

November 22, 2021

The Honorable Steven Cliff
Acting Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

**Re: Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Incident Reporting for Automated Driving Systems and Level 2 Advanced Driver
Assistance Systems, Docket No. NHTSA-2021-0070**

Dear Acting Administrator Cliff,

On September 30, 2021, the National Highway Traffic Safety Administration (NHTSA) published in the Federal Register a Notice and request for comments on a request for extension of a currently approved information collection of incident reporting requirements for Automated Driving Systems (ADS) and Level 2 Advanced Driver Assistance Systems (ADAS). The National Association of Mutual Insurance Companies (NAMIC) welcomes the opportunity to respond to this request for comments related to ADS and ADAS incident reporting and to urge the Office of Management and Budget (OMB) to extend the currently approved information collection.

NAMIC is the largest property/casualty insurance trade group with a diverse membership of more than 1,400 local, regional, and national member companies, including seven of the top 10 property/casualty insurers in the United States. NAMIC members lead the personal lines sector representing 53 percent of the auto market. Through our advocacy programs we promote public policy solutions that benefit NAMIC member companies and the policyholders they serve and foster greater understanding and recognition of the unique alignment of interests between management and policyholders of mutual companies.

Advanced driver-assistance systems (ADAS) are combinations of electronic and mechanical technologies in a vehicle that assist the human drivers in operation of the vehicle. More vehicles on U.S. roads include technologies such as adaptive cruise control and lane centering, but the drivers continue to share driving responsibilities. Advanced crash avoidance features are becoming widespread and many of today's vehicles have technologies that monitor driver input and the environment around the vehicle, as well as warn the driver of required action or automatically brake or steer the vehicle if the driver does not act to avoid a crash.



Some ADAS have proven to be of value. According to ongoing [research](#) by the Insurance Institute for Highway Safety (IIHS), front crash prevention is becoming more universal and its capabilities more consistent across brands, thanks to a voluntary commitment by 20 automakers, representing 99 percent of U.S. light vehicle sales, to make the technology standard by 2022. IIHS also found that lane departure warning has reduced rates of single-vehicle, sideswipe, and head-on crashes reported to the police. IIHS also reports that rear automatic braking is associated with the largest reductions in insurance claims and backing crashes reported to the police of any type of rear crash prevention system.

But there are ADAS issues, as well. A 2021 [study](#) by the American Automobile Association found that “moderate to heavy rain affects a vehicle safety system’s ability to “see”, which may result in performance issues. During closed course testing, AAA simulated rainfall and found that test vehicles equipped with automatic emergency braking traveling at 35 mph collided with a stopped vehicle one third (33%) of the time. Lane keeping assistance didn’t fare any better with test vehicles departing their lane 69% of the time.” Earlier AAA testing of found that ADS struggled to stay within in a marked lane in moderate traffic, on curved roadways and on streets with busy intersections; failed to stop for pedestrians in common scenarios like crossing in front of a vehicle, a child darting out between two parked vehicles, or walking at night, and collided with a simulated disabled vehicle and instances of coming too close to other vehicles or guardrails.

The incredible and evolving complexity required for creating s combined software and hardware which can effectively and safely operate a motor vehicle on public roads, coupled with the mixed bag of positive and negative findings by safety experts, makes it crystal clear that – at the very least - more information is needed on continually developing ADAS and ADS to make any reasonable determinations of safety.

The mission of NHTSA is s to save lives, prevent injuries, and reduce economic costs due to road traffic crashes, through education, research, safety standards, and enforcement. In June of 2021, NHTSA exercised its authority by issuing a Standing General Order requiring manufacturers and operators of vehicles equipped with SAE Level 2 ADAS or SAE Levels 3-5 ADS to report crashes. This action was taken to enable NHTSA to collect information necessary for the agency to play its role in keeping Americans safe on the roadways, even as the technology deployed on the nation’s roads continues to evolve.

NAMIC supports the proposed extension of a currently approved collection of information, for which the agency is seeking approval from OMB. NAMIC believes without question that the proposed collection of information is necessary for the proper performance of the functions of the Department, including that the information will have great practical utility. The three-year period is needed to collect and review an amount of information to evaluate safety considerations. To enhance the quality, utility, and clarity of the information to be collected, NHTSA may want to consider



soliciting the cooperation of the property casualty insurance industry to consider ways to fine tune the specific information being reported and to further enhance the data collection operations.

To conclude, NAMIC fully supports the NHTSA request for OMB's approval for a three-year extension of this currently approved information collection.

Sincerely,



Thomas J. Karol

General Counsel – Federal
National Association of Mutual Insurance Companies