

July 7, 2022

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

Re: Request for Comments on Barriers and Solutions for Submitting Toxicology Data to the Fatality Analysis Reporting System Pursuant to Recommendations for Toxicological Investigation of Drug-Impaired Driving and Motor Vehicle Fatalities

Dear Administrator Cliff,

On April 25, 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 “Request for Comments on Barriers and Solutions for Submitting Toxicology Data to the Fatality Analysis Reporting System Pursuant to Recommendations for Toxicological Investigation of Drug-Impaired Driving and Motor Vehicle Fatalities”. The National Association of Mutual Insurance Companies (NAMIC) welcomes the opportunity to respond to this request for comments on any barriers that States may encounter that would affect their ability to provide the toxicological data.

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.

There is no question that drug-impaired driving and motor vehicle fatalities are critical and growing in importance. Your own [reports](#) make clear that Fatality Analysis Reporting System (FARS) reported that drugs were present in 43% of the fatally-injured drivers with a known test result, more frequently than alcohol was present. Other [reports](#) by the AAA Foundation for Traffic Safety show how the potential threat to road safety is growing with more states move to legalize the use of marijuana for recreational and medicinal purposes; and with the misuse of and addiction to opioids increases. The National Institute on Drug Addiction cites several reports that studies have shown that

drivers with traces of marijuana THC in their blood were roughly twice as likely to be responsible for a deadly crash or be killed than drivers who hadn't used drugs or alcohol.

NAMIC is supportive of federal and state funding for innovative countermeasures to enhance the identification and treatment of alcohol- and drug-impaired drivers. An example is the GHSA's grant program, which partners with state highway safety offices and law enforcement on detecting impaired drivers and expanding toxicology lab capacities. NAMIC also supports safe driving programs sponsored by state and local departments of transportation, and our members actively engage in consumer education across the country regarding the consequences of intoxicated driving.

If you have any questions or require further information, please contact me at tkarol@namic.org. Thank you for your time and consideration.

A handwritten signature in blue ink, appearing to read 'TKarol', is positioned above the printed name.

Thomas J. Karol

General Counsel – Federal
National Association of Mutual Insurance Companies