



August 22, 2022
Our Ref: W-2289-A

Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue, SE
West Building, Ground Floor, Room W12-140
Washington, D.C. 20590-0001

**Re: Docket Number NHTSA-2022-0021
49 CFR Part 563 Event Data Recorders; Notice of Proposed Rulemaking; 87 FR 37289**

Dear Dr. Cliff:

Nissan North America, Inc. on its behalf and on behalf of Nissan Motor Company, Ltd., of Yokohama, Japan ("Nissan"), hereby transmits the enclosed additional comments in response to the above Notice of Proposed Rulemaking (NPRM) published on June 22, 2022. The NPRM proposes to amend the regulations regarding Event Data Recorders (EDRs) to extend the EDR recording period.

Please note that we are submitting this information with a request for confidential treatment per 49 CFR Part 512. Should you or your staff have any questions or require additional information, please contact me at (615) 693-2627.

Sincerely,

A handwritten signature in black ink that reads "Elsa Foley". The signature is written in a cursive, flowing style.

Elsa Foley
Senior Manager, Innovation Policy & Safety
Government Affairs
Nissan North America, Inc.

**COMMENTS OF NISSAN MOTOR CO., LTD. TO THE
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
Notice of Proposed Rulemaking (NPRM); 49 CFR Parts 563
Event Data Recorders (EDRs)
87 FR 37289; June 22, 2022 (Docket No. NHTSA-2022-0021)**

Nissan Motor Co., Ltd. (“Nissan”) offers the following comments in response to the notice of proposed rulemaking (NPRM) which proposes to amend Event Data Recorder (EDR) requirements to extend the EDR recording period. NHTSA is undertaking this rulemaking as required by the Fixing America’s Surface Transportation Act of 2015 (FAST).

Nissan is a member of the Alliance for Automotive Innovation (“Auto Innovators”) and generally supports their comments. Nissan would like to provide additional emphasis on the following key items:

EDR Recording Interval and Sampling Frequency

It is very important to conduct robust crash investigations in the market in order to reduce vehicle accidents, and Nissan recognizes that the data collected from the EDR supports these activities. However, extending the EDR recording period and increasing the sampling frequency will drive an increase in the memory requirements, and as a result, the overall price of the EDR will need to be increased. As NHTSA considers any update to the recording interval and/or sampling frequency, there should be a thorough analysis of costs and benefits, such as how many accidents the EDR modification will contribute to reduce.

Cost Impact

In order to meet the newly proposed EDR requirements, both software and hardware changes will be required. For example, a larger capacity and more expensive backup capacitor will be needed. Additionally, Nissan currently confirms the EDR functionality internally in coordination with other regulatory compliance crash tests which are conducted and completed in less than 20 seconds. Additional or new crash test procedures would be needed in order to retrieve data from the vehicle if recording period is extended beyond current crash test duration to 20 seconds.

A confidential cost impact estimate is included in Appendix 1.

Lead Time

Nissan produces a significant volume of models and vehicle types in the US. In order to ensure that each model is launched safely, it's not appropriate to develop all models at the same time. Nissan estimates that it will take at least four years to develop the proposed EDR for all of our models after NHTSA finalizes the regulation. This estimate is subject to potential extensions due to ongoing semiconductor supply shortages and/or significant business stagnation due to issues such as the COVID 19 crisis and geopolitical tensions. Nissan requests a minimum feasible lead time of at least four years from the publication of the Final Rule, or the possible phase-in schedule:

September 1st, three years after final rule: 50%

September 1st, four years after final rule: 100%



Appendix 1

Estimated Cost Impact for Nissan Compliance
with Proposed NPRM Requirements

