

August 22, 2022

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

**Notice of Proposed Rulemaking to amend 49 C.F.R. Part 563; Federal Motor Vehicle Safety Standards; Event Data Recorders, Minimum time capture for precrash data (FAST Act)
Docket No. NHTSA-2022-0021**

Dear Administrator Cliff:

The Insurance Institute for Highway Safety (IIHS) and Highway Loss Data Institute (HLDI) support the National Highway Traffic Safety Administration's (NHTSA's) proposed upgrade to the existing regulation (49 C.F.R. Part 563) for vehicles equipped with motor-vehicle event data recorders (EDRs). EDR data continues to be useful for investigating vehicle defects and reviewing the real-world effectiveness of safety technologies. EDR data was used in the numerous IIHS and HLDI studies that have guided improvements to our crashworthiness evaluation programs and has also helped us gain a better understanding of crash severity in real-world crashes.

The proposed increase in the precrash recording time (from 5 seconds to 20 seconds) and sampling frequency (from 2 Hz to 10 Hz) will provide researchers with a better understanding of the role that different factors (such as vehicle, driver, and roadway/environment factors) play leading up to a crash. As with past comments regarding the implementation of EDRs, IIHS and HLDI support the augmented data collection and believe that it is an important tool for determining real-world crash causation.

The one aspect of the proposed rule that may have unintended consequences is the proposed lead time for implementing the final rule. One year after the final rule is published may not be sufficient time for auto manufacturers and their suppliers to meet the new requirement. Ongoing supply chain and staffing issues affecting markets around the world could potentially influence how quickly industry can implement these changes. If an automaker cannot meet the requirements of the new rule in the proposed time frame, their only recourse would be to disable EDR functionality completely to comply. Therefore, IIHS and HLDI believe that NHTSA should extend its proposed lead time for automakers to implement the new requirement, to avoid any loss of EDR-recorded data.

In addition to supporting the proposed additional data collection, IIHS and HLDI urge NHTSA to add requirements to Part 563 for recording data about automated driving systems equipped to vehicles involved in crashes, including data describing the state of these systems (engaged or not) and their performance (measures describing their motion and the motion of other involved vehicles) during a crash.

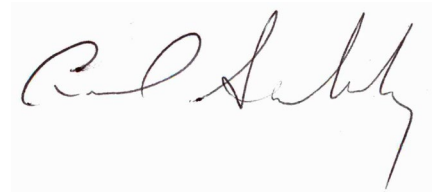
IIHS and HLDI also ask NHTSA to consider rulemaking that will help shed light on the fastest growing cause of roadway fatalities: vehicle-to-pedestrian collisions. Many vehicles are equipped with automatic emergency braking (AEB) systems that are designed to detect and respond to pedestrians. Part 563

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should be modified to include AEB activation (or pedestrian AEB activation) status as a trigger threshold for recording precrash data. As pedestrian AEB systems become standard equipment in the U.S. fleet, the data recorded when vehicle-to-pedestrian collisions occur will be useful for improving roadway design and refining vehicle structures and crash avoidance systems that can help prevent or mitigate the severity of vehicle-to-pedestrian collisions.

In summary, IIHS and HLDI continue to believe that EDRs, when coupled with traditional crash investigation methods, are a valuable data source that can help us better understand circumstances leading to serious injury and fatalities. That understanding of crashes will help regulators and highway safety researchers identify ways to better protect vehicle occupants as well as vulnerable road users outside of vehicles. IIHS and HLDI support the increased data collection proposed by the new rule but hope NHTSA will consult with industry on timing to avoid any loss of EDR data in the short term. IIHS and HLDI also urge NHTSA to continue pushing forward on Part 563 to require data collection of emerging technologies.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Arbelaez", is centered on the page. The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Raul Arbelaez
Vice President, Vehicle Research Center
Insurance Institute for Highway Safety and
Highway Loss Data Institute