

July 25, 2023

Sophie Shulman
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE
Washington, DC 20590-0001

RE: New Car Assessment Program, Docket No. NHTSA-2023-0020

Dear Ms. Shulman,

As the nation's leading advocate for the technological modernization of our transportation system by focusing on advancing research and deployment of intelligent transportation technology, the Intelligent Transportation Society of America (ITS America) is grateful for the opportunity to comment on the National Highway Traffic Safety Administration's (NHTSA) New Car Assessment Program (NCAP) Request for Comment (RFC).

ITS America was founded in 1991 as an advisory council to USDOT on technology innovation and emerging transportation technologies. ITS America is the only organization in the country that represents all sectors – public, private, academic, and nonprofit – to advance transportation technology. Our membership includes state and city departments of transportation, transit agencies, metropolitan planning organizations, automotive manufacturers, technology companies, engineering firms, automotive suppliers, insurance companies, and research and academic universities. Our vision is one of a better future transformed by transportation technology and innovation. Safer. Greener. Smarter. For all. Our work accelerates the deployment of technology that saves lives, promotes sustainability, and advances more equitable transportation.

ITS America strongly supports efforts to improve pedestrian safety on American roadways, particularly given the tragic increase in pedestrian fatalities as highlighted in a report by the Governors Highway Safety Association, which estimated that drivers struck and killed at least 7,508 people walking in 2022 – the highest number since 1981 and an average of 20 deaths every day.¹ ITS America believes that the status quo approach to pedestrian safety is insufficient, and innovative solutions must be undertaken to dramatically reduce pedestrian fatalities. While we believe that infrastructure-based technology solutions are well-positioned to provide additional safety in this category, we also believe that vehicle safety is a similarly critical component of this

¹ Governors Highway Safety Association, Pedestrian Traffic Fatalities by State: 2022 Preliminary Data. Available at: <https://www.ghsa.org/resources/Pedestrians23>

effort. To that end, we applaud NHTSA's efforts to develop the first ever pedestrian protection program in NCAP.

ITS America particularly supports NHTSA's efforts to harmonize aspects of their NCAP pedestrian protection program with those of European New Car Assessment Programme (Euro NCAP). We believe, however, that by focusing on vehicle design assessments rather than pedestrian-safety vehicle technologies, NHTSA is missing an opportunity to adopt aspects of Euro NCAP that would make a more meaningful difference on pedestrian fatalities on American roadways. While NHTSA's recent inclusion of four additional advanced driver assistance system (ADAS) technologies to NCAP and to current NCAP testing procedures was an important and welcome step towards a further embrace of the benefits of transportation technologies as a tool to improve safety for all road users, there remain numerous technologies worthy of elevation in NCAP that are still left out of the new criteria, including those already recommended by Euro NCAP. We encourage NHTSA to adopt an assessment methodology that recognizes the singular benefit that such technologies provide to roadway users inside and outside of the vehicle and believe that this pedestrian protection program is a uniquely-situated platform for NHTSA to adopt that methodology.

One such example is vehicle-to-everything (V2X) communications. ITS America firmly believes that V2X technologies should be included in NCAP in order to spur deployment of this promising safety tool. NHTSA has estimated that these technologies can eliminate or mitigate up to 80 percent of non-impaired crashes, alongside the numerous benefits specific to pedestrian safety. In the 2022 ADAS NCAP rulemaking, NHTSA reported that crossing path crashes amount to 21 percent of crash scenarios, and that none of the technologies being included or already included in NCAP address crossing path crashes.² NHTSA noted that "Vehicle-to-vehicle (V2V) and vehicle-to-everything (V2X) technologies have the potential to address crossing path crashes, but, while NHTSA remains strongly interested in these technologies, they are not included in the current roadmap. NHTSA is continuing to consider the various issues that bear upon the deployment path of V2X, including technological evolution and regulatory changes to the radio spectrum environment."³

Since that rulemaking, the United States Department of Transportation (USDOT) has hosted two V2X workshops to discuss a national deployment plan for these technologies. At these events, USDOT leadership has spoken about the promise that these technologies have for road safety generally, and pedestrian safety has been an important component of those conversations. As NHTSA continues to consider its role in the deployment of V2X technologies, ITS America would

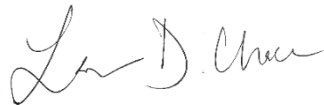
² New Car Assessment Program, Request for Comments, 2022. National Highway Traffic Safety Administration. Available at: <https://www.federalregister.gov/documents/2022/03/09/2022-04894/new-car-assessment-program>

³ New Car Assessment Program, Request for Comments, 2022.

encourage increased participation by NHTSA representatives in those USDOT-sponsored events, as NCAP's role in promoting these safety solutions is frequently discussed at these forums. The necessity of V2X inclusion in NCAP is already accepted in Euro NCAP, which "recognizes the safety potential of V2V and V2X technologies, for car occupants, vulnerable road users and powered two wheelers."⁴ They stated that to "support the availability of technology on the vehicle side, new incentives will be introduced in the rating scheme for V2X technology that support and enhance important safety functions."⁵ As the chief automaker regulator, NHTSA is uniquely positioned to provide leadership in the deployment of these technologies in vehicles, and participation in USDOT-sponsored V2X events alongside other modal administrations is a critical component of that leadership.

ITS America stands ready to support NHTSA's efforts to improve pedestrian safety through amendments to NCAP, and encourages NHTSA to utilize an NCAP assessment methodology that recognizes the singular benefit that such technologies provide to roadway users inside and outside of the vehicle. If you have any questions, please feel free to contact Bobby McCurdy at bmccurdy@itsa.org.

Sincerely,



Laura Chace
President and CEO
ITS America

⁴ Euro NCAP 2025 Roadmap. Available at: <https://cdn.euroncap.com/media/30700/euroncap-roadmap-2025-v4.pdf>

⁵ Euro NCAP 2025 Roadmap.