



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY

March 23, 2021

The Honorable Maria Cantwell, Chair
The Honorable Roger Wicker, Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
Washington, D.C. 20510

Dear Chair Cantwell and Ranking Member Wicker:

Thank you for holding tomorrow's hearing, "Driving the Road to Recovery: Rebuilding America's Transportation Infrastructure." Advocates for Highway and Auto Safety (Advocates) urges you to prioritize the safety of all road users as you consider policies and legislation investing in infrastructure. We respectfully request this letter be included in the hearing record.

Every major surface transportation bill passed by Congress over the last three decades has included significant public safety improvements such as airbags,¹ electronic stability control² and safety belts on motorcoaches.³ These advances have garnered bipartisan support and saved thousands of lives. In fact, the National Highway Traffic Safety Administration (NHTSA) estimated that between 1960 and 2012, over 600,000 lives have been saved by motor vehicle safety technologies.⁴ The recent crash involving Tiger Woods is a prime example of the lifesaving benefits of regulations. Mr. Woods' life was saved, at least in part, by a seat belt, air bags and roof crush performance standards, all of which are required as standard equipment in cars. As *Auto Week* succinctly explained, "The details of Tiger Woods' crash are still being sorted out by investigators, but in general, the world's greatest golfer can thank more than 50 years of government-mandated safety advances that he is alive."⁵ Technologies, such as advanced driver assistance systems (ADAS) and impaired driving prevention systems, if similarly required, could be saving lives now.

Safety advances are urgently needed to address the persistently high and costly crash death and injury toll. Every year on average, over 36,000 people are killed and 2.74 million more are injured in motor vehicle crashes. Preliminary estimates from NHTSA indicate that the fatality rate and total for the first nine months of 2020 increased over the same time period in 2019. This

¹ Pub. L. 102-240 (Dec. 18, 1991).

² Pub. L. 109-59 (Aug. 10, 2005).

³ Pub. L. 112-141 (Jan. 3, 2012).

⁴ Lives Saved by Vehicle Safety Technologies and Associated Federal Motor Vehicle Safety Standards, 1960 to 2012, DOT HS 812 069 (NHTSA, 2015); See also, NHTSA AV Policy, Executive Summary, p. 5 endnote 1.

⁵ Mark Vaughn, Tiger Woods Owes His Life to Decades of Government Safety Standards, *Auto Week* (Feb 26, 2021).

is in line with troubling trends reported across the country, and confirmed by NHTSA, of drivers engaged in riskier driving behaviors including speeding, impairment, and lack of seat belt use during the COVID-19 pandemic. Media and analytics reports note distraction increased as well. Needless to say, the concurrent decline in vehicle miles traveled did not result in anticipated safer conditions on our roads.

In addition, the number of pedestrian and bicyclist deaths remain at or near the highest levels in three decades, with 6,205 and 846 fatalities respectively. Further, in 2018 and 2019, over 100 children were killed due to heatstroke as a result of being left unattended in a vehicle or gaining access independently into an unoccupied vehicle according to NHTSA. In 2019, more than 5,000 people were killed in crashes involving a large truck. Since 2009, the number of fatalities in large truck crashes has increased by 48 percent.⁶ An additional 159,000 people were injured in crashes involving a large truck, and the number of large truck occupants injured increased by 18 percent. In fatal crashes involving a truck and a passenger vehicle, 96 percent of the fatalities were passenger vehicle occupants, according to the Insurance Institute for Highway Safety (IIHS). The cost to society from crashes involving commercial motor vehicles (CMVs) was estimated to be \$143 billion in 2018, the latest year for which data is available.

The overall annual cost crashes impose on society exceeds \$800 billion, including \$242 billion in direct economic costs (NHTSA), based on 2010 data. When adjusted only for inflation, comprehensive crash costs now near one trillion dollars, with direct economic costs amounting to \$292 billion. This is equivalent to an \$885 “crash tax” on every American. Additionally, crashes cost employers \$47.4 billion in direct crash-related expenses annually, based on 2013 data from the Network of Employers for Traffic Safety (NETS). Similarly adjusted, the cost to employers is now approximately \$54 billion annually. Ending the physical, emotional and economic toll of motor vehicle crashes is achievable. As the Committee begins consideration of an infrastructure package/surface transportation reauthorization, we urge you to address these serious safety challenges with the proven “vaccines” detailed below.

Require and expand the use of proven technologies which are demonstrated by data, research and experience to advance safer roadways, safer drivers and safer vehicles.⁷

Advanced vehicle safety technologies, also known as advanced driver assistance systems (ADAS), prevent and lessen the severity of crashes. Research performed by IIHS has clearly demonstrated the benefits of these technologies. For example, IIHS determined that automatic emergency braking (AEB) can decrease front-to-rear crashes with injuries by 56 percent. The National Transportation Safety Board (NTSB) has included increasing implementation of

⁶ Note, the 48 percent figure represents the overall change in the number of fatalities in large truck involved crashes from 2009 to 2019. However, between 2015 and 2016 there was a change in data collection at U.S. DOT that could affect this calculation. From 2009 to 2015 the number of fatalities in truck involved crashes increased by 21 percent and between 2016 to 2019, it increased by 7 percent.

⁷ Past legislation which promotes these issues and should be advanced includes: Moving Forward Act (116th Congress, H.R. 2); Protecting Roadside First Responders Act (116th Congress, S. 2700/H.R. 4871); 21st Century Smart Cars Act (116th Congress, H.R. 6284); Reducing Impaired Driving for Everyone (RIDE) Act (116th Congress, S. 2604); HALT Drunk Driving Act (116th Congress, 4354); Safe Roads Act (116th Congress, H.R. 3773); Hot Cars Act (116th Congress, H.R. 3593); School Bus Safety Act (116th Congress, S. 2278/H.R. 3959); Stay Aware for Everyone Act (116th Congress, S. 4123); and, Five-Stars for Safe Cars Act (116th Congress, H.R. 6256), among others.

collision avoidance technologies in its *Most Wanted List of Transportation Safety Improvements* since 2016. These technologies should be required in all new vehicles, subject to a minimum performance standard which sets a floor, not a ceiling, from which manufacturers can innovate. Congress should also direct NHTSA to update the New Car Assessment Program (NCAP) to include ADAS in vehicle ratings. The NTSB has recommended enhancing NCAP to include these safety improvements and Euro NCAP already evaluates a number of these systems.

Unfortunately, access to these lifesaving crash avoidance technologies currently is not equitable. They are often sold as part of an additional, expensive trim package coupled with other non-safety features, or included as standard equipment in high end models or vehicles, which are unaffordable to many families. A report from Consumer Reports found an astounding upcharge of more than \$16,000 for AEB with pedestrian detection in the second most popular vehicle sold in the U.S. Requiring vehicle safety technology as standard equipment will reduce its base cost due to economies of scale, make safety equitable and expedite the benefits to all road users from broad market saturation.

Many individuals rely on walking or biking for economic reasons, rather than choice, to reach work or school. The inability to afford a car or the decision to walk or bike should not come with an elevated risk for injury or death. Mandating safety equipment in new vehicles would ensure the protection of vulnerable road users. Moreover, efforts to address climate change including domestic production of electric vehicles (EVs), which requires automakers to reconfigure their production lines, can efficiently and economically coincide with integrating ADAS technologies.

Requiring that autonomous vehicles (AVs) meet minimum standards and that operations are subject to adequate oversight throughout development and deployment will save lives as well as costs for both the consumer and the manufacturer. Sweeping promises have been made about AVs bringing meaningful and lasting reductions in motor vehicle crashes and resulting deaths and injuries, traffic congestion and vehicle emissions. Additionally, claims have been made that AVs will expand mobility and accessibility, improve efficiency, and create more equitable transportation options and opportunities. However, these potentials remain far from a near-term certainty or reality. Without commonsense safeguards to ensure these desirable outcomes, the potentials are imperiled at best and could be doomed at worst. The absence of protections could result in adverse impacts including safety risks for all people and vehicles on and around the roads, job displacement, degradation of current mobility options, infrastructure and environmental problems, marginalization of certain users, and others.

The public backs a prudent and thoughtful approach to AVs. According to a 2020 poll commissioned by Advocates, 71 percent of respondents support government-mandated minimum safety requirements for new driverless car technologies and 68 percent reported that they would be less concerned about driverless cars if they knew that companies had to meet minimum safety requirements before selling them to the public.⁸ Moreover, on the path to driverless cars, ADAS can prevent or lessen the exorbitant death and injury toll now while laying the foundation for AVs in the future.

⁸ Advocates for Highway and Auto Safety, Engine Insights CARAVAN Survey: Public Concern about Driverless Cars is Strong, and the Support for Performance Requirements is Clear, January 2020.

In November 2020, Advocates led a group of 60 diverse organizations to release the “AV Tenets” which must be the foundation for any AV policy that is considered.⁹ The core principles of the AV Tenets are: 1) prioritize safety for all road users; 2) guarantee accessibility and equity; 3) preserve consumer and worker rights; and, 4) ensure sustainable transportation and retain local control. During this transformational time in surface transportation history, we should pay heed to Benjamin Franklin’s infamous quote from 1736, “An ounce of prevention is worth a pound of cure.”

As this Committee moves forward with an infrastructure package/surface transportation reauthorization bill, a strong safety title must be at its core and provisions which would further degrade infrastructure and safety must be rejected. The variations in road use during the pandemic highlighted vulnerabilities inflicting our Nation’s roads. Now is the time to advance effective solutions to save lives.

Thank you again for holding this essential hearing and for your consideration of these issues. We look forward to working with you to improve safety on our Nation’s roadways.

Sincerely,

A handwritten signature in black ink, appearing to read "Catherine Chase", with a long horizontal flourish extending to the right.

Catherine Chase, President

cc: Members of the U.S. Senate Committee on Commerce, Science, and Transportation

⁹ The complete AV tenets are attached to this letter.