

January 18, 2022

Ms. Julie Vallese
Associate Administrator
Office of Communications and Consumer Information
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

**Re: NHTSA Agency Information Collection Activities, Notice and Request for Comment,
Government 5-Star Safety Ratings Label Consumer Research, Docket No. NHTSA–2020-0006**

Associate Administrator Vallese,

[VERITY Now](#), a coalition striving to achieve equity in vehicle safety, has serious concerns with the status of the NHTSA 5-Star Safety Rating Program. The program does not equally represent vehicle safety for everyone in the United States, and the 5-star safety ratings the government backs with its name and credibility may, in fact, be misleading depending on who is relying on them to keep themselves and their families safe in vehicles.

Based on NHTSA and DOT's own data from 2013, we know that female drivers are far more likely to be seriously injured or killed in a car crash than men. But the 5-star safety rating program does not test for women in the driver's seat, and the crash test dummies it uses to represent women in other vehicle positions are based on male, not female, physiology. The government's 5-star ratings for vehicle crash testing are outdated and unequal, causing thousands of women to be needlessly killed and injured every year.

This deadly gender bias in vehicle safety is unacceptable. Women and men are entitled to be protected equally under the government's programs. But despite knowing about inequalities in its 5-star program – from its own research – for years, NHTSA and DOT have chosen not to fix this deadly problem. To this day, NHTSA spends hundreds of thousands of U.S. taxpayer dollars on contracts with universities and vendors to study the issue. While every day, women lose their lives and are seriously injured in vehicles that are not designed for them. It is time to stop studying this issue and fix it – now.

Females are not just smaller versions of males. Due to differences in physiology and driver positioning, women's and men's bodies behave differently in a crash. While crash test dummy manufacturers have created technologies that could make vehicles safer for women and other under-represented groups, the government's NCAP and 5-star safety ratings have not been updated to reflect advancements that would bring equality to vehicle design.

Overall, NHTSA data show women are 17%-18.5% more likely to die in a vehicle crash than men. That means up to 1,342 women are needlessly dying every year¹. In addition, these data show we are losing more than 1,600 young adults and elderly people every year to crashes who need not die. Surely this is the kind of information that a consumer would want to know before purchasing a vehicle. But because the non-equitable nature of crash-testing is not addressed in the program, they might never know.

Women are significantly more prone to whiplash in a crash. Women have different muscle mass and bone structures that aren't accurately represented in current frontal crash test. Also, women typically sit closer to the steering wheel than men, this difference in distance can increase the chance of injury.

Relative to males of the same age, females in deadly crashes were 9.4% more likely to die as a result of neck injury². And differences are exacerbated when women become pregnant – for instance, standard seatbelts do not fit more than sixty percent of third-trimester pregnant women³.

Many of those injuries and deaths would be preventable if testing required vehicle manufacturers to design and test vehicles with every body in mind. Unfortunately, this is not yet the case. And again, because the 5-Star Safety Ratings program does not report the non-equitable nature of the underlying crash tests, it may be difficult for a consumer who is attempting to use the 5-Star Ratings program to evaluate a vehicle to know whether the crash test ratings apply to them – especially if they are not an average-weight male.

The Department of Transportation and NHTSA have been neglecting long needed updates to NCAP. Over the past decade numerous deadlines to provide much needed updates to the safety program have been missed at the same time that traffic deaths have been rapidly increasing.

In stark contrast, vehicle traffic fatalities are decreasing dramatically in Europe⁴. Europe just announced another comprehensive update to its crash test dummies, incorporating the most

¹ Kahane, C. J. "Injury vulnerability and effectiveness of occupant protection technologies for older occupants and women." (Report No. DOT HS 811 766). Washington, DC: National Highway Traffic Safety Administration, May 2013.

² Kahane, Charles J. "Injury vulnerability and effectiveness of occupant protection technologies for older occupants and women." Report No. DOT HS 811 766. Washington, DC: National Highway Traffic Safety Administration, 2013. <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/811766>.

³ Criado-Perez, Caroline. "The deadly truth about a world built for men - from stab vests to car crashes." The Guardian, 23 Feb. 2019. Excerpted from Invisible Women: Exposing Data Bias in a World Designed for Men, by Caroline Criado Perez (Chatto & Windus). <https://www.theguardian.com/lifeandstyle/2019/feb/23/truth-world-built-for-men-carcrashes>.

⁴ European Commission, "Road safety: 4,000 fewer people lost their lives on EU roads in 2020 as death rate falls to all-time low." https://ec.europa.eu/commission/presscorner/detail/en/IP_21_1767

up-to-date technology. This is the latest round of updates implemented by Europe's efficient and transparent car safety rating program – and those regular updates have helped save an average of 1,000 lives a year in Europe⁵ over the past decade. The EU also has moved ahead of America in terms of gender equity in car safety, and has a more innovative and advanced set of safety tests than America's New Car Assessment Program (NCAP).

It is time for the U.S. to lead on auto safety and be transparent regarding car safety ratings. The 5-star ratings program does not report the fact that the tests that underly the ratings are unequal. Therefore, the program cannot accurately inform consumers who attempt to use the ratings. In other words, the tests underlying the ratings are unequal, and the ratings are therefore unreliable for many who wish to use them. But the government is not transparent about this inequality in the program it administers, instead inviting consumers to rely on ratings that may or may not apply to them.

Until tests measure the impact of a crash on every body, it will be impossible for NHTSA to say that its 5-Star Safety Ratings program applies to every American consumer. As you conduct your information-gathering on the program, please take into account the inequities inherent in testing, and the lack of knowledge consumers carry about these inequities. Until appropriate changes to the underlying testing regime are made, we believe that anyone who evaluates the 5-Star program should be told about the underlying biases before assessing it.

Sincerely,

Beth Brooke
Co-Chair, VERITY Now

Susan Molinari
Co-Chair, VERITY Now

⁵ Eurostat, "Road accidents: number of fatalities continues falling." <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/ddn-20210624-1>