

June 18, 2024

Ms. Sophie Shulman
Deputy Administrator
National Highway Traffic Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Dear Deputy Administrator Shulman:

We, the undersigned organizations, are writing to urge the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) to update Federal Motor Vehicle Safety Standard (FMVSS) No. 302, Flammability of Interior Materials, which specifies burn resistance requirements for materials used in the occupant compartment of motor vehicles. This nearly 53-year-old standard does not have a proven fire-safety benefit. Yet, to meet this standard, manufacturers add cancer-causing and neurotoxic flame retardant chemicals to seat foam and other materials—including those in children's car seats. This exposes vehicle occupants to harm, particularly infants and children whose brains and bodies are still developing.

A [recent peer-reviewed study](#) by Duke University, Green Science Policy Institute, and University of Toronto researchers found harmful flame retardants in the interiors of all 101 cars tested across 22 brands. One flame retardant found in 99% of cars is a [suspected carcinogen](#). Other detected flame retardants are known to cause cancer, as well as developmental and reproductive harm. Studies have shown that the average American child has lost [three to five IQ points](#) from exposure to the polybrominated diphenyl ether (PBDE) flame retardants once commonly used in cars. Concerningly, the organophosphate flame retardants currently used in cars are also increasingly being linked to [IQ loss](#) and other harms.

While evidence does not exist to support the efficacy of FMVSS 302 in preventing vehicle fire-related injuries or fatalities, we do know that the flame retardants that are primarily used create additional smoke, soot, toxic gases, dioxins, and furans, which can impede escape, cause injury, and also contribute to cancer and other health harms for first responders.

One possible improvement would be to update FMVSS 302 to replace the current open-flame test with a smolder test that manufacturers can pass without using harmful flame retardants. This is how California [updated](#) its flammability standard for upholstered furniture and baby products a decade ago. Notably, this update modestly increased furniture fire safety [without the use of flame retardants](#) and it is now followed nationwide.

With a significant decrease since the 1970s in cigarette smoking and related behavior that could lead to fires inside the occupant compartment, as well as increasing research showing the severe health harm of flame retardant chemicals, consumers deserve an updated standard that protects against both fire and chemical harms. Together with the more than 32,000 individuals who have signed a [Consumer Reports petition](#) to the agency, our organizations respectfully request that NHTSA initiate an effort to develop an improved FMVSS 302 flammability standard that better

protects Americans' health and also maintains vehicle fire safety. Thank you for your consideration.

Sincerely,

National Organizations

Consumer Reports

Green Science Policy Institute

International Association of Fire Fighters

Alliance of Nurses for Healthy Environments

Ban SUP (Single Use Plastic)

Breast Cancer Prevention Partners

Brighter Beginnings

Center for Auto Safety

Center for Biological Diversity

Center for Community Action and Environmental Justice

Center for Environmental Health

Center for Public Environmental Oversight

Children's Environmental Health Network

Clean Production Action

Clean Water Action

CleanEarth4Kids.org

Collaborative for Health & Environment (CHE)

Commonweal Biomonitoring Resource Center

Consumer Federation of America

Consumers for Auto Reliability and Safety

Defend Our Health

Design Chain Associates, LLC

Earthjustice

Ecology Center

Environmental Defense Fund

Environmental Working Group

Families Advocating for Chemical and Toxics Safety

Grandparents4Action

Grassroots Environmental Education

International Pollutants Elimination Network (IPEN)

Kids and Car Safety

Mamavation Maternal and Child Health Access

Moms Advocating Sustainability

Moms Clean Air Force

National Center for Health Research

National Consumers League

National Stewardship Action Council

Natural Resources Defense Council

Non Toxic Communities
Non-Toxic Neighborhoods
Plastic Pollution Coalition
Prevent Cancer Now
Public Citizen
Public Employees for Environmental Responsibility
R colte Energy
Resource Renewal Institute
Responsible Purchasing Network
Science and Environmental Health Network
SEE (Social Eco Education)
The Last Plastic Straw
Toxic-Free Future
U.S. Public Interest Research Group
Women's Voices for the Earth

State and Local Organizations

Alaska Community Action on Toxics
California Nurses for Environmental Health and Justice
California Public Interest Research Group (CALPIRG)
Clean+Healthy
Feather River Action!
Illinois PIRG
Long Beach Gray Panthers
Maryland PIRG
Massachusetts Breast Cancer Coalition
MASSPIRG
Nantucket PFAS Action Group
New York Clinicians for Climate Action
Physicians for Social Responsibility - Los Angeles
Protect Wild Petaluma
San Francisco Firefighters Cancer Prevention Foundation
Save The Bay
Toxic Free North Carolina
Zero Waste Washington