



National Transportation Safety Board

Washington, DC 20594

Office of the Chairman

June 26, 2020

Docket Management Facility
US Department of Transportation
1200 New Jersey Avenue, SE
West Building, Ground Level
Room W12-140
Washington, DC 20590-0001

Attention: Docket No. NHTSA-2020-0006

Dear Sir or Madam:

The National Transportation Safety Board (NTSB) has reviewed the National Highway Traffic Safety Administration (NHTSA) request for comments titled “Agency Information Collection Activities; Notice and Request for Comment; Government 5-Star Safety Ratings Label Consumer Research,” published at 85 *Federal Register* 23598 on April 28, 2020. In its request, NHTSA proposes to conduct focus groups in four geographic markets located across the country to evaluate design and consumer information improvements to the Government 5-Star Safety Ratings section of the Monroney label. The 2015 Fixing America’s Surface Transportation (FAST) Act requires NHTSA to issue a rule to ensure that crash avoidance information is provided next to crashworthiness information on the Monroney label. NHTSA aims to use the data from the focus groups to improve consumer understanding of the government’s vehicle safety ratings and advanced crash avoidance technology system performance assessments. The data will also guide NHTSA’s development of communications to help consumers in their vehicle purchase decisions. Overall, the NTSB welcomes the apparent inclusion of safety technology in label concepts that NHTSA is proposing to evaluate, but we are also concerned that the proposed information lacks specificity about the crash avoidance and other technology to be included in the evaluated labels. The NTSB urges NHTSA to incorporate performance ratings of crash avoidance technologies and vulnerable road user protection systems on the Monroney labels, thus fully informing the public.

Concerns Regarding Government 5-Star Safety Ratings Label and Proposed Information Collection Request

The NTSB recognizes NHTSA’s research efforts to improve consumer understanding of the vehicle safety rating system and the assessment of crash avoidance technologies. The proposed research questions are centered around appeal of label concepts as well as comprehension, format, and how the information is displayed on the label. All those elements are important; however, the proposal lacks discussion about the content of the information to be presented. The NTSB has expressed concern about the lack of progress on expanding the Government 5-Star Safety Ratings / New Car Assessment Program (NCAP) to provide relevant information to help consumers as they consider safety in their vehicle purchase decisions.

Currently, the 5-Star Safety Ratings label combines the results of the frontal crash tests, side crash tests, and a rollover resistance test into one score that indicates the overall risk of injury

to a vehicle occupant if the vehicle is involved in a crash. The 5-Star Safety Ratings does not rate the performance of crash avoidance technologies nor does it include systems designed to protect vulnerable road users (such as pedestrians, bicyclists, and motorcyclists). Instead, NHTSA's NCAP website includes icons indicating only the availability of certain crash avoidance technologies on a vehicle (even if a system is optional equipment). However, even this limited information about whether a vehicle is equipped with some level of crash avoidance technology is not included on the Monroney label. Although the performance of crash avoidance technologies varies significantly, NHTSA does not rate this performance on its website. To give manufacturers an incentive for improving performance and for informing the public about the effectiveness of these systems, performance ratings are essential. A rating system should regularly increase the criteria for achieving a top score.

Based on our crash investigations and examination of various crash avoidance and other safety technologies, we offer the following comments to improve the practical utility of the proposed information collection request.

NTSB Safety Recommendations

The NTSB has a long history advocating for crash avoidance technologies. Since 1995, our investigations have led to the issuance of more than 25 safety recommendations in this area, many of which have been directed to NHTSA.¹ Many of the initial recommendations that the NTSB issued pertaining to crash avoidance systems related to their use in commercial vehicles.² The recommendations asked NHTSA to research, develop, or improve performance standards for the technologies; inform consumers about their benefits; encourage vehicle manufacturers to install them as standard equipment; and require them on all new vehicles. A list of recent safety recommendations for crash avoidance technologies in passenger vehicles is provided below.

- In 2015, the NTSB issued recommendations to vehicle manufacturers to install forward collision avoidance systems as standard equipment in all new vehicles (Safety Recommendations H-15-8 and -9).³ In the same special investigation report, the NTSB issued recommendations to NHTSA to incorporate a rating system into NCAP for forward collision avoidance systems and to include those ratings on the Monroney label (Safety Recommendations H-15-6 and -7).⁴
- In 2018, the NTSB published a special investigation report pertaining to pedestrian safety and issued numerous recommendations to NHTSA, including to develop performance tests

¹ In 1995, the NTSB issued Safety Recommendation H-95-44 to the Department of Transportation, asking it to begin testing collision warning systems in commercial fleets. Because of a lack of progress, the recommendation was classified "Closed—Unacceptable Action" in August 1999.

² For example, see *Vehicle- and Infrastructure-Based Technology for the Prevention of Rear-End Collisions*, Special Investigation Report NTSB/SIR-01/01 (Washington, DC: NTSB). Safety Recommendation H-01-6 recommended that NHTSA complete rulemaking on adaptive cruise control and collision warning system performance standards for new commercial vehicles. At a minimum, those standards should address obstacle detection distance, timing of alerts, and human factors guidelines, such as the mode and type of warning. Safety Recommendation H-01-6 was classified "Closed—Unacceptable Action" in June 2015 and superseded by Safety Recommendation H-15-5.

³ See NTSB/SIR-15/01. Safety Recommendations H-15-8 and -9 are classified "Open—Acceptable Response."

⁴ Safety Recommendations H-15-6 and -7 are classified "Open—Acceptable Response."

for evaluating automatic pedestrian safety systems and to incorporate such systems into NCAP (Safety Recommendations H-18-42 and -43).⁵

- In 2018, the NTSB published a safety report titled *Select Risk Factors Associated with Causes of Motorcycle Crashes* and issued a recommendation to NHTSA to incorporate motorcycles in the development of performance standards for passenger vehicle crash warning and prevention systems (Safety Recommendation H-18-29).⁶
- In 2019, the NTSB published a safety study on bicyclist safety that included a recommendation for NHTSA to incorporate into its NCAP testing the evaluation of a car's ability to avoid crashes with bicycles (Safety Recommendation H-19-36).⁷

Although the NTSB has made specific recommendations for only some crash avoidance systems—forward collision warning; automatic emergency braking; and automatic pedestrian, motorcycle, and bicycle detection—we also support inclusion of other systems that show a safety benefit.⁸

The NTSB recognizes the critical role that the Government 5-Star Safety Ratings Program has—and *could have*—in informing consumers and providing incentives to manufacturers to improve safety. However, we are disappointed with the lack of progress on expanding the Government 5-Star Safety Ratings to provide relevant safety information to help consumers in their vehicle purchase decisions. In this request for comments, NHTSA states that one of the goals of the proposed focus groups in their evaluation of a new label is to “identify additional areas of improvement related to the three main sections relating to safety protection, safety technology and overall vehicle safety performance.” However, we are concerned that the proposed collection of information lacks specificity about the safety technology to be included in the label concepts for evaluation. The NTSB urges NHTSA to incorporate ratings for the performance of crash avoidance technologies and vulnerable road user protection systems into the Government 5-Star Safety Ratings / New Car Assessment Program.

Sincerely,

Robert L. Sumwalt, III
Chairman

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⁵ See *Pedestrian Safety*, Special Investigation Report NTSB/SIR-18/03 (Washington, DC: NTSB). Safety Recommendations H-18-42 and -43 are classified “Open—Acceptable Response.”

⁶ See *Select Risk Factors Associated with Causes of Motorcycle Crashes*, Safety Report NTSB/SR-18/01 (Washington, DC: NTSB). Safety Recommendation H-18-29 is classified “Open—Acceptable Response.”

⁷ See *Bicyclist Safety on US Roadways: Crash Risks and Countermeasures*, Safety Study NTSB/SS-19/01 (Washington, DC: NTSB). Safety Recommendation H-19-36 is classified “Open—Await Response.”

⁸ See the NTSB’s response to NHTSA’s request for comments, “New Car Assessment Program,” published at 80 *Federal Register* 241 on December 16, 2015. <https://www.regulations.gov/document?D=NHTSA-2015-0119-0352>