



ADVOCATES  
FOR HIGHWAY  
& AUTO SAFETY

February 21, 2023

The Honorable Liz Krueger  
Chair, Senate Finance Committee  
The Honorable Helene E. Weinstein  
Chair, Assembly Ways and Means Committee  
New York State Legislature  
Legislative Office Building  
Albany, New York 12248

Dear Chair Krueger and Chair Weinstein:

Advocates for Highway and Auto Safety (Advocates), a coalition of consumer, safety, public health, law enforcement and medical groups, and insurance companies working together to pass highway and auto safety laws that prevent needless crashes, deaths and injuries and contain costs, supports enactment of provisions in Senate Bill (S.) 4008 / Assembly Bill (A.) 3008 to limit the occurrence of secondary crashes and permit cities with populations greater than one million to impose lower speed limits on certain streets. Secondary crashes and excessive speed are serious issues that can be curbed with commonsense countermeasures.

The ability for large cities to lower speed limits as provided in Part K is timely. In 2021, 27 percent of all traffic fatalities in the U.S were speeding related, a five percent increase from 2020.<sup>i</sup> Speeding is a major factor leading to traffic fatalities in New York, contributing to at least 36 percent of traffic fatalities in the state in 2020, far exceeding the national average that year.<sup>ii</sup> Excess speed contributes to both the frequency and severity of motor vehicle crashes and proves especially dangerous for vulnerable road users such as pedestrians, bicyclists and roadside first responders who lack the protective structure of a vehicle.

Even seemingly modest speed limit changes can have huge impacts on overall traffic safety. Crash tests conducted in 2019 showed that a five to 10 mile per hour (mph) increase in speed can have a severe impact on a driver's risk of injury or even death.<sup>iii</sup> According to the Insurance Institute for Highway Safety (IIHS), "Raising speed limits leads to more deaths. People often drive faster than the speed limit, and if the limit is raised, they will go faster still. Research shows that when speed limits are raised, speeds go up, as do fatal crashes."<sup>iv</sup>

To prevent the incidence of secondary crashes, in which an additional crash results due to a prior crash, the Federal Highway Administration (FHWA) recommends laws that direct drivers involved in minor traffic crashes to remove their vehicles from the lane of travel.<sup>v</sup> Part P supports this best practice identified by FHWA, by clarifying the driver's responsibility to move the vehicle when a minor crash occurs. Taking quick action as stipulated by Part P would not only improve safety but also reduce congestion and the related burdens on first responders. Research has found that these laws show quantifiable benefits, with a study attributing an "11 percent reduction in incident-related delay to South Carolina's *Driver Removal* law, with an associated per incident cost savings of \$1,682."<sup>vi</sup>

In 2021, an estimated 1,139 people were killed on New York roads.<sup>vii</sup> The National Highway Traffic Safety Administration (NHTSA) recently reported preliminary data finding 865 traffic fatalities in New York during the first nine months of 2022 (January-September), a nearly four percent increase from the same period in 2021.<sup>viii</sup> We urge you to advance Parts K and P in S. 4008/A. 3008, to make timely upgrades that will save lives and prevent injuries.

Sincerely,

Catherine Chase  
President

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<sup>i</sup> Traffic Safety Facts: Crash Stats, Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2020, NHTSA, May 2022, DOT HS 813 298, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813298>; and Traffic Safety Facts 2020 Data: Speeding, NHTSA, June 2022, DOT HS 813 320, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813320>

<sup>ii</sup> Traffic Safety Facts: Speeding, NHTSA, June 2022, DOT HS 813 320, available at

<https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813320>

<sup>iii</sup> Impact of Speeds on Drivers and Vehicles – Results from Crash Tests, AAA Foundation for Safety, Humanetics, and IIHS, Jan. 2021, available at <https://www.iihs.org/api/datastore/document/bibliography/2218>

<sup>iv</sup> “Speed.” Topic Overview. IIHS. Web.

<sup>v</sup> FHWA, Traffic Incident Management Quick Clearance Laws: A National Review of Best Practices, available here:

[https://ops.fhwa.dot.gov/publications/fhwahop09005/driv\\_removal.htm](https://ops.fhwa.dot.gov/publications/fhwahop09005/driv_removal.htm)

<sup>vi</sup> Hamlin et al (2007) as noted in FHWA, Traffic Incident Management Quick Clearance Laws: A National Review of Best Practices.

<sup>vii</sup> Traffic Safety Facts: Crash Stats, Early Estimate of Motor Vehicle Traffic Fatalities in 2021, NHTSA, April 2022, DOT HS 813 283, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813283>

<sup>viii</sup> Traffic Safety Facts: Crash Stats, Early Estimate of Motor Vehicle Traffic Fatalities for the First 9 Months (January–September) of 2022, NHTSA, December 2022, DOT HS 813 406, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813406>