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Governor

# Department of Transportation

State of Wyoming



John F. Cox  
Director

August 10, 2005

U.S. Department of Transportation  
Docket Management Facility  
Room PL-401  
400 Seventh Street, SW  
Washington, DC 20590-001

Re: Docket No. NHTSA 2005-21467  
Two- and Three-Wheeled Vehicles

The Wyoming Department of Transportation offers the following comments for consideration.

We appreciate the opportunity to review recommendations for defining motor vehicles. We have seen quite an influx of various types of vehicles entering the United States market from our foreign trading partners overseas. This has caused a safety concern since many of these vehicles do not meet the U.S. Federal Safety Standards to be operated on public roads.

**Question 1:** The agency is requesting comment on the appropriateness of relying primarily and nearly exclusively for lower speed vehicles on the maximum speed capability when classifying two- and three-wheeled vehicles as motor vehicles or non-motor vehicles and on the appropriateness of using 20 mph as the threshold.

**Answer:** Wyoming does not agree that 20 mph be the threshold of defining motor vehicles. Any vehicle to be used on public roads must meet all U. S. Federal Safety Standards. Presently in the U.S. we lose 42,000 people per year in highway traffic deaths. Intermixing vehicles that travel only 20 mph with larger and faster vehicles will increase our traffic deaths. We want to emphasize that all vehicles classified as motor vehicles should meet U.S. Federal Safety Standards with an emblem on them that states they meet FMVSS and also provides a VIN number. In addition the Manufactures Statement of Origin (MSO) or Certificate of Origin should not have any restrictions. Classifying these vehicles as motor vehicles may require states to license them for public roads unless these states make legislative changes. We do not have an objection to these vehicles being operated in gated communities such as retirement or private communities.

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**Question 2:** We request comments on any other factors that should be considered with respect to the underlying speed capability of vehicles, so that our interpretation would not be used inadvertently to classify vehicles with larger power plants as falling outside the definition of “motor vehicle.” For example, how should the agency deal with a vehicle whose speed capability can readily be increased to speeds of 20 mph or more through simple adjustments to the vehicle?

**Answer:** Our answer to question 1 is applicable here also.

**Question 3:** Therefore, we request comment on the appropriateness of the on-road equipment chosen to distinguish off-road vehicles with maximum speed capabilities 20 mph or greater from on-road vehicles.

Are there currently off-road vehicles that would be classified as on-road vehicles based on the “on-road equipment.”

If so, which vehicles?

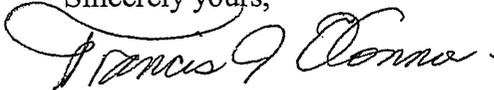
If we were to adopt guidelines as discussed above, what would be the impact to off-road vehicle manufacturers?

Are there other vehicle characteristics that may better distinguish on-road two-and three-wheeled vehicles from off-road two-and three-wheeled vehicles?

**Answer:** The off-road vehicles have tires that are used for going through rough terrain. The off-road tires are not meant to be driven on paved surfaces. If these vehicle are driven on paved public roads, they should have appropriate tires. It is our belief that these vehicles are not for use on public roads except in gated communities. We would classify all these vehicles as off-road/recreational and not try to define them as motor vehicles.

Thank you for the opportunity to comment on these issues.

Sincerely yours,



Francis J. O'Connor  
Support Services Administrator