

April 15, 2022

The Honorable Steven Cliff
Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Event Data Recorders NHTSA–2021–0058]

Dear Administrator Cliff,

On March 17, 2022, the National Highway Traffic Safety Administration (NHTSA) published in the Federal Register a Notice and request for comments on a request for approval titled “Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Event Data Recorders”. The National Association of Mutual Insurance Companies (NAMIC) welcomes the opportunity to respond to this request for comments related to motor vehicle event data recorders and to urge NHTSA to expand the data collected by EDRs as well as require EDRs for certain vehicles.

NAMIC is the largest property/casualty insurance trade group with a diverse membership of more than 1,400 local, regional, and national member companies, including seven of the top 10 property/casualty insurers in the United States. NAMIC members lead the personal lines sector representing 53 percent of the auto market. Through our advocacy programs we promote public policy solutions that benefit NAMIC member companies and the policyholders they serve and foster greater understanding and recognition of the unique alignment of interests between management and policyholders of mutual companies.

While the quality, utility and clarity of the information currently collected is certainly valuable, NAMIC will reiterate the position expressed in our October 15, 2021, comments in which NAMIC urged NHTSA to expand the data collected by EDRs as well as require EDRs for certain vehicles. We concur with NHTSA in its description in this notice the importance of information captured by EDRs to the responsibility of NHTSA to carry out the National Traffic and Motor Vehicle Safety Act. Safety research benefits from police, insurance companies and other crash investigators having more accurate and better information about from EDRs about the circumstances surrounding crashes. The Insurance Institute for Highway Safety, the scientific and educational organization funded by insurers and dedicated to reducing deaths, injuries, and property damage from motor vehicle crashes through research and evaluation uses EDR-enhanced information about front crash



injury risks to create better crash tests that have led to vehicle crashworthiness improvements. We maintain that this remains useful and necessary for NHTSA to sufficiently collect motor vehicle crash data to support its safety mission.

NAMIC respectfully suggests that NHTA consider the application of the definitions and data elements of 49 CFR part 563 to the development and distribution of vehicles with advanced driver assistance systems (ADAS) technologies. In particular, NHTSA may want to note the inclusion of “driver” and “passenger” in the definitions of “Occupant position classification” and “Occupant size classification” in § 563.5 Definitions. These same terms are use in § 563.7 Data elements and may not be applicable in ADAS equipped vehicles and modifications of the data elements for such vehicles will be important.

We also note that the Notice identifies the “Affected Public” as vehicle manufacturers but notes that the Driver Privacy Act of 2015 assigns ownership of EDR data to the vehicle owner. NAMIC respectfully suggests that the vehicle owners are also among the “Affected Public” by this data collection. NAMIC urges NHTSA to expand the data collected by EDRs as well as require EDRs for certain vehicles.

To conclude, NAMIC maintains that it is necessary for NHTSA to improve the information collection activities encompassed by 49 CFR part 563 by amending existing regulation to require EDRs to capture and make available more data elements related to the use and function of advanced driver assistance features.

Sincerely,

Thomas J. Karol

General Counsel – Federal
National Association of Mutual Insurance Companies