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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA-2025-0037]

RIN 2127-AM88

Federal Motor Vehicle Safety Standards No. 210; Seat Belt Assembly Anchorages

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

ACTION: Final Rule.

SUMMARY: On May 30, 2025, NHTSA published a notice of proposed rulemaking (NPRM) proposing to remove unnecessary regulatory text from Federal Motor Vehicle Safety Standard (FMVSS) No. 210, Seat belt assembly anchorages. The agency received no comment on the proposed changes to FMVSS No. 210, and therefore the agency is adopting the changes in this final rule.

DATES: *Effective date*: **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Petitions for Reconsideration: If you wish to petition for reconsideration of this rule, your petition must be received by **[INSERT DATE 45 DAYS AFTER THE PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: You may submit comments identified by the Docket No. NHTSA-2025-0037 through any of the following methods:

- *Electronic submissions:* Go to the Federal eRulemaking Portal at http://www.regulations.gov. Follow the online instructions for submitting comments.
- *Fax:* (202) 493-2251.

- *Mail or Hand Delivery:* Docket Management, 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., Monday through Friday, except on Federal holidays. To be sure someone is there to help you, please call (202) 366-9826 or (202) 366-9317 before coming.

Instructions: All submissions must include the agency name and docket number for this notice. Note that all comments received will be posted without change to https://www.regulations.gov, including any personal information provided. Please see the Privacy Act and Instructions for Submission of Confidential Information heading below.

Docket: For access to the docket to read background documents, go to https://www.regulations.gov, or the street address listed above. Follow the online instructions for accessing the dockets.

FOR FURTHER INFORMATION CONTACT: For technical issues, you may contact Joshua McNeil (email: Joshua.McNeil@dot.gov). For legal issues, you may contact John Piazza at John.Piazza@dot.gov. You can reach these officials by phone at 202-366-1810. Address: National Highway Traffic Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, S.E., West Building, Washington, D.C. 20590.

SUPPLEMENTARY INFORMATION: NHTSA published an NPRM[1] on May 30, 2025 proposing to remove references to dates for certain requirements in FMVSS No. 210. Because the requirements specify that they are applicable for vehicles manufactured after dates that have long passed (September 1, 1987 and October 21, 2011), the dates in the regulatory text are no longer needed. This action does not affect the applicability of 49 U.S.C. 30122, which prohibits certain entities from making inoperative any part of a device or element of design installed in vehicle pursuant to an FMVSS applicable on the date of manufacture. NHTSA received no

[1] 90 FR 22964.

comments on this proposal. For the reasons set forth in the May 30, 2025 NPRM, NHTSA is adopting the proposed changes to FMVSS No. 210 in this final rule without amendment.

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

Regulatory Analyses

Executive Orders 12866 and 13563

This rule does not meet the criteria of a "significant regulatory action" under Executive Order 12866, as amended by Executive Orders 14215 and 13563. Therefore, the Office of Management and Budget (OMB) has not reviewed this rule under those orders.

This regulation is an E.O. 14192 deregulatory action.

Promoting International Regulatory Cooperation

The policy statement in section 1 of Executive Order 13609 provides that the regulatory approaches taken by foreign governments may differ from those taken by the United States to address similar issues, and that in some cases the differences between them might not be necessary and might impair the ability of American businesses to export and compete internationally. It further recognizes that in meeting shared challenges involving health, safety, 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 and can reduce, eliminate, or prevent unnecessary differences in regulatory requirements.

In addition, section 24211 of the Infrastructure, Investment, and Jobs Act, 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."[2]

[2] Pub. L. 117-58.

Because the changes adopted in this final rule are deleting obsolete regulatory text, they do not implicate any issues regarding international regulatory cooperation.

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.), for any rulemaking where publication of a proposed rule is required by 5 U.S.C. 553 or any other law, agencies must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rule 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 rule will not have a significant economic impact on a substantial number of small entities. I have concluded and hereby certify that this rule, which deletes obsolete regulatory text, will not have a significant economic impact on a substantial number of small entities. Therefore, a regulatory flexibility analysis is not required.

Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 et. seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. NHTSA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the Federal Register. This rule does not meet the criteria in 5 U.S.C. 804(2) to be considered a major rule.

Unfunded Mandates Reform Act

This final rule does not contain Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local and Tribal governments, or the private sector of $206 million (the

value equivalent of $100 million in 1995, adjusted for inflation to 2025) or more in any one year. Thus, the rule is not subject to the analytical requirements of the UMRA.

Executive Order 13175

Executive Order 13175 requires Federal agencies to consult and coordinate with Tribes on a government-to-government basis on policies that have Tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes. NHTSA has assessed the impact of this final rule on Indian tribes and determined that this rule would not have tribal implications that require consultation under Executive Order 13175.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the collection displays a currently valid Office of Management and Budget (OMB) control number. This final rule is deregulatory and only deletes obsolete requirements; the rule does not impose any additional information collection requirements.

E-Government Act Compliance

NHTSA is committed to complying with the E-Government Act, 2002 to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes. The E-Government Act of 2002 (Pub. L. 107-347, sec. 208, 116 Stat. 2899, 2921, Dec. 17, 2002), requires Federal agencies to conduct a privacy impact assessment for new or substantially changed technology that collects, maintains, or disseminates information in an identifiable form. No new or substantially changed technology would collect, maintain, or disseminate information as a result of this proposed rule. Accordingly, NHTSA has not conducted a privacy impact assessment.

Executive Order 13132; Federalism Summary Impact Statement

NHTSA has examined this final rule pursuant to Executive Order 13132 (64 FR 43255; Aug. 10, 1999) and concluded that no additional consultation with States, local governments, or their representatives is mandated beyond the rulemaking process. The agency has concluded that the final rule does not have sufficient federalism implications to warrant consultation with State and local officials or the preparation of a federalism summary impact statement. This final rule does 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 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 address the same aspect of performance.

The express preemption provision described above is subject to a savings clause under which "[c]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 are generally preserved. However, the Supreme Court has recognized the possibility, in some instances, of implied preemption of State common law tort causes of action by virtue of NHTSA's rules—even if not expressly preempted.

This second way that NHTSA rules can preempt is dependent upon the existence of an actual conflict between an FMVSS and the higher standard that would effectively be imposed on motor

vehicle manufacturers if someone obtained a State common law tort judgment against the manufacturer—notwithstanding the manufacturer's compliance with the NHTSA standard. 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 will generally not be preempted. However, 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 Order 13132, NHTSA has considered whether this final rule could or should 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.

To this end, the agency has examined the nature (e.g., the language and structure of the regulatory text) and objectives of this final rule and does not foresee any potential State requirements that might conflict with it. NHTSA does not intend that this final rule preempt state tort law that would effectively impose a higher standard on motor vehicle manufacturers than that established by this final rule. Establishment of a higher standard by means of State tort law would not conflict with the standards in this final rule. Without any conflict, there could not be any implied preemption of a State common law tort cause of action.

National Environmental Policy Act

The Department has analyzed the environmental impacts of this final rule pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq*.). NHTSA has determined that this rule is categorically excluded pursuant to 23 CFR 771.118(c)(4). Categorical exclusions are categories of actions that the agency has determined normally do not significantly affect the quality of the human environment and therefore do not require either an

environmental assessment (EA) or environmental impact statement (EIS).[3] 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.[4] The Department's Operating Administrations (OAs) may apply CEs established in another OA's procedures.[5] 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."[6] This rulemaking, which removes unnecessary regulatory text from FMVSS No. 210, 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 (FTA) 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 12988 (Civil Justice Reform)

With respect to the review of the promulgation of a new regulation, section 3(b)(2) of Executive Order 12988, "Civil Justice Reform" (61 FR 4729, February 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)

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[3] *See* DOT Order 5610.1D § 9.

[4] *Id*. § 9(b).

[5] *Id*. § 9(f).

[6] *Id*.

provides a clear legal standard for affected conduct, while promoting simplification and burden reduction; (4) clearly specifies the retroactive effect, if any; (5) adequately defines key terms; and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General.

NHTSA has reviewed this rulemaking action and determined that it conforms to the applicable standards in section 3(b)(2) of EO 12988, Civil Justice Reform. The issue of preemption is discussed above in connection with E.O. 13132 (Federalism). NHTSA believes that this final rule specifies clearly the changes made to FMVSS No. 210, defines any necessary key terms, and provides a clear legal standard for manufacturers to follow. The amendments do not take effect retroactively. NHTSA notes further that there is no requirement that an individual submit a petition for reconsideration or pursue other administrative proceedings before they may file suit in court.

National Technology Transfer and Advancement Act

Under the National Technology Transfer and Advancement Act of 1995 (NTTAA) (Public Law 104-113), "all Federal agencies and departments shall use technical standards that are developed or adopted by voluntary consensus standards bodies, using such technical standards as a means to carry out policy objectives or activities determined by the agencies and departments." Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies, such as SAE (formerly, the Society of Automotive Engineers). The NTTAA directs this agency to provide Congress, through OMB, explanations when the agency decides not to use available and applicable voluntary consensus standards. Because the changes in this final rule are deleting obsolete regulatory text, they do not implicate any issues regarding consensus standards.

Regulation Identifier Number (RIN)

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 in April and October of each year. You may use the RIN contained in the heading at the beginning of this document to find this action in the Unified Agenda.

Privacy Act and Instructions for Submission of Confidential Information

NHTSA will place any petitions for reconsideration received into the docket. Anyone can search the electronic form of all documents 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, or other organization). For information on DOT's compliance with the Privacy Act, see https://www.transportation.gov/privacy.

You should submit a redacted "public version" of your petition (including redacted versions of any additional documents or attachments) using any of the methods identified under ADDRESSES. This "public version" 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.

If you submit confidential information, you also need to submit a request for confidential treatment directly to the Office of 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 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 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). 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 the Office of the Chief Counsel at Daniel.Rabinovitz@dot.gov. You may either submit your request via email or request a secure file transfer link. If you are submitting the request via email, please also email a courtesy copy of the request to John Piazza at John.Piazza@dot.gov.

List of Subjects in 49 CFR Part 571

Motor vehicle safety, Motor Vehicles.

In consideration of the foregoing, NHTSA amends 49 CFR Part 571 as follows:

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. Amend § 571.210 by:

a. Revising paragraphs S4.1.2(a) and S4.1.3.1;

b. Revising the introductory text of paragraph S4.1.3.2;

c. Revising paragraphs S4.1.3.4, S4.1.3.5 and S6.

The revisions read as follows:

§ 571.210 Standard No. 210; Seat belt assembly anchorages.

* * * * *

S4.1.2 (a) Notwithstanding the requirement of S4.1.1, each vehicle that is equipped with an automatic restraint at the front right outboard designated seating position, which automatic restraint cannot be used for securing a child restraint system or cannot be adjusted by the vehicle owner to secure a child restraint system solely through the use of attachment hardware installed as an item of original equipment by the vehicle manufacturer, shall have, at the manufacturer's option, either anchorages for a Type 1 seat belt assembly installed at that position or a Type 1 or Type 2 seat belt assembly installed at that position. If a manufacturer elects to install anchorages for a Type 1 seat belt assembly to comply with this requirement, those anchorages shall consist of, at a minimum, holes threaded to accept bolts that comply with S4.1(f) of Standard No. 209 (49 CFR 571.209).

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S4.1.3.1 Seat belt anchorages for school bus passenger seats must be attached to the school bus seat structure, including seats with wheelchair positions or side emergency doors behind them. Seats with no other seats behind them, no wheelchair positions behind them and no side emergency door behind them are excluded from the requirement that the seat belt anchorages must be attached to the school bus seat structure. For school buses with a GVWR less than or equal to 4,536 kg (10,000 pounds), the seat belt shall be Type 2 as defined in S3. of FMVSS No. 209 (49 CFR 571.209). For school buses with a GVWR greater than 4,536 kg (10,000 pounds), the seat belt shall be Type 1 or Type 2 as defined in S3. of FMVSS No. 209 (49 CFR 571.209).

S4.1.3.2 Type 2 seat belt anchorages on school buses must meet the following location requirements.

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S4.1.3.4 School buses with a GVWR greater than 4,536 kg (10,000 pounds), with Type 1 seat belt anchorages, must meet the strength requirements specified in S4.2.1 of this standard.

S4.1.3.5 School buses with a GVWR greater than 4,536 kg (10,000 pounds), with Type 2 seat belt anchorages, must meet the strength requirements specified in S4.2.2 of this standard.

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S6. *Owner's Manual Information.* The owner's manual in each vehicle with a gross vehicle weight rating of 4,536 kg or less shall include:

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Issued under authority delegated in 49 CFR 1.95 and 501.7.

Jonathan Morrison,

Administrator

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