since the kits can be expected to produce excessive glare to oncoming motorists. In one investigation, NHTSA found that an HID conversion headlamp exceeded the maximum allowable candlepower by over 800 percent.

Halogen equipment uses an electrical current to heat a metal wire coil filament to incandescence, while the HID conversion kit's light source incorporates a discharge arc to produce light. HID's require a ballast for operation. Under FMVSS No. 108's Section S7.7 (Replaceable light sources), each replaceable light source for headlamps must be designed to conform to the dimensions and electrical specifications for the headlamp source it is intended to replace. For example, if an HID kit is marketed as replacing an H1 light source, then it must match the H1's wire coil filament size and location, the electrical connector size and location, and the ballast design for use with an H1 light source (which is impossible since there is no ballast). Consequently, companies that are manufacturing HID light sources (e.g., D1S, D1R, D2S, D2R, 9500, etc...) with incandescent light source bases (e.g., H1, H3, H7, H8, H9, H11, H13, HB1, HB2, HB3, HB4, HB5, etc...) should be aware that this light source design would not be a design that conforms to FMVSS No. 108, and could not be imported and sold in the United States without violating Federal law. (The importer is treated as the manufacturer and subject to the same fines and penalties that apply to a domestic manufacturer.)

NHTSA has also determined that a commonly-used disclaimer "for off-road use only" has no legal meaning and is not recognized by the agency as the manufacturer, importer and retailer are not in a position to control use once a product has been sold. Any equipment offered for sale which is covered by FMVSS No. 108 (headlamps, taillamps, side markers, etc.) must comply with the standard.

On a related topic, NHTSA has also stepped up enforcement against restyled combination lamps that are missing required functions existing on the original-equipment lamps. This would include replacement front or rear combination lighting equipment that do not have a required reflector, amber or red light, no "DOT" marking, or mismarked wattage. The issue is the same -- any equipment offered for sale which is covered by FMVSS No. 108 must comply with the standard.