

May 4, 2022

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

**Re: Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Investigation-Based Crash Data Studies - Docket No. NHTSA-2021-0086**

Dear Administrator Cliff,

On April 19, 2022, the National Highway Traffic Safety Administration (NHTSA) published in the Federal Register a Notice and request for comments on a request for approval titled “Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Investigation-Based Crash Data Studies”. The National Association of Mutual Insurance Companies (NAMIC) welcomes the opportunity to respond to this request for comments related to NHTSA’s proposed extension with modification on NHTSA’s Investigation-Based Crash Data Studies: Crash Investigation Sampling System (CISS), Special Crash Investigation (SCI) and Special Study Data Collection.

NAMIC is the largest property/casualty insurance trade group with a diverse membership of more than 1,500 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 55 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.

Under 49 U.S.C. 30182 and 23 U.S.C. 403, NHTSA is authorized to collect data on motor vehicle traffic crashes to aid in the identification of issues and the development, implementation, and evaluation of motor vehicle and highway safety countermeasures to reduce fatalities and the property damage associated with motor vehicle crashes. NHTSA has implemented CISS and SCI to collect data on fatal motor vehicle traffic crashes, which supports the establishment and enforcement of highway safety programs.

The Infrastructure Investment and Jobs Act ([Pub. L. 117-58](#)), included a Crash Data section (section 24108) which authorizes the Secretary of Transportation and NHTSA by delegation to use funds to enhance the collection of data under CISS by, among other things, including additional data collection sites. Accordingly, NHTSA now seeks to increase the number of crashes investigated by the crash technicians for 2021 and future years, add Special Study cases into this package, and add SCI Investigation cases into this package.

NHTSA acknowledges that the “Affected Public” of this proposal include people involved in select motor vehicle crashes, hospitals that provide a copy of the injured occupant's medical treatment of injuries; and tow or salvage lot facilities that provide access to the storage facility to inspect the vehicle; all of which include property and casualty insurance companies and their policyholders.

NAMIC fully supports NHTSA’s proposed collection of information as necessary and appropriate and believes that the information surveyed will have significant practical utility. Although we are not experts in this area, NHTSA’s estimate of the burden and the quality, utility and clarity of the information to be collected certainly seem appropriate.

We do raise the question of the availability of the enhanced data to be collected to policyholders and insurers impacted by the crash for which the data is collected, as well as whether and how data would be made publicly available or subject to medical or other privacy protections. This would include, at a minimum, the “collection of information from individuals involved in crashes via interview” police crash reports, medical records and tow yard reviews. It is important to ensure the availability of these records to auto owners and their designees, as well as clarifying appropriate restrictions applicable to potential litigants.

To conclude, with appropriate answers to these questions, NAMIC supports the initiative of NHTSA in this regard to address the issue of obtaining and using more crash data to enhance road and traffic safety. If we you have and questions of comments, please feel free to contact us.

Sincerely,



Thomas J. Karol

General Counsel – Federal  
National Association of Mutual Insurance Companies