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VIA FEDERAL RULEMAKING PORTAL

Ann Carlson
Chief Counsel
National Highway Traffic Safety Administration
U.S. Department of Transportation
West Building, Ground Floor
Room W12-140
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590-0001

**Re: Request for Comments: Crash Investigation Sampling System Expansion, U.S. DOT–
National Highway Traffic Safety Administration (“NHTSA”) [Docket No. NHTSA-
2023-0016]**

Dear Ms. Carlson:

I am the Chairman and founder of Quantiv Risk, Inc. (“QuantivRisk”), an InsurTech company focused on leveraging data to provide objective insight into crash events. Specifically, and of consequence to NHTSA’s proposed expansion of the Crash Investigation Sampling System (CISS), QuantivRisk uses Vehicle Performance Data (VPD) (i.e., data captured and/or generated by a vehicle’s connected, automated, and autonomous systems during regular use and at a crash event), traditional EDR data, and available video to analyze an event and enable our clients to objectively determine how the event occurred and assess liability. We routinely work with regulators, insurers, OEMs, manufacturers, and consumers. We are particularly interested in the myriad changes that are taking place and that will continue to accelerate in the transportation and insurance sectors with the proliferation of new automotive technologies, and how these changes impact regulatory efforts and risk assessment.

Like many that will respond to NHTSA’s request for comments on the expansion of CISS, we believe emerging vehicle technology can greatly enhance NHTSA’s ultimate objective of making transportation safer as vehicle technology and crash investigative techniques continue to advance. Accordingly, QuantivRisk supports NHTSA’s effort to expand CISS and offers a few recommendations regarding the utilization of fully objective vehicle crash data in improving CISS’s future crash investigation process.

Response to NHTSA's Request for Comments

As referenced in NHTSA's April 5, 2023 Notice, CISS's current investigation process generally entails the following:

The current CISS investigation process selects crashes to be investigated usually 3 to 7 days after the crash. Then crash technicians locate, visit, measure, and photograph the crash scene; locate, inspect, and photograph vehicles; conduct a telephone or personal interview in specific crashes with the involved individuals or surrogate (another person who can provide occupant or crash information, such as parents of a minor, or a parent or spouse for the deceased individual); and obtain and record injury information received from various medical data sources. From the time of the crash to the time of investigation, critical evidence from the scene can be destroyed, altered or removed, vehicles can be hard to locate or repaired, and people involved tend to forget information related to the crash.

To enhance the efficiency and efficacy of future CISS investigations, NHTSA is "pursuing data improvement initiatives that will enhance the amount of data collected and the quality of the data collected in CISS as authorized by" the Bipartisan Infrastructure Law of 2021.

QuantivRisk not only lauds these objectives, it believes improvements to CISS are essential to ensure crash investigations are conducted accurately and thoroughly, with reference to *and* using the vast amount of data that is being generated by modern vehicles. QuantivRisk offers the following suggestions to improve crash data collection under CISS.

Collection of Objective Vehicle Crash Data

As an alternative to the antiquated crash investigation techniques historically utilized by CISS, which rely largely on fallible and unreliable eye-witness accounts, next-gen technology and objective data science can now be used to generate a data-backed view into the circumstances of the accident, all but eliminating the inherent subjectivity of the traditional investigative process. The evolution of vehicle technology brings with it enormous potential for greater efficiency and objectivity in the analysis of vehicle collisions, which CISS should incorporate into future protocols.

CISS should leverage recent advances in mobility and automotive technology, including advances in connectivity, automation, electrification, traffic management, and data storage that can provide an "instant replay" of a vehicle collision using VPD. By utilizing these emerging resources, CISS can eliminate the inaccuracies of manual investigations and bring speed, objectivity, efficiency, and tremendous cost savings to its investigative process.

NHTSA has already realized the benefits of this data retrieval and analysis to some extent through Standing General Order 2021-01 (SGO), issued in June 2021, which requires automakers to submit data regarding crashes that occur while Level 2 (L2) ADAS and Level 3 (L3) and above automation are engaged. As amended, the SGO requires automakers to comply with these requirements for

three years from April 5, 2023, with NHTSA now publishing data reports to the public routinely. These reports have served as important information gathering tools for NHTSA to learn of potential safety concerns through consistent and timely data collection, but the efforts can and should go farther to fully realize the potential of the available data. CISS should similarly require automakers and/or operators to provide crash data as part of its revamped CISS process. NHTSA should view the CISS program expansion as another opportunity to capture vehicle data that is currently underutilized to monitor safety and effectively regulate in the evolving transportation sector.

Conclusion

In sum, QuantivRisk strongly supports NHTSA's efforts to enhance roadway safety by expanding and improving the tools available to CISS as authorized by Congress. We believe CISS is an essential component in the fight against vehicle fatalities and threats to public safety. As such, we will continue to support expansion efforts in any way possible.

Very truly yours,



Michael R. Nelson

cc: John Pettit, CEO, QuantivRisk (john@quantivrisk.com)