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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

VIA: <http://www.regulations.gov>

Re: Comments on the *Vehicle Safety Rulemaking and Research Priority Plan 2009-2011*, Docket No. NHTSA-2009-0108

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 *Vehicle Safety Rulemaking and Research Priority Plan 2009-2011* (Docket No. 2009-0108). 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 July 1, 2009, NHTSA requested comments on their *Vehicle Safety Rulemaking and Research Priority Plan 2009-11*. The plan is comprehensive and only includes programs and projects that are priorities or will take significant agency resources. The plan is meant to communicate to the public NHTSA's highest priorities to meet the Nation's motor vehicle safety challenges, as well as serve as an internal planning tool. Among the priority programs that are of particular interest to ATA members are those to mitigate rollover crashes and those that are directed at the Congressional mandate to develop fuel economy standards for medium and heavy duty work trucks. In addition, although the proposed light vehicle activities do not directly apply to the equipment operated by ATA's motor carrier members, due to the economies of scale, the cost of the technologies developed to comply with the standards should be lower if they can be applied to medium- and heavy-duty vehicles. ATA agrees with the agency setting priorities by looking at four categories: (1) large safety benefits (2) vulnerable populations (3) high occupancy vehicles and, (4) other considerations

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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.

## Comments

### **Heavy Vehicle Truck Tractor Stability Control**

The ATA has followed the agency's efforts to develop a test procedure that would quantify the performance of a roll control or stability control system. Many of ATA's members already purchase these systems as optional equipment and they are standard equipment on some heavy truck models. What has been lacking is a means to compare the performance of one system to another. The NHTSA proposed test procedure could fulfill this needed function. The ATA formed a Safety Task Force last year to set forth a safety position and establish policies. Roll control and stability control systems were discussed and their merits recognized.

The American Transportation Research Institute (ATRI) prepared a report (FMCSA-RRT-09-023) in February 2009 from a contract with the Federal Motor Carrier Safety Administration (FMCSA) to establish a cost benefit analysis for certain onboard safety systems. Roll control and stability control systems were among those analyzed and both showed a positive return on investment.

The ATA Technical Advisory Group (TAG) has had one meeting with NHTSA representatives to discuss these safety systems and would like to continue such meetings in the future to work jointly on a test procedure to establish the proper performance criteria for these systems. The driver is still the primary safety system on the vehicle and roll control and stability control can only do so much to correct human error, they are still governed by the laws of physics. ATA agrees on the suggested time of 2010 for a Notice of Proposed Rulemaking (NPRM)

When the driver exceeds the capability of the system to prevent the roll over, it becomes a crashworthiness issue. One of the policy position that is part of the ATA's Safety Agenda is to request crashworthiness standards for class 7 and 8 vehicles. Recognizing the complexity of the issue, it was decided that a cab structural standard would be a good starting point. The class 7 and 8 vehicle manufacturers all do cab structural tests to assure the durability and safety of their vehicles, but there is not a common basis for the buyer to compare them. The ATA has been in contact with the Truck Manufacturers Association (TMA) to establish a voluntary industry standard that would be based on SAE *J2422 Cab Roof Strength Evaluation-Quasi Static Loading Heavy Trucks*. Therefore, the ATA requests that NHTSA review the documentation available to create a common cab structural test for class 7 and 8 cabs and the potential of a future safety standard to reduce fatalities when these vehicles roll over.

### **Heavy -Vehicle Forward Collision Avoidance and Mitigation**

The same items mentioned above for stability control are true for collision warning avoidance systems. They are in use as optional equipment by some motor carriers, and the ATRI report shows a positive return on investment. Whatever the proposed performance standard turns out to be, it must include a measurement of maximum allowable false warnings. These systems become a distraction to the driver if they produce too many false warnings and a hindrance as opposed to an aid.. Also, a universal hierarchy of warning signals would help as drivers switch from one vehicle to another. ATA agrees with the next decision time to be in 2011 to develop the proper performance criteria and tests.

### **Medium/Heavy Work Truck Rules**

The ATA has been following the activity of the National Academy of Sciences as they are doing their fact finding to propose a workable fuel economy standard for medium and heavy duty trucks. ATA is scheduled to present to the group at their next Washington DC area meeting. We recognize that the vast

number of vocations that use these trucks presents a huge challenge for the group. It is important to get the correct fuel economy standard because the wrong standard could actually increase fuel consumption if it limited the vehicle choices to the extent that the proper vehicles would not be available for the varied vocational needs. In the past ATA policy opposed fuel economy standards for medium and heavy duty vehicles, but that policy was revised as part of ATA's sustainability program. ATA is in favor of fuel economy standards that are technically feasible and are also economically sound. Fuel is one of the trucking industry's greatest expenses, and it is ATA's hope that the NHTSA proposal will include recommendations for higher productivity vehicle combinations for better utilization of this expense. The Environmental Protection Agency (EPA) is also working on a fuel economy standard for medium and heavy duty trucks. ATA encourages a joint effort to produce the best standard for the goal of improved fuel economy while maintaining the freight transportation needs vital to the nation's economy. Such a joint effort may improve on the 2011 scheduled decision date.

### **Heavy-Vehicle Electronic Data Recorders**

The ATA has participated with the Society of Automotive Engineers (SAE) in the ongoing activity to produce a recommended practice for heavy vehicle electronic data recorders (HVEDR), J2728. ATA would encourage the agency to review this work while developing performance requirements for HVEDRs. The ATA would also like to offer its support to the agency in developing these requirements. The agency's next decision date of 2010 appears to be correct for an ANPRM.

### **Heavy-Vehicle Truck Tires**

For ATA members tires are a major operating expense. ATA looks forward to the review of the upgraded endurance test in FMVSS 119 and hopes that it will predict expected casing life. Retreaded truck tires are a cost savings for the motor carriers and also save on oil, so casing life is an important factor in the tire purchase decision. EPA's SmartWay<sup>SM</sup> program lists certain fuel efficient tires and California is requiring their use. Similar to what the agency has proposed for passenger car tires FMVSS119 should include a rolling resistance rating as well as an expected wear rating. An NPRM date of 2009 does seem appropriate.

Sincerely,



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