

June 11, 2024

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Ave., S.E.
Washington, D.C. 20590

Dear Secretary Buttigieg:

The undersigned organizations urge the U.S. Department of Transportation (U.S. DOT) to issue the final rule without further delay to require automatic emergency braking (AEB) on new vehicles weighing greater than 10,000 pounds with a compliance date that will maximize safety benefits.ⁱ Congress required that this rulemaking be completed by November 2023 in the Infrastructure Investment and Jobs Act, and it is now seven months overdue.ⁱⁱ

As stated in the Notice of Proposed Rulemaking (NPRM), “[t]he safety problem addressed by AEB is substantial.”ⁱⁱⁱ U.S. DOT data indicates that heavy vehicles are involved in approximately 60,000 rear-end crashes in which the heavy vehicle was the striking vehicle.^{iv} These incidents result in nearly 400 fatalities and 30,000 injuries as well as 84,000 crashes involving damaged vehicles only annually.^v

The benefits of requiring AEB on heavy vehicles is incontrovertible. According to U.S. DOT’s own estimates, this regulation will eliminate nearly 20,000 crashes, save over 150 lives and reduce nearly 9,000 injuries annually.^{vi} In addition, the rule would avert nearly 25,000 property-damage-only crashes each year.^{vii} In 2015, safety groups filed a petition for rulemaking to require AEB systems on heavy vehicles. The National Highway Traffic Safety Administration (NHTSA) granted the petition later that year because research had demonstrated that AEB systems are effective in mitigating crashes and saving lives.^{viii} In fact, the Insurance Institute for Highway Safety (IIHS) has concluded that forward collision warning with automatic braking, also referred to as AEB, could prevent 41 percent of large truck front-to-rear crashes.^{ix} Unfortunately, the rear underride guard final rule issued in 2022 established performance requirements far below industry standards and IIHS testing protocols.^x We urge U.S. DOT to not repeat such an egregious error with this rulemaking.

AEB systems have been widely available for over a decade, and numerous heavy and passenger vehicles are already using the technology.^{xi} As such, U.S. DOT must shorten the unnecessarily long compliance timeline proposed in the NPRM which is up to five years after the date of the publication of the final rule or lives will needlessly be lost. Time is of the essence.

Sincerely,

Advocates for Highway and Auto Safety
Center for Auto Safety
Joan Claybrook, Former Administrator, NHTSA
Citizens for Reliable and Safe Highways

Consumer Federation of America
Consumers for Auto Reliability and Safety
Families For Safe Streets
Kids and Car Safety
National Consumers League
National Safety Council
Parents Against Tired Truckers
Society for Advancement of Violence and Injury Research
Trauma Foundation
Truck Safety Coalition
Vision Zero Network

cc: Deputy Administrator Sophie Shulman, National Highway Traffic Safety Administration
Acting Deputy Administrator Sue Lawless, Federal Motor Carrier Safety Administration

ⁱ RIN: 2127-AM36.

ⁱⁱ Pub. L. 117-58, § 23010 (2021).

ⁱⁱⁱ 88 FR 43174, 43178 (Jul. 6, 2023).

^{iv} *Id.*

^v *Id.*

^{vi} *Id. at* 43176.

^{vii} *Id.*

^{viii} *Id. at* 43174.

^{ix} Real-world benefits of crash avoidance technologies; IIHS HLDI, Dec. 2020.

^x 87 FR 42339 (Jul. 15, 2022).

^{xi} 88 FR 43200.