

August 22, 2022

Dear National Highway Transportation Safety Administration,

I am commenting on NHTSA proposed rule: NHTSA-2022-0021, Event Data Recorders.

- I believe NHTSA data needs should be limited to the 80th percentile level. There will always be edge cases that require more data, but I believe the 80th percentile strikes the right balance between what the government desires and the autonomy the auto makers deserve in their design process.
- Section D on *COSTS* is inadequate and overly simplistic. Does NHTSA really believe the cost of this rule is solely the declining cost of flash memory? Spare flash memory is free until it becomes quite expensive when you run out of it. The recent supply chain issues associated with semiconductors lays bare the problem, and an automaker (and their suppliers) may respond by making design changes that use more readily available microcontrollers. They may have less flash memory.

There are also costs associated with the engineering and administrative implementation of such a rule. Someone has to ensure the requirement is met. This may involve multiple people at multiple organizations. Less the NHTSA believes this is trivial, my engineering professors routinely commented: “small things count in large amounts.” When 100,000 seemingly innocuous rules promulgated by multiple federal agencies come to bear, the patient starts to die by multiple paper cuts. At some point that needs to stop. Now would be a good time. Motor vehicles are already quite expensive, we do not need more federal rules that make them even more expensive.

Sincerely,

Mark Strauch