



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

SEP 18 1996

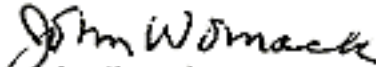
Mr. Richard J. Quigley
5886-b Fernflat Road
Aptos, CA 95003

Dear Mr. Quigley:

This is in response to your e-mail message of September 17, 1996, regarding an inquiry to you from Mr. Dave Maxwell of A.B.A.T.E. of New Jersey about whether the National Highway Traffic Safety Administration (NHTSA) has adopted a "list of approved motorcycle helmets."

As you advised Mr. Maxwell, NHTSA has not adopted a list of "approved" helmets. However, contrary to your statement to Mr. Maxwell, this is not due to concerns about liability. Rather, it is due to the simple fact that NHTSA does not have the statutory authority to "approve" motorcycle helmets or any other item of motor vehicle equipment. NHTSA's role is to issue appropriate Federal motor vehicle safety standards (FMVSS) and to test vehicles and equipment to ascertain whether they comply with those FMVSS. While NHTSA can identify helmets that have passed the agency's compliance tests, that is not the same as "approving" those helmets.

Sincerely,


John Womack
Acting Chief Counsel