

August 22, 2022

**VIA FEDERAL RULEMAKING PORTAL**

Dr. Steven Cliff  
Administrator  
National Highway Traffic Safety Administration  
West Building, Ground Floor, Room W12-140  
1200 New Jersey Ave. S.E.  
Washington, D.C. 20590-0001

**Re: NPRM – Part 563, Event Data Recorders, Minimum time Capture for Pre-Crash Data, U.S. DOT – National Highway Traffic Safety Administration [Docket No. NHTSA-2022-0021]**

Dear Administrator Cliff:

I am the CEO and Founder of QuantivRisk, Inc., an InsurTech company focused on objective analysis of traffic accidents and other incidents, particularly those in which advanced driver assistance systems (ADAS) and automated technologies are implicated. We work with insurers, OEMs, manufacturers, and consumers to accurately determine the circumstances of a vehicle collision using the voluminous data these technologies generate in normal operation and during a crash event. Our engineering and subject matter experts work with our clients to evaluate and address the evolution of the transportation and insurance sectors as new automotive technologies are introduced, and how that evolution impacts legal and risk assessment and transfer.

**Response to NHTSA's Request for Comments**

QuantivRisk has reviewed the National Highway Traffic Safety Administration's (NHTSA) Proposed Rulemaking Notice affecting CFR 49, Part 563. QuantivRisk supports the response comments filed by both the SAE EDR Committee and the Alliance of Automotive Innovation, with the following additional comments.

The original purpose of a vehicle's EDR was to collect "basic" Part 563 vehicle data to determine accident causation. Today, vehicle manufacturers are increasingly deploying active safety technologies (*e.g.*, expansion of Advanced Driver Assistance Systems) leading to the eventual realization of connected vehicles and automated vehicles. Unfortunately, each vehicle manufacturer's EDR is unique to that manufacturer, and variances sometimes even exist within a specific vehicle model line depending on which specific active safety technologies are used in that specific model line.

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With these technology developments and EDR limitations in mind, NHTSA's proposed rulemaking appears based on an overly restrictive view of the actual vehicle data being collected by vehicle manufacturers. Rather than solely focusing on EDR data, NHTSA should be querying and collecting the numerous types of "data" suppliers of the various EDR "tools" use to support accident causation and vehicle manufacturers. This broader approach would assist NHTSA to better comprehend the vast differences in the EDR data recorded. Just adding more EDR "memory" may not necessarily be a realistic solution or cost-effective alternative since each vehicle manufacturer's EDR is unique.

Given that the industry, for a variety of reasons, will continue to expand in multiple areas to learn, change, and update automated vehicle technologies before obtaining a fully functional automated vehicle, it is imperative that NHTSA better understand the real differences between EDR data collected via a vehicle's unique "data logger." Similarly, many vehicle manufacturers collect "telematics data," but is neither standardized and/or recorded nor stored in a vehicle's EDR.

Finally, rather than continuing to rely on Part 563 to confirm causation in a vehicle collision, NHTSA should be developing a Vehicle Performance Data (VPD) model well beyond the Part 563 requirements. VPD is data generated or captured by a vehicle during its normal operation *and* at the time of a collision, whether locally on an SD card or transmitted to a central server or cloud. Unlike EDRs, which capture data in tenths-of-a-second intervals and only for approximately 30 signals, VPD data is captured at thousands-of-a-second intervals and for thousands of signals. In some models, VPD also includes captured images and/or video. A VPD model could be constructed to allow for privacy or driver anonymity while promoting transparency to multiple parties in the event of a collision.

QuantivRisk appreciates the opportunity to provide comments to NHTSA on this important issue. If you have any questions, please do not hesitate to contact me.

Very truly yours,



Michael R. Nelson