

May 19, 2022

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

**Re: Agency Information Collection Activities; Notice and Request for Comment;
Consumer Complaint Information, Docket No. NHTSA-2022-0016**

Dear Administrator Cliff,

On April 6, 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; Notice and Request for Comment; Consumer Complaint Information”. The National Association of Mutual Insurance Companies (NAMIC) welcomes the opportunity to respond to this request for comments related to NHTSA’s proposed information gathered through consumer complaints.

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.

Chapter 301 of title 49 of the United States Code authorizes the Secretary of Transportation to require manufacturers of motor vehicles and motor vehicle equipment to conduct owner notification and remedy, such as recalls, when it has been determined that a safety defect exists in the performance, construction, components, or materials in motor vehicles and motor vehicle equipment. Pursuant to Title 49 of the United States Code of Federal Regulations (CFR) Parts 573 and 577, manufacturers are required to notify NHTSA, as well as motor vehicle and motor vehicle equipment owners, dealers, and distributors, that a determination has been made to remedy a defect through the issuance of a safety recall.

NHTSA also solicits information from vehicle owners to identify and evaluate possible safety-related defects and provide the necessary evidence of the existence of such a defect. NHTSA also uses the vehicle owner information to monitor the adequacy of a manufacturer's recall efforts. Consumers of motor vehicles or motor vehicle equipment voluntarily submit complaints through NHTSA's Vehicle Safety Hotline, NHTSA's website or through correspondence.

As detailed in the proposal, NHTSA uses input from consumers including consumers' allegations of a safety defect that they experienced with their vehicle or vehicle equipment, including defects that resulted in injuries, crashes, property damage, or death, to help identify potential safety-related defects that could lead to a safety recall or recall inadequacies.

This owner provided information enables NHTSA to: develop technical foundations of evidence with which to prove to manufacturers and a court that safety-related defects exist which require remedy; identify unreasonable safety risks in specific makes, models, and model years of vehicles and equipment; determine when to open an investigation or initiate a recall; and, overall reduce the number of crashes, fires, injuries, and fatalities that occur on our nation's highways.

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 whether increasing the availability of data to the owner would enhance the ability of the owner to understand and identify possible safety issues to better aid NHTSA's efforts to identify and address safety-related defects. Vehicles on the road today are increasingly reliant on computers, are connected to the internet, and are equipped with advanced safety equipment. Many of these systems are improving safety but much of the data that they generate is sent to the manufacturer and is not readily available to the vehicle owner in a comprehensible or usable format.

Given the reliance of NHTSA on owner reports detailed above, making more data available to the owner would be a most effective force multiplier to finding and reporting possible safety related defects. Improved owner access to vehicle data would also support pro-active owner engagement to identify, maintain and repair possible safety related issues to pre-empt dangerous situations on the road.

For this purpose, NAMIC has developed a proposed set of safety related data that we understand may be routinely collected and maintained electronically by the manufacturer from an owner's vehicle, that we believe should be made available to that owner on request for safety or repair purposes. The list below represents categories of data adapted from several sources and is intended to contain broad categories rather than granular data points to avoid making the list too specific, and therefore exclusionary and cumbersome.

NAMIC suggest that NHTSA consider regulations or recommendations to manufacturers that will ensure that the vehicle owner/policyholder can access and control this data. We would greatly appreciate any input that NHTSA could add in refining this list.

- Time and History - Incident recording including photographic/video data 30 seconds before and 15 seconds after incident, stored for 6 months
- Location and path - Latitude, Longitude, direction
- Vehicle state and kinematics - Speed, direction, acceleration and deceleration
- On, Off, Functionable, Damaged, etc.
 - Crash prevention systems, Driver assistance systems, Passenger restraint systems, Driving assist systems
- Timestamp of on or off status of safety systems
- Vehicle occupant state
- Driver intervention of steering, braking, throttle, or indicator
- Broadcasted and received vehicle to vehicle operational messaging
- Broadcasted and received vehicle to infrastructure operational messaging
- Visual representation of what sensor saw including photographic and video data
 - Seatbelt engagement
 - Headlight engagement
 - Access to or use of onboard technology (i.e. OnStar)

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 owner data to enhance road and traffic safety. We would further greatly appreciate an opportunity to meet with your team in the near future to discuss these important issues of mutual interest where NAMIC members and NHTSA can work together to enhance road safety for all drivers.

We would greatly appreciate the opportunity to discuss this idea further with you and look forward to hearing from you at tkarol@namic.org. Thank you for your time and consideration.



Thomas J. Karol

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