

October 28, 2019

National Highway Traffic Safety Administration (NHTSA)  
Docket Management Facility (M-30)  
U.S. Department of Transportation  
West Building, Ground Floor, Rm. W12-140  
1200 New Jersey Avenue SE,  
Washington, DC 20590

**Re: *Electronic Motor Vehicle Transactions Systems*  
*49 CFR Part 580; Docket No. NHSTA-2019-0092***

To whom it may concern:

The American Financial Services Association (AFSA) appreciates the opportunity to respond to the National Highway Traffic Safety Administration's (NHTSA) September 27, 2019 request for comments.<sup>1</sup> AFSA is the national trade association for the consumer credit industry, protecting access to credit and consumer choice. Its more than 350 members include consumer and commercial finance companies, auto finance/leasing companies, mortgage lenders, mortgage servicers, credit card issuers, industrial banks and industry suppliers.

In a Federal Register notice on October 2, 2019, NHTSA issued a final rule that will allow for state adoption of electronic odometer disclosure systems without having to petition the agency for approval.<sup>2</sup> In the September notice, NHTSA requested comment on the nature and scope of these potential benefits for states, consumers, and other stakeholders. AFSA's comments here are in response to that September request for comments.

AFSA strongly supports the final rule. We agree with NHTSA's goal of increasing efficiency, protecting consumers, and removing needlessly burdensome regulations. We believe that the rule meets this goal and will result in significant cost savings and burden reductions by facilitating electronic titles and title transfers.

AFSA's National Title Solutions Forum (NTSF) submitted comments on NHTSA's 2016 notice of proposed rulemaking on odometer disclosure requirements. The NTSF provides a platform for vehicle finance companies to effect positive change to the title process with the long-term goal of eliminating many of the paper processes for electronic lien and titling processing. The committee is comprised of national and regional vehicle finance companies and the business partners who support electronic lien and title management.

In its May 20, 2016 letter, the NTSF expressed support for the establishment of rules for an electronic odometer disclosure system. The NTSF wrote that it supports the application of electronic signature and electronic authentication measures to ensure odometer disclosure

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<sup>1</sup> 84 Fed. Reg. 51090-92 (September 27, 2019).

<sup>2</sup> 84 Fed. Reg. 52664, *et seq.* (October 2, 2019).

documents can be electronically signed in person and remotely. The letter also included several suggestions for the proposed rule. The NTSF is pleased that NHTSA reviewed and implemented our recommendations.

We agree with NHTSA that electronic transactions will lead to many efficiency gains for the significant number of entities involved in motor vehicle transactions, including: motor vehicle dealers, motor vehicle auction companies, insurance and casualty companies, banks, credit unions, finance companies, salvage companies and junk yards, state departments of motor vehicles, and consumers, and all other persons or entities required to make odometer disclosures. We also agree that paperless transactions will reduce the time needed to complete vehicle transactions, which could lead to substantial additional cost savings.

AFSA applauds NHTSA for this effort to remove obstructive and unnecessary regulations. Please contact me by phone, 202-776-7300, or e-mail, [cwinslow@afsamail.org](mailto:cwinslow@afsamail.org), with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Celia Winslow".

Celia Winslow  
Vice President, Legal & Regulatory Affairs  
American Financial Services Association