June 20, 2016

T.F. Scott Darling, III
Acting Administrator
Federal Motor Carrier Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

RE: Request for Public Comment; Beyond Compliance Program
[Docket No. FMCSA-2015-0124]

Dear Mr. Darling:

The Motor & Equipment Manufacturers Association (MEMA)\(^1\) represents vehicle suppliers that manufacture and remanufacture components and systems for use in passenger cars and heavy trucks providing original equipment (OE) to new vehicles as well as aftermarket parts to service, maintain and repair over 256 million vehicles on the road today. Suppliers are the largest employers of manufacturing jobs in the U.S. directly employing over 734,000 Americans with a total employment impact of 3.6 million jobs. Our members lead the way in developing advanced, transformative technologies that enable safer, smarter and more efficient vehicles, all within a rapidly growing global marketplace with increased regulatory and customer demands. Ultimately, about two-thirds of the value of today’s vehicles come from suppliers.

Introduction

MEMA applauds the Federal Motor Carrier Safety Administration (FMCSA) for continuing to take steps to implement the program mandated in the Fixing America’s Surface Transportation (FAST) Act that encourages fleets to go beyond minimum requirements in the law. This “Beyond Compliance” program will encourage fleets to voluntarily purchase, install and deploy advanced safety technologies and fleet management systems for commercial vehicles. Advanced safety technologies that focus on crash avoidance and mitigation will significantly contribute to reducing heavy vehicle-related fatalities and injuries. Beyond Compliance will allow fleets to address their specific needs in a cost-effective manner without creating new federal mandates or requirements.

Furthermore, Beyond Compliance will bring financial and societal benefits by helping to reduce heavy vehicle crashes. For example, the June 2016 National Highway Traffic Safety Administration (NHTSA) report titled Field Study of Heavy-Vehicle Crash Avoidance Systems: Final Report found that collision avoidance systems (CAS) can reduce, if not eliminate, crashes in which a technology-

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\(^1\) MEMA represents vehicle suppliers through the following four divisions: Automotive Aftermarket Suppliers Association (AASA), Heavy Duty Manufacturers Association (HDMA), Motor & Equipment Remanufacturers Association (MERA) and Original Equipment Suppliers Association (OESA). For more information on the motor vehicle component supplier industry, visit www.mema.org.
equipped heavy-duty vehicle rear-ends another vehicle.\textsuperscript{2} In these instances, avoiding and mitigating heavy-vehicle crashes has a societal benefit of saving lives, reducing injuries and improving the flow of commerce by limiting traffic gridlock resulting from heavy-vehicle crashes. Avoiding crashes also provides a financial savings. In 2014, large truck and bus crashes cost an estimated $112 billion. Technology to avoid these crashes will help address this financial burden.

The following comments address the specific sections outlined by FMCSA in its Request for Public Comment.\textsuperscript{3}

\section*{Programs Meeting the Requirements of the Beyond Compliance Program}

MEMA previously submitted comments to FMCSA on Beyond Compliance in June 2015 and shared views at a listening session in January 2016. MEMA reiterates that a number of advanced safety technologies in production should be considered for inclusion in a Beyond Compliance program. These systems, which have proven successful in reducing the risk of many of the crashes and crash causes identified in FMCSA’s Large Truck Crash Causation Study (LTCCS), include brake stroke monitoring systems, lane departure warning (LDW) and blind spot detection systems, automatic emergency braking (AEB) systems, trailer-based stability control systems, electronic stability control systems (ESC), driver monitoring and electronic logging devices (ELDs). Independent, substantive data demonstrates the success of these systems, which are currently in production and commercially-available.

In addition to the earlier technologies outlined by MEMA in previous comments and remarks, MEMA encourages FMCSA to include disc brakes as an eligible technology. Disc brakes provide the carriers longer brake pad life and, due to improved heat resistance characteristics, result in shorter stopping distances especially at highway speeds. Many of the advanced safety technologies in production today, such as stability control and automatic emergency braking, rely on a properly functioning foundation brake system to operate effectively. High performance disc brakes will help achieve this as is the case in Europe where they are the overwhelming choice.

MEMA agrees with the provisions in the proposal limiting credits to technologies not currently mandated, but urges the Agency to consider exceptions based on vehicle type and implementation date. For example, if a technology is mandated for a particular vehicle type and the implementation date passes, FMCSA should no longer provide a credit for that specific technology on that particular vehicle type. However, if a technology is mandated for a particular vehicle type (i.e., tractors) and is used on another vehicle type without a mandate (i.e., straight trucks), then credit should be given to the fleet using the approved technology on the non-mandated vehicle type. Moreover, if a mandate requires one of these technologies that has a long phase-in schedule, then credits should still apply for early compliance. Similarly, if a particular technology is mandated for new vehicles and qualifying aftermarket technology is voluntarily retrofitted on existing vehicles, then credit should also apply. In addition to the safety technologies currently in production, suppliers are working to

\textsuperscript{2} Field Study of Heavy-Vehicle Crash Avoidance System, NHTSA, DOT HS 812 280, June 2016
\textsuperscript{3} 81 Fed. Reg. at 23353
develop the next generation of advanced technologies. As new technologies are developed and made commercially available, their safety benefits should be reviewed by the Agency and considered for credit within this program.

**Eligibility**

MEMA supports the proposal that technology must be applied to the company’s fleet to adequately achieve the performance goal and improve safety. It is important that fleet penetration be considered as part of the calculation. Fleets which have taken the initiative and bore the cost burden of adding technologies should be rewarded as compared to those fleets which have not. To spur adoption by medium and smaller fleets, MEMA urges the consideration of a potential weighting scenario, where smaller fleets may get an additional credit once certain levels of penetration are reached.

**Conclusion**

The Beyond Compliance proposal provides a program that allows fleets and owner-operators to take steps to make their vehicles and drivers safer. It would promote voluntary adoption of non-regulatory solutions by private industry to enhance their safety performance and to have the federal government formally recognize these proven solutions through incentives.

MEMA strongly supports the creation of a Beyond Compliance program. There are a wide variety of existing, evolving and emerging technologies – all with tangible safety benefits – that should be eligible under such a program. MEMA urges FMCSA to continue moving forward in implementing the Beyond Compliance program which will improve heavy-duty vehicle and fleet safety.

For questions or more information, please contact Catherine Boland, MEMA vice president, legislative affairs, at 202-312-9241 or cboland@mema.org.

Regards,

Ann Wilson
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