

April 19, 2023

Ms. Ann Carlson
Acting Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Request for Comment; Title: FMVSS Considerations for Vehicles with Automated Driving Systems: Seating Preference Study; Docket No. NHTSA-2022-0018, Document Number: 2023-05569

Dear Acting Administrator Carlson:

On March 20th, 2023, the National Highway Traffic Safety Administration (“NHTSA”) published in the Federal Register a Notice and request for comments on a proposed collection of information for or review and approval for a new collection of information to conduct an experiment to gather both objective and subjective data regarding occupant/passenger seat preference in Automated Driving System-Dedicated Vehicles (ADS-DVs). (the “Notice”). The National Association of Mutual Insurance Companies (“NAMIC”) welcomes the opportunity to respond to this request for comments.

NAMIC is the largest property/casualty insurance trade group with a diverse membership of more than 1,500 local, regional, and national member companies, including seven of the top ten property/casualty insurers in the United States. NAMIC members lead the personal lines sector representing 55 percent of the auto market. Through our advocacy programs we promote public policy solutions that benefit NAMIC member companies and the policyholders they serve and foster greater understanding and recognition of the unique alignment of interests between management and policyholders of mutual companies.

The two main goals for this study are to describe the occupant distribution for ADS-DVs (i.e., seating distribution) and to use the prototype human-machine interface to evaluate whether occupants would choose to initiate a ride in an ADS-DV without a seatbelt. As detailed in the Notice, there will be an Eligibility Questionnaire, a Demographic Questionnaire objective data collected via data acquisition systems installed in each study vehicle during the test-track experiment is necessary for collecting information about participants' seat selection, any seat changes during the ride, seat belt use, and how participants interact with the human-machine interface, and a Post Experiment Questionnaire will be used to analyze the perceptions and opinions of ADS-DV technology within the participant sample, as well as to gather any comments regarding their seat preference and seat belt use.

This data will be used to determine how and why participants choose seating preferences in ADS-DVs. Many of NHTSA's FMVSS focus on particular seating positions and thus, changes in seating preferences could impact those FMVSS. This study will provide NHTSA information about the seating preferences of occupants in vehicles that do not require a human driver in the left front seat. Several safety outcomes stem from occupant seating preference, which may change in the future as Automated Driving Systems (ADS) change seating configurations and the way people use vehicles. ADS-Dedicated Vehicles (ADS-DVs) are vehicles that lack manually operated driving controls, and therefore do not require a human driver or occupant to drive the vehicle or sit in the left front seat (the “driver's seat” in conventional vehicles).

The Notice requests comments on whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility. To that question, NAMIC responds with a resounding “Yes, this work is critical for the proper performance of the functions of NHTSA and there is every reason to believe that the results of the study will have great practical utility.” NAMIC is supportive of the Notice as another positive step in the possible range of testing, safety data collection, and reporting. NAMIC applauds the Notice as worthwhile action by NHTSA, and strongly urges NHTSA to consider proposing more wide and extensive auto safety data recording and reporting.

The Notice also requests ways to enhance the quality, utility, and clarity of the information to be collected, and we respectfully recommend that NHTSA seek input from the insurance industry, which has experience and expertise that is likely relevant to the goals proposed in the Notice. Specifically, the insurance industry may be able to provide NHTSA with advice and recommendations on specific metrics, key performance indicators, and measures of success that NHTSA may propose for the performance and efficacy of the proposed study NAMIC would be most interested in working with NHTSA on these areas of study and analysis.

If you have any questions or require further information, please contact me at tkarol@namic.org.
Thank you for your time and consideration.

A handwritten signature in blue ink, appearing to read 'TKAROL', with a large, sweeping flourish extending to the left.

Thomas J. Karol

General Counsel – Federal
National Association of Mutual Insurance Companies