

SMARTER, Inc.

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Skilled Motorcyclist Association—Responsible, Trained and Educated Riders, Inc.

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Docket Management Facility
U.S. Department of Transportation
West Building, Ground Floor
Room W12-140
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590-0001

U.S. DOT
2023 OCT 17 A 9:31
DOCKET OPERATIONS

Re: Docket No. NHTSA-2023-0023; Heavy Vehicle Automatic Emergency Braking; AEB Test Devices

The Skilled Motorcyclist Association—Responsible, Trained and Educated Riders (SMARTER) Inc. files these comments in support of the National Highway Traffic Safety Administration's (NHTSA) Notice of Proposed Rulemaking (NPRM) to require automatic emergency braking (AEB) systems for heavy vehicles.

SMARTER is a nonprofit motorcyclist association whose mission is to improve motorcyclist safety. Its membership represents the wide variety of people who own and operate motorcycles and covers the broadest spectrum possible of the motorcycling population. SMARTER believes motorcycle riders, motorcyclist safety advocates and policy decision makers make better decisions when the decisions are based on factual knowledge and the conclusions of quality research. Our mission, therefore, is to gather, examine, catalogue, share, post and distribute motorcyclist safety factual information and research and to advocate for the use of such knowledge as the basis of decisions.

In 2021, 6,101 motorcycle riders were killed, a 9 percent increase from the previous year.¹ This is the highest fatality total in a single year since data collection began in 1975. In the first six months of 2022, there was a 5 percent increase in motorcyclist fatalities compared to the first six months of 2021.² The number of motorcycle crash fatalities in 2021 was nearly three times the historic low of 2,116 motorcycle crash deaths in 1997.³ Motorcycle riders represented 14 percent of the total traffic fatalities in 2021, despite representing only three percent of all registered vehicles annually.⁴

¹ Traffic Safety Facts: Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2021, NHTSA, May 2022, DOT HS 813 298,

available at: <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813298>

² Traffic Safety Facts, Crash Stats: Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories Through June 2022, NHTSA, Dec. 2022, DOT HS 813 405, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813405>

³ Traffic Safety Facts 2020: A Compilation of Motor Vehicle Crash Data, NHTSA, Oct. 2022, DOT HS 813 375 available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813375>.

⁴ Traffic Safety Facts: Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2021, NHTSA, May 2022, DOT HS 813 298; Traffic Safety Facts 2020: A Compilation of Motor Vehicle Crash Data, NHTSA, Oct. 2022, DOT HS 813 375.

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As outlined in the NPRM, AEB has the potential to prevent a multitude of crashes and save hundreds of lives each year. Yet, NHTSA failed to include a requirement in the NRPM that AEB systems detect and respond to motorcyclists. The agency must ensure that all road users, especially those most vulnerable in a crash, are afforded the protections that can be provided by effective crash avoidance technologies such as AEB.

SMARTER supports NHTSA requiring heavy vehicles be equipped with AEB based on the demonstrated safety benefits that will result from such regulatory action. However, the agency must ensure that these essential safety systems detect and respond to all vulnerable road users including motorcyclists.

Sincerely,

A handwritten signature in blue ink that reads "Dan Petterson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dan Petterson, Ed.D.
SMARTER President
www.smarter-usa.org