



U.S. Department of Transportation  
**National Highway Traffic Safety  
Administration**



Ms. Jessica B. Cicchino  
Vice President, Research  
Insurance Institute for Highway Safety, IIHS

May 30, 2023

Mr. Matthew J. Moore  
Senior Vice President  
Highway Loss Data Institute, HLDI

4121 Wilson Boulevard, 6<sup>th</sup> floor  
Arlington, VA 22203

Dear Ms. Cicchino and Mr. Moore:

Thank you for your petition for rulemaking, dated March 22, 2022, from the Insurance Institute for Highway Safety and the Highway Loss Data Institute requesting that NHTSA implement a rule requiring pedestrian automatic emergency braking (AEB) to function at night.

As you are aware, and as indicated in the Fall 2022 Unified Agenda, NHTSA is working to publish a notice of proposed rulemaking (NPRM) that would require AEB, including pedestrian AEB on new light vehicles. The issues raised in your petition are within the scope of that rulemaking, and NHTSA will address the matters raised in your petition in the forthcoming NPRM. Therefore, there is no need for NHTSA to initiate a second rulemaking related to pedestrian AEB. Accordingly, your petition is moot and it is denied.

If you have any questions, please contact Mr. David Hines, Director of Office of Crash Avoidance Standards, at 202-493-0245.

Sincerely,

R. Ryan Posten  
Associate Administrator  
for Rulemaking