



April 15, 2024

The Honorable Pete Buttigieg  
Secretary  
United States Department of Transportation  
1200 New Jersey Ave, SE  
Washington, DC 20590

Secretary Buttigieg,

I write to you today with alarm and deep concern regarding a proposed rule that we are hearing will be finalized by OMB imminently. On May 31, 2023, NHTSA issued a Notice of Proposed Rulemaking (NPRM) to establish [Federal Motor Vehicle Safety Standards: Automatic Emergency Braking \(AEB\) Systems for Light Vehicles](#). We anticipate that the final rule will be published soon, without the fundamental changes recommended by the auto industry or members of the public.<sup>1 2</sup>

Both AEB and Pedestrian AEB have significant potential to help prevent and reduce the severity of crashes on our roadways. That's why automakers have been proactive in our efforts to ensure widespread deployment of this technology. As you know, part of the voluntary commitment was to install AEB on substantially all light duty (8500 GVWR) vehicles by 2023. Automakers have met that goal and are on track to meet the remaining portions of the goal by 2025.<sup>3</sup>

Automakers are proud of this lifesaving technology. We developed it. We voluntarily deployed it in tens of millions of vehicles. We support the technology. That said, we share the goals of NHTSA, Congress, and advocates to enhance the performance of AEB systems.

AEB and PAEB are a form of automation, an emerging technology that facilitates safety in the transportation sector. As a member of the Transforming Transportation Advisory Committee (TTAC), I believe that this technology, if implemented correctly and thoughtfully, will facilitate

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<sup>1</sup>For example, see comments from MEMA <https://www.regulations.gov/comment/NHTSA-2023-0021-0784>.

<sup>2</sup> See Auto Innovators comments, enclosed.

<sup>3</sup> [https://www.nhtsa.gov/sites/nhtsa.gov/files/aeb\\_factsheet\\_031616.pdf](https://www.nhtsa.gov/sites/nhtsa.gov/files/aeb_factsheet_031616.pdf)

the safe, secure, equitable and accessible deployment of this emerging technology, the first goal of the TTAC.

However, there are a number of fundamental issues with the agency's proposal. The proposed requirements are not practicable given the complexity of meeting the requirements of the proposed rule. In addition, the agency *significantly underestimated* the hardware and software changes needed to provide crash avoidance capabilities (particularly at high speeds) and did not support a justification for requiring a technology that would project images onto the windshield or other areas just below the driver's line of sight (a heads-up display).

While the proposed rule aims to increase safety, we anticipate it will result in significant unintended consequences and consumer acceptance problems. This is because of overly stringent requirements that may make driving unpredictable at higher speeds by applying the brakes far in advance of what the driver and others on the road would expect. Consumers are likely to simply turn the system off, defeating all safety benefits of the technology and undermining the safety benefits achieved since the voluntary agreement.

To address these safety and consumer expectation concerns, the Alliance for Automotive Innovation ("Auto Innovators") proposed an alternative that is equivalent to the European Standard. The European Standard automatically detects a potential forward collision, provides the driver with a warning, and automatically engages the braking system to avoid or mitigate the severity of a collision. It is expected to reduce the severity of collisions to the point where crashworthiness systems can effectively address any residual risk. It also will help mitigate the anticipated increase in rear-end crashes that would likely result from NHTSA's proposed rule because that rule would require overly aggressive AEB systems to engage at higher speeds than drivers would expect. Each of these issues is discussed in more detail in our written comments, which I have attached for your reference.

Based on our survey of the industry, we estimate that NHTSA underestimated the impact on the industry and the public by more than \$1 billion, with an average anticipated cost of approximately \$430 million per manufacturer. The Auto Innovators proposed alternative would average roughly \$61 million per manufacturer.

New cars are safer now than they have ever been. Getting newer vehicles onto the roads increases safety because newer cars have more of the innovative safety technologies that automakers have developed and deployed. Unnecessarily imposing costs on manufacturers and consumers will not serve the goal of increasing roadway safety or reducing roadway deaths and injuries, consistent with the National Roadway Safety Strategy.

Thank you for your attention to this matter. If you would like to discuss this matter further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John Bozzella', with a stylized flourish at the end.

John Bozzella  
President and CEO

Enclosures

CC: Sophie Shulman, Acting Administrator, National Highway Traffic Safety Administration