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

Re: Comments on the *National Highway Traffic Safety Administration's 2010-2015 Strategic Planning*, Docket No. NHTSA-2009-0171

The American Trucking Associations, Inc.<sup>1</sup> (ATA) is writing in response to the U.S. Department of Transportation (DOT) National Highway Traffic Safety Administration (NHTSA) request for comments on the *2010-2015 Strategic Planning*, Docket No. 2009-0171. As the national representative of the trucking industry, ATA and its members are interested in matters affecting the nation's motor carriers, especially reports on maintenance and repair expenses of equipment related to regulations to improve the safety of all vehicles.

#### Background

On November 5, 2009, NHTSA requested comments on its *2010-2015 Strategic Plan*. The plan is comprehensive and only includes programs and projects that are priorities or will take significant agency resources. The plan is meant to be a foundational work to assist the agency to properly direct its resources for the next five years. Public feedback to this notice will assist the agency in shaping its 2010-2015 strategic plan.

The notice invites comments, suggestions and recommendations from all individuals and organizations that have an interest in motor vehicle and highway safety. The body of this notice consists of a number of questions that the respondents can choose to answer. The ATA has chosen to answer a number of these questions as the basis of our comments. These comments reflect ATA policies as well as the concerns given by members in formulating those safety policies.

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<sup>1</sup> ATA is the national trade association of the U.S. trucking industry. ATA is a united federation of motor carriers, state trucking associations, and national trucking conferences created to promote and protect the interests of the trucking industry. Its membership includes more than 2,500 trucking companies and industry suppliers of equipment and services. Directly and through its affiliated organizations, ATA represents over 37,000 companies and every size, type and class of motor carrier operation.

ATA's position with regard to this request for comment is that NHTSA should initiate and continue programs focused on improving highway safety and efficiency by collecting and analyzing valid data, and then supporting deployment of technologies that will facilitate such changes. Specifically, technologies for congestion mitigation and those that enhance and encourage safe driving behavior should be given priority.

## Comments

### A. Factors and Issues

#### **(A1) What are critical, highway safety issues facing the nation today?**

*Distracted driving, speeding, aggressive driving and increasingly congested highways are all major highway safety factors. Congestion is a major factor in highway safety because it does not let on-board safety systems function properly at low speeds and close following conditions. Drivers also tend to behave badly when stressed by overcrowded stop-and-go traffic. Smart vehicles can not make up for irrational driver actions caused by stress.*

#### **(A2) What will future key demographic and social influences be on highway safety (e.g. novice and older drivers, gender, obesity, cultural diversity, immigration, geographic distribution, alcohol and drug consumption, shifts in economic development, etc.)?**

*Novice drivers are likely to always be a safety challenge but our aging population is clearly one demographic issue that will have growing influence on highway safety in the years to come. The growing use of handheld communication technologies (e.g., cell phones and PDAs) is also a key social influence. Too many cars for the highway system to handle is also a core issue. The population of drivers and vehicles is growing much faster than the highway system to provide the necessary level of mobility.*

#### **(A3) In general, how might driving behaviors change in the United States in the future? How might demographic and social influences change driving behaviors and impact highway safety?**

*The continued growth of urban and suburban populations will increase congestion and its associated problems. More cars with less space, and more drivers not used to those conditions will lead to more congestion.*

#### **(A4) What changes in the auto fleet, including size and mix, will impact highway safety?**

*Passenger cars will likely become smaller and lighter to meet future fuel economy standards. This will lead to greater weight and height differences with commercial vehicles. If they are lower the passenger vehicles might also have visibility issues when in traffic with larger, taller vehicles.*

#### **(A5) What changes in commercial vehicle use will impact highway safety?**

*The amount of freight is expected to grow far faster than highway capacity. Since 70% of the volume of today's freight moves by truck, the increase in freight will result in more trucks on the road and lead to even more congestion. One opportunity could be the use of more productive commercial vehicles using on board safety systems, along with stricter driver licensing requirements.*

**(A6) What international trends and technologies will influence future developments in American automotive industry?**

*The pursuit of regulations to influence climate change through the reduction of greenhouse gases will increase the demand for passenger vehicles with better fuel economy and larger, more fuel efficient commercial vehicles. ATA is in favor of global harmonization of these regulations as well as those addressing crashworthiness. ATA supports crashworthiness standards for newly manufactured class 7 and 8 trucks and a relative scale against which to measure a truck's crashworthiness.*

**(A7) What changes in energy and environmental issues will impact public policy and highway safety? How will these changes impact vehicle use?**

*The reduction of greenhouse gases emissions from mobile sources will require intelligent regulation of market forces.*

*The current policy direction may add layers of complexity and cost for operation of motor vehicles (e.g. CAFE standards or other vehicle requirements to improve fuel efficiency).*

*It is difficult to predict how future carbon controls will impact discretionary vehicle use, which represents a significant component of passenger vehicle miles. In developing these controls, it is important to remember that the vehicle miles traveled by commercial vehicles are not discretionary, as each mile traveled is in furtherance of the business of delivering freight. Additional costs imposed on the trucking industry must be passed on to shippers in order for the industry to survive.*

**(A8) What change in the highway or energy distribution infrastructures will either affect or be needed for improved highway safety?**

*Known highway congestion points should be the first areas addressed in the next highway reauthorization bill instead of the earmarks that have led spending in the past. For the future, a possible answer is Smart Roads to provide better information to drivers in real-time in order to improve traffic flow. ATA recommends the creation of more long-term truck parking as well as smarter parking in places where there are parking space shortages*

**(A9) What changes in auto and medical insurance might affect highway safety?**

*States should establish stricter penalties for operating a vehicle without proper insurance, registration and licensing.*

**(A10) What changes in the national, State, and local economies will impact public policy and highway safety? Will these changes require modification in Federal funding programs or delivery systems for highway safety?**

*The highway system is in need of repair, yet at all government levels the funds are lacking. In the short term, ATA supports increased fuel taxes to maintain the system. In the longer term technology should be investigated to create a fair user-fee system.*

**(A11) How might changes in vehicle theft and odometer fraud impact NHTSA's future program efforts in these areas?**

*No response*

**(A12) What are new and emerging areas of automotive safety research (e.g., injury prevention, passive safety, active safety, advanced crash notification, etc.) that would enable NHTSA and the auto industry to improve motor vehicle safety?**

*The agency should investigate and gather data on the best advanced safety systems available today, mainly on luxury vehicles today, and rank their benefits as they seem to deter and prevent accidents. This would be helpful in prioritizing technologies to be encouraged for wider deployment.*

**(A13) What are new and emerging areas of behavioral safety research that would enable NHTSA to improve highway safety countermeasures?**

*First, identify the driving characteristics that define unsafe driving habits, then promote vehicle systems that detect and warn about improper behavior and at some point take action to override the driver, if necessary, to compensate for such behavior ( i.e. aggressive driving, following too close, hard braking.) Focus on augmenting driver/human ability with active safety systems. This is potentially the best way to dramatically impact the number of highway fatalities.*

*Also, optimize seat belt standards for the safety of belted occupants and provide for more comfortable belt systems for air suspension seats to encourage greater seatbelt use. ATA further supports strategies to enhance the use of seat belts, such as primary seat belt laws in all states, incentives and penalties to motivate states to pass primary seat belt laws, audible reminders for seat belt use in commercial vehicles, contrasting colors for seat belts so law enforcement can quickly check compliance, state adoption of provisions to allow a tort defense for failure to wear a seat belt and denial of workers compensation for drivers who fail to use seat belts.*

**(A14) What additional analytical data need to be collected with respect to motor vehicle and highway safety? How might data and information be combined for more effective and valuable results? How might these data be collected, linked, analyzed and made available in a more efficient and cost-effective manner?**

*Better and more uniform electronic accident reporting techniques at the state and local level. Also, there should be more timely reporting to the Federal data gathering agencies.*

**(A15) What are critical data elements that NHTSA does not collect that should be collected to identify areas to target to reduce traffic fatalities and injuries?**

*Collection should be expanded to accumulate data by truck configuration (by class and utilization) with corresponding miles traveled. Methods should be established to collect more accurate data on injuries and property damage. Also, if it is not now being collected, data on improper headlight use as a contributing factor in collisions.*

**(A16) How can crash avoidance data be gathered?**

*Most on-board safety systems used on commercial vehicles have data on near-misses, and can be used as a tool to improve driver behavior and driving habits. NHTSA should solicit data from users of these systems.*

**(A17) What role will public education and consumer information play in the future of highway safety? What other cost effective tools should NHTSA use to promote motor vehicle and highway safety programs?**

*There should be more consistent and uniform requirements from state to state on driver licensing and graduated steps. ATA supports graduated driver licensing for non-commercial teen drivers and good uniform standards. ATA also supports research on graduated commercial licensing and NHTSA should consider working cooperatively with FMCSA (Federal Motor Carrier Safety Administration on it).*

*In all cases drivers need to be better educated in driving in congested conditions and how to share the road with larger vehicles. ATA recommends implementation of an education and enforcement program, such as Ticketing Aggressive Cars and Trucks (TACT) that targets the problem behaviors of both passenger and commercial motor vehicle drivers. There should be mandatory periodic testing of high risk driver groups with demonstrable risk factors (e.g. newly licensed drivers, senior drivers, etc).*

**(A18) What changes in the area of Federal, State, and local legislation are appropriate and how might that legislation affect traffic safety in the future? What changes are likely?**

*At the Federal level, ATA supports a return to a national speed limit not to exceed 65 miles per hour. In addition, ATA believes the speed of all electronically governed class 7 and 8 trucks manufactured after 1992 used in commerce should be governed at a maximum speed not to exceed 65 mph. Speed limiters on all newly manufactured class 7 and 8 trucks should be made more tamperproof. ATA recommends States consider speed limiters on the vehicles of drivers with certain driving convictions.*

**(A19) How might homeland security affect traffic safety in the future?**

*When considering what homeland security encompasses, it is important to note that, in general terms, it involves the ability of our Nation and our communities to mitigate, prepare, respond to and recover from man-made and/or natural disasters, including terrorist attacks, violent civil disturbances, hurricanes, earthquakes, floods, pandemics, etc. Thus, homeland security is more than just security; it also includes emergency preparedness activities. Under this broad definition of "homeland security", decisions by federal, state, and local officials are very likely bound to have a direct impact on highway operations that could affect highway safety.*

**(A20) What changes are imminent in State politics, and the relationship between the States and agency? What changes would help the agency achieve its safety goals?**

*No response*

**(A21) How will "Smart Growth" or livable community concepts impact traffic safety? What is NHTSA's role within these growing inter-disciplinary fields?**

*Smart growth should slow the rate of increase in miles traveled, but it will not materially reduce the overall miles traveled due to projected population and economic growth.*

**B. Technology**

**(B1) How will advanced vehicle technologies (i.e., crash avoidance) impact the future of motor vehicles and highway safety?**

*Vehicle technologies can help drivers avoid potential collisions, and play a role in changing driver behavior. As long as there is a human driver, he or she will be the most important element in the control loop, as well as the greatest risk factor. Technology should be used to minimize risk.*

**(B2) What future technologies should be researched and encouraged to enhance highway safety?**

*The accident avoidance technology available on heavy vehicles and luxury passenger cars should be investigated to determine their effectiveness in accident prevention.*

*ATA supports enforcement using red light cameras and automatic speed enforcement for all vehicles deployed in high risk zones, such as high crash intersections, school zones and work zones, to reduce crash rates. ATA opposes deployment of enforcement technology for the purpose of revenue generation.*

**(B3) What technological changes are necessary in other modes of passenger and freight transportation to positively impact motor vehicle and highway safety?**

*Passenger vehicle drivers must be better educated on how to share the road with heavy commercial vehicles. For example, many heavy highway trucks are equipped with advanced safety systems, but an adaptive cruise control can not prevent passenger cars from filling the 300 feet clear distance it is set to monitor in front of the vehicle.*

**(B4) What changes in medical technology and emergency medical services will impact motor vehicle and highway safety and health outcomes?**

*No response*

**(B5) How can the development and implementation of crash notification technologies (i.e., automatic advanced crash notification) and crash victim triage protocols impact health outcomes related to motor vehicle crashes?**

*No Response*

**(B6) What changes do you envision in automation, information management, and workplace alternatives (e.g., telecommuting)? How will these activities impact highway safety and commuting and travel behaviors?**

*The above mentioned can only slow the growth of traffic and can do little for commercial traffic growth. In the medium term, it is likely that vehicle and roadside technologies will allow conveying and platooning of multiple vehicles synchronized and operated as one unit for portions of each trip.*

**(B7) What changes in law enforcement practices and technologies might impact highway safety?**

*Higher throughput of vehicle inspections should improve safety. Carriers should also be provided with opportunities to improve their safety scores (carrots) rather than only with penalties (sticks) for problems.*

*In the long term, to make significant highway safety improvements the vehicle fleet needs to increase technology use and move toward full vehicle automation, removing the driver from the control loop.*

**(B8) How will technology affect driving behavior? What issues related to vehicle/driver interaction could affect safety? What issues should NHTSA research?**

*Driver distraction has been highlighted as a problem. NHTSA should continue its activity in improving how drivers interface with on-board devices.*

### C. Institutional Relationships

**(C1) How do you and/or your organization (include organization's name) interact with NHTSA? Please explain the dynamics of this relationship.**

*ATA is a united federation of motor carriers, state trucking associations, and national trucking conferences created to promote and protect the interests of the trucking industry. Directly and indirectly through its affiliated organizations, ATA encompasses over 37,000 companies and every type and class of motor carrier operation.*

*ATA is interested in all aspects of highway safety and all elements of the NHTSA mission as it impacts the safe operation of commercial motor vehicles. Our membership is active in corresponding matters of safety initiatives, research, and rulemaking.*

**(C2) How could NHTSA strengthen its relationship with your organization and with other organizations and institutions engaged in traffic safety programs?**

*NHTSA should conduct more stakeholder meetings and be more responsive to input made by the motor carrier industry.*

**D. NHTSA's Role and Mission**

**(D1) In your view, should there be major changes in NHTSA's role/mission in the future?**

*NHTSA needs to ensure that its regulatory activities are harmonized with other government agencies. For example, in promulgating CAFE standards, NHTSA should recognize that other agencies share responsibility for controlling greenhouse gas emissions and should ensure that its actions under this program do not conflict with other federal greenhouse gas control programs, and do not combine with other regulatory initiatives to create standards that are technologically infeasible or economically impractical.*

**(D2) What are NHTSA's strengths and weaknesses?**

*NHTSA is strong in safety research, but could do more to work with industry during the research stage to better understand the impact of potential rulemakings. This could prevent the problems that can occur with slow and late rulemakings with short term time horizons contributing to uncertainty (and therefore cost) of compliance.*

**(D3) How can NHTSA have a greater impact in the reduction of injury and loss of life on the nation's highways?**

*As it impacts NHTSA's prescribed mission, the agency should hold an open forum on commercial motor vehicle safety.*

**(D4) What is NHTSA doing well and not well? How can NHTSA improve the way it does business or provides customer service? Please identify possible improvements or ideas for doing better.**

*NHTSA needs to improve its timeliness in releasing national highway safety statistics and accident rates per vehicle miles traveled.*

**(D5) What should NHTSA's role in international highway safety be? How should NHTSA be involved in international global road safety efforts? What opportunities exist for NHTSA to learn from highway safety initiatives in other countries?**

*There needs to be harmonization of safety regulations to reduce compliance costs on a global basis.*

**(D6) What mechanisms should NHTSA consider using for communication with the public?**

*Webinars should be considered, in addition to the existing mechanisms used by the Agency.*

Summary

ATA appreciates the opportunity to respond to this request for comment and believes that by focusing on the overarching objectives of improving highway safety and efficiency through programs and initiatives supported by solid data and analysis, NHTSA will be able to facilitate the wider deployment of effective safety technologies.

In the long term such efforts should help the development of safety technologies that will enable the possibility of driverless vehicles, which could offer a quantum leap in safety benefits when compared with the present highway fatality rate.

Sincerely,



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