



September 27, 2022

**DOT Docket No. NHTSA-2022-0028**

U.S. Department of Transportation  
West Building, Ground Floor  
Room W12-140  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590-0001  
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**Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Evaluation of the Model Minimum Uniform Crash Criteria Program: # NHTSA-2022-0028**

This petition is filed by the Truck Safety Coalition (TSC), Citizens for Reliable and Safe Highways (CRASH), and Parents Against Tired Truckers (P.A.T.T.). The Truck Safety Coalition is a partnership between CRASH and P.A.T.T. TSC is dedicated to reducing the number of deaths and injuries caused by truck-related crashes, providing compassionate support to truck crash survivors and families of truck crash victims, and educating the public, policymakers, and the media about truck safety issues.

In 2021, over 5,600 people were killed in crashes involving large trucks.<sup>1</sup> Since 2009, the number of fatalities in large truck crashes has increased by 66 percent.<sup>2</sup> Additionally, nearly 147,000 people were injured in crashes involving a large truck in 2020.<sup>3</sup> Sadly, hundreds of lives are lost each year when a passenger vehicle strikes the rear of a tractor-trailer.<sup>4</sup> The cost to society from crashes involving large trucks and buses was estimated to be \$163 billion in 2019, the latest year for which data is available.<sup>5</sup> When adjusted solely for inflation, this figure amounts to over \$180 billion.<sup>6</sup>

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<sup>1</sup> Traffic Safety Facts: Crash Stats; Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2021, NHTSA, May 2022, DOT HS 813 298.

<sup>2</sup> *Id.* and Traffic Safety Facts 2019: A Compilations of Motor Vehicle Crash Data, NHTSA, Aug. 2021, DOT HS 813 141. Note, the 66 percent figure represents the overall change in the number of fatalities in large truck involved crashes from 2009 to 2021. However, between 2015 and 2016 there was a change in data collection at U.S. DOT that could affect this calculation. From 2009 to 2015 the number of fatalities in truck involved crashes increased by 21 percent and between 2016 to 2021, it increased by 20 percent.

<sup>3</sup> Traffic Safety Facts, 2020 Data: Large Trucks, NHTSA, Apr. 2022, DOT HS 813 286.

<sup>4</sup> IIHS, Fatality Facts, Large Trucks.

<sup>5</sup> 2021 Pocket Guide to Large Truck and Bus Statistics, FMCSA, Dec. 2021, RRA-21-004.

<sup>6</sup> CPI Inflation Calculator, BLS, available at [https://www.bls.gov/data/inflation\\_calculator.htm](https://www.bls.gov/data/inflation_calculator.htm).

The proposed information collection is unequivocally essential to the performance of NHTSA’s mission to “save lives, prevent injuries, and reduce economic costs due to road traffic crashes, through education, research, safety standards, and enforcement.” The Model Minimum Uniform Crash Criteria (MMUCC) represents a vital and necessary data reporting tool for State and Tribal stakeholders to report accurate and actionable crash data to inform NHTSA’s work. It is concerning that NHTSA reports in this Federal Register Notice that alignment to current MMUCC variables is low and TSC supports NHTSA efforts to strengthen alignment and the quality of data they receive.

In 2019, the Government Accountability Office issued a recommendation to have underride crashes clearly defined and a required data element in the Model Minimum Uniform Crash Criteria (MMUCC) Guidance.<sup>7</sup> Currently, the MMUCC still does not require underride crash data, but former NHTSA Administrator, Dr. Steven Cliff affirmed its inclusion will occur in the upcoming 6<sup>th</sup> Edition update to the MMUCC, saying: “NHTSA has also recommended inclusion of an underride data element in State crash data systems. The “Minimum Modal Uniform Crash Criteria” 6th Edition will include a data element for underride.”<sup>8</sup> Adding this data element is an especially important tool for all stakeholders to better understand the incidence of underride-related crashes. However, pre-existing low MMUCC alignment rate by State and Tribal partners threatens to undermine this long-awaited progress.

Furthermore, TSC is extremely concerned that a portion of users will ignore the addition of pending underride data element completely. The 2019 Underride GAO report highlighted that **“two state police departments told the GAO that they don’t collect underride data because “underride crashes are not a traffic safety priority for them” (emphasis added).**<sup>9</sup> This year, NHTSA fulfilled a GAO recommendation for NHTSA to develop informational material and train state and local officials on how to identify and record underride crashes.<sup>10</sup>

This planned agency information collection activity has identifiable ways to enhance the quality, utility, and clarity of the information to be collected. TSC strongly recommends that in addition to planned surveying regarding how to address the existing low rate of MMUCC alignment that NHTSA also identifies user attitudes toward utilizing the additionally proposed field for underride crashes. This is particularly important given the negative bias toward underride crashes reported by some state police departments reflected in the 2019 GAO Report. In the upcoming information collection survey, NHTSA should also ascertain the existing understanding of its users in their ability to accurately identify an underride crash. This information will be useful to NHTSA to assist in determining the aggressiveness they will need to approach educating and training state and local officials using its newly developed underride educational materials.

The Truck Safety Coalition appreciates NHTSA’s deliberate review of these comments.

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<sup>7</sup> *Id.*

<sup>8</sup> NHTSA, *Letter to Senator Kirsten Gillibrand et al*, Dr. Steven S. Cliff, September 7, 2022,

<sup>9</sup> Government Accounting Office. 2019. Truck underride guards: Improved data collection, inspections, and research needed. GAO-19-264.

<sup>10</sup> Accessed via < [https://www.nhtsa.gov/sites/nhtsa.gov/files/2022-08/Underride%20Crash%20Pamphlet\\_071522\\_v6a-tag.pdf](https://www.nhtsa.gov/sites/nhtsa.gov/files/2022-08/Underride%20Crash%20Pamphlet_071522_v6a-tag.pdf)>

Dawn King

President

Truck Safety Coalition

*Dawn's father, Bill Badger, was killed in 2004 while slowed in traffic when he was hit from behind by a truck driver who had fallen asleep at the wheel.*

Russell Swift

Co-Chair

Parents Against Tired Truckers

*Russ' son, Jasen, was killed instantly, as was a fellow Marine, while they drove in the dark to work in 1993, by a seventeen-year-old truck driver on an invalid learner's permit whose truck was stuck across two lanes after trying a U-turn, causing the car to drive into and under the side of the trailer, causing a fatal underride crash.*

Daphne & Steve Izer

Co-Chair

Parents Against Tired Truckers

*Daphne and Steve's son, Jeff, and three of his friends were killed in 1993 when a semi-truck driver fell asleep at the wheel and ran over their parked car.*

Pam Biddle

Board Member

Citizens for Reliable and Safe Highways

*On May 13, 2017, Pam's 23-year-old son, Aaron Lee, was in the car with his father, Brian, and Brian's partner, Stephanie Swaim. They were stopped in traffic due to a car carrier that had a brake fire and was still partially in their lane of traffic. A semi-driver failed to slow down and rear-ended the Lee's car which was pushed into and under another semi in front of them resulting in a rear underride crash. The vehicles then burst into flames killing Aaron, Brian, and Stephanie.*

Jane Mathis

Board Member

Parents Against Tired Truckers

*On March 25, 2004, Jane's 23-year-old son, David, and his wife Mary Kathryn were killed in a truck crash in Titusville, Florida, as they drove home from their honeymoon. They had only been married for five days. David and Mary Kathryn were stopped in traffic because of an earlier wreck on I-95 when a truck driver, who had fallen asleep behind the wheel, rear-ended their car. The impact of the crash spun them around and they became wedged under the side of the same truck in a side underride crash. Their car then exploded.*

Jennifer Tierney

Board Member

Citizens for Reliable and Safe Highways

*On September 20, 1983, Jennifer's father, James Mooney, was killed on a dark, rural road in North Carolina when he passed underneath and through the side of the truck blocking the roadway. The truck, which was in a jackknife position, did not have working lights, reflective tape, or underride guards.*

Brandy Barlow

Volunteer

Truck Safety Coalition

*On the morning of October 1, 2019, Brandy's son (Douglas), daughter (Emily), and their close friend were on their way to school, driving down the highway like any other morning. A tractor-trailer made an improper left turn directly in front of their car, causing a side underride crash. All three of the kids were seriously injured. Douglas and his friend were taken to the hospital by ambulance, and Emily was airlifted to the same hospital. Emily fought like a champion for the next two days, but sadly she could not fight anymore and died. Douglas sustained severe injuries along with head trauma and their friend also suffered great injuries.*

Julie Magnan Patrisi

Volunteer

Truck Safety Coalition

*Julie was severely injured and her husband, David, was killed in a crash in 2002 when a semi crossed the median and collided with their car. David shoved Julie's body down to protect her, and their car was wedged underneath the side of the truck in a horrific side underride crash. David likely died on impact and Julie was pulled out of the wreckage with the "jaws of life", as most of the vehicle was trapped under the tractor-trailer. Immediately following the crash, Julie underwent emergency surgery in both Nevada and then Denver to address injuries to her ribs, spleen, and legs. She also sustained a traumatic brain injury (TBI). Julie has had numerous surgeries over the past 19 years.*

Nancy Meuleners

Volunteer

Truck Safety Coalition

*On December 19, 1989, in Bloomington, Minnesota, on her way home after work, Nancy encountered a semi-trailer stopped in the lane of traffic ahead of her without its emergency flashers illuminated. Although she applied her brakes attempting to stop, she was unable to stop in time and struck the rear of the trailer. The rear underride guard, which was supposed to keep her from passing underneath completely buckled and failed. Nancy came within inches of decapitation but miraculously survived the crash. Most of her lower jaw and portions of her tongue were amputated and she has since undergone over 40 surgeries.*

Katie Strader

Volunteer

Truck Safety Coalition

*In 2014, Katie's father, Rod Cota was traveling in a vehicle with coworkers in New York. They were unaware a semi was jackknifed and backed out ahead on the interstate. All three in the vehicle were killed. Their vehicle passed completely under the side of the tractor-trailer. The three of them were killed instantly. Katie says it is a daily struggle to stop my mind from imagining that horrific moment of impact and seeing the remains of the vehicle that held my Daddy.*

Zach Cahalan

Executive Director

Truck Safety Coalition