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May 31, 2022

Dr. Steve Cliff  
NHTSA Deputy Administrator  
U.S. Department of Transportation  
1200 New Jersey Avenue S.E., West Building  
Washington, D.C. 20590-0001

**Via: Regulations.gov**  
**Docket # NHTSA-2021-0002**

## Re: Proposed updates to the New Car Assessment Program (NCAP)

Dear Deputy Administrator Cliff,

On behalf of Better Eugene-Springfield Transportation (BEST), I am pleased to comment on updates to the New Car Assessment Program (NCAP) proposed by the National Highway Traffic Safety Administration (NHTSA).

BEST is an Oregon nonprofit building a successful community by bringing people together to promote transportation options, safe streets, and walkable neighborhoods.

Since 2015 when a pickup truck driver ran a red light and killed three children legally crossing Springfield's Main Street, we have been a leading voice for Vision Zero: the goal of no traffic deaths or life-changing injuries.<sup>1</sup>

According to *Governing*:<sup>2</sup> "Numerous studies<sup>3</sup> and investigations<sup>4</sup> have shown<sup>5</sup> that sport utility vehicles (SUVs) and other light trucks are far deadlier<sup>6</sup> for those outside the vehicle than sedans. This isn't a novel

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<sup>1</sup> George Bridges, "Vision Zero's Vision—No Traffic Deaths," AARP Oregon, Jul. 1, 2016, <https://states.aarp.org/oregon/vision-zero-traffic-deaths>.

<sup>2</sup> Jake Blumgart, "Can American Cars Be Made Safer for Pedestrians?" *Governing*, Jan. 27, 2022, <https://www.governing.com/now/can-american-cars-be-made-safer-for-pedestrians>.

<sup>3</sup> Wen Hu & Jessica B. Cicchino, "An examination of the increases in pedestrian motor-vehicle crash fatalities during 2009–2016," *Journal of Safety Research* 67 (2018): 37–44, <https://doi.org/10.1016/j.jsr.2018.09.009>.

<sup>4</sup> Eric D. Lawrence, Nathan Bomey & Kristi Tanner, "Death on foot: America's love of SUVs is killing pedestrians," *Detroit Free Press*, Jun. 28, 2018, <https://www.freep.com/story/money/cars/2018/06/28/suvs-killing-americas-pedestrians/646139002/>.

<sup>5</sup> "New study suggests today's SUVs are more lethal to pedestrians than cars," Insurance Institute for Highway Safety, Jun. 16, 2020, <https://www.iihs.org/news/detail/new-study-suggests-todays-suvs-are-more-lethal-to-pedestrians-than-cars>.

<sup>6</sup> E. Desapriya, S. Subzwari, D. Sasges, A. Basic, A. Alidina, K. Turcotte & I. Pike, "Do Light Truck Vehicles (LTV) Impose Greater Risk of Pedestrian Injury Than Passenger Cars? A Meta-analysis and Systematic Review," *Traffic Injury Prevention* 11, no. 1 (2010): 48–56, <https://doi.org/10.1080/15389580903390623>.

Building a successful community by bringing people together to promote transportation options, safe streets, and walkable neighborhoods.

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finding: Almost 20 years ago, researchers showed that SUVs were more than twice as likely to kill pedestrians as a normal sedan.<sup>7</sup>

“For decades, American vehicles have been growing heavier and taller, but the trend has accelerated over the last decade. In 2016, Fiat Chrysler announced they would abandon the sedan market, while in 2020 Ford decided to no longer sell them in the U.S. either. SUVs and trucks have outsold normal passenger vehicles every year since 2018. As *Vice News* recently showed, American cars are getting almost as big as World War II tanks.<sup>8</sup>

“Unlike the European Union or Japan, the U.S. has no regulations that require automakers to consider the safety of anyone but the consumer. Tucked away in last year’s infrastructure law, however, is a provision that could require a rating system that includes the safety of those outside the vehicle. It also calls for the U.S. Department of Transportation (USDOT) to promulgate new, and unspecified, regulations to tweak hoods and bumpers to be safer for pedestrians.”

Fatalities and serious injuries among pedestrians and cyclists have skyrocketed by more than 50% over the past ten years, dramatically outpacing overall roadway fatalities. Newly released estimates from NHTSA show that nearly 43,000 people died in crashes in 2021, a 10.8% jump from 2020. Data confirms the role of vehicle design in exacerbating the safety crisis unfolding on our nation’s streets, with studies<sup>9</sup> and reports<sup>10</sup> documenting direct links from vehicle size, speed, and weight to increasing traffic fatalities.

According to a new estimate: “Drivers struck and killed an estimated 7,485 people on foot in 2021—the most pedestrian deaths in a single year in four decades and an average of 20 deaths every day.”<sup>11</sup>

Updates to NCAP have not kept pace with these realities, and international equivalents have surpassed the U.S. program. Current vehicle standards and rating systems have failed to protect people outside of cars, especially in multimodal urban environments.

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<sup>7</sup> Paul Marks, “SUVs double pedestrians’ risk of death,” *New Scientist*, Dec. 12, 2003, <https://www.newscientist.com/article/dn4462-suvs-double-pedestrians-risk-of-death/>.

<sup>8</sup> Aaron Gordon, “American Cars Are Now Almost As Big As the Tanks That Won WWII: These legendary war implements were not much bigger than the vehicles millions of Americans now drive every day,” *Vice*, Jul. 23, 2021, <https://www.vice.com/en/article/pkboxzg/american-cars-are-now-almost-as-big-as-the-tanks-that-won-wwii>.

<sup>9</sup> “SUVs, other large vehicles often hit pedestrians while turning,” Insurance Institute for Highway Safety, Mar. 17, 2022, <https://www.iihs.org/news/detail/suvs-other-large-vehicles-often-hit-pedestrians-while-turning>.

<sup>10</sup> Keith Barry, “The Hidden Danger of BIG Trucks: Pickup trucks are getting larger and becoming a hazard to pedestrians and drivers of smaller vehicles,” *Consumer Reports*, Jun. 8, 2021, <https://www.consumerreports.org/car-safety/the-hidden-dangers-of-big-trucks/>.

<sup>11</sup> Adam Snider, “New Projection: U.S. Pedestrian Fatalities Reach Highest Level in 40 Years,” Governors Highway Safety Association, May 19, 2022, <https://www.ghsa.org/resources/news-releases/GHSA/Ped-Spotlight-Full-Report22>.

To help alleviate the national traffic safety crisis, BEST supports recommendations from the National Association of City Transportation Officials (NACTO)<sup>12</sup> to incorporate the following features into the NCAP rating system.

**NHTSA should ensure no vehicle receives a five-star rating without scoring highly in the following categories:**

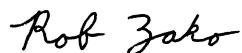
- 1. Advanced Driver Assistance Systems (ADAS) features capable of sensing and protecting people outside vehicles.**
- 2. Intelligent speed assistance systems that automatically limit unsafe speeds.**
- 3. Pedestrian protection and crashworthiness/survivability for people outside the vehicle.**
- 4. Direct visibility from the driver's seat (also known as "direct vision").**

A key objective of the USDOT's *National Roadway Safety Strategy* is safer vehicles: "Expand the availability of vehicle systems and features that help to prevent crashes and minimize the impact of crashes on both occupants and non-occupants."<sup>13</sup>

A key departmental action to enable safer vehicles is: "Develop proposals to update consumer information on vehicle safety performance through the New Car Assessment Program (NCAP or Program). The updated Program is expected to emphasize safety features that protect people both inside and outside of the vehicle, and may include consideration of pedestrian protection systems, better understanding of impacts to pedestrians (e.g., specific considerations for children), and automatic emergency braking and lane keeping assistance to benefit bicyclists and pedestrians. The Program can also identify areas of most promising vehicle technology that may lead to subsequent analysis and possible Federal Motor Vehicle Safety Standards (FMVSS) rulemakings, such as alcohol detection systems, and systems to detect distracted driving."<sup>14</sup>

**To better support the goals defined in the *National Roadway Safety Strategy*, BEST urges NHTSA to revise the NCAP rating system to reflect a more comprehensive approach to protecting pedestrians, cyclists, and all road users outside vehicles.**

For BEST,



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<sup>12</sup> Corrine Kisner, comments on proposed updates to NCAP, NACTO, May 20, 2022, <https://nacto.org/wp-content/uploads/2022/05/NACTO-NCAP-Comments.pdf>.

<sup>13</sup> "National Roadway Safety Strategy," USDOT, p. 11, <https://www.transportation.gov/NRSS>.

<sup>14</sup> "National Roadway Safety Strategy," USDOT, p. 24, <https://www.transportation.gov/NRSS>.