



**Comments of the
Motor & Equipment Manufacturers Association (MEMA)**

**National Highway Traffic Safety Administration
U.S. Department of Transportation**

New Car Assessment Program

Docket No. NHTSA-2018-0055

October 31, 2018

Introduction

The Motor & Equipment Manufacturers Association (MEMA) represents vehicle suppliers that manufacture original equipment and aftermarket components and systems used in light and heavy vehicles.¹ Vehicle suppliers are leaders in developing advanced, transformative technologies that enable safer, smarter and more efficient vehicles, including a wide variety of safety systems used to enhance crashworthiness and to mitigate and avoid collisions with other vehicles and road users.

MEMA is responding to the National Highway Traffic Safety Administration's request for comments² as the agency plans its next steps for the U.S. New Car Assessment Program (NCAP). MEMA anticipates that several members will submit individual company comments to provide their perspectives related to NCAP, particularly as it relates to their products. Accordingly, MEMA's comments address a few key principles about the NCAP that are important to a cross-section of our member companies that develop and manufacture crash avoidance technologies. Principally, these comments will address establishing a roadmap, consumer information, ratings system, and crash avoidance technologies.

MEMA has long supported updates to the U.S. NCAP that include more safety system technologies, and we appreciate that NHTSA is revisiting the future of the program, which has been in limbo for some years now. For the past several years, MEMA has urged both NHTSA and Members of Congress to support solutions to update the NCAP, specifically to include crash avoidance and mitigation technologies into the program, as well as to improve communicating consumer information and education.

NCAP Roadmap

MEMA urges NHTSA to develop and make public a long-term, comprehensive plan to upgrade NCAP in phases. The last substantive update to the NCAP was in 2011. Since then

¹ MEMA represents its members through four divisions: Automotive Aftermarket Suppliers Association (AASA); Heavy Duty Manufacturers Association (HDMA); Motor & Equipment Remanufacturers Association (MERA); and, Original Equipment Suppliers Association (OESA).

² 83 *Fed Reg* at 38201

safety technologies have rapidly evolved and opportunities to update the program were stalled. Certainly, MEMA recognizes the complexity of updating the current U.S. NCAP to catch up with a host of rapidly-evolving advanced safety systems that are increasingly available on more and more vehicles – whether as standard or optional equipment. The roadmap should include technologies that address common crash scenarios and yield significant safety benefits. The plan must also be practicable with realistic milestones and associated deliverables. More importantly, the roadmap should be flexible and periodically reviewed and amended to reflect technology developments and industry changes. A long-term plan would be invaluable to the vehicle industry (OEMs, suppliers, tech companies), which has long product development cycles and relies on planning certainty. Undertaking a plan in this manner offers transparency and accountability. It also provides vital time needed for vehicle manufacturers and suppliers to develop and validate safety technologies as well as to make the necessary investments to produce systems and components. However, if NHTSA continues to delay developing and implementing a plan that substantively updates the program, then the agency will miss the opportunity to meaningfully update NCAP. As evidenced at the public hearing, the industry is generally supportive of enhancing the NCAP in a measured way with a plan in place. MEMA urges NHTSA to commence roadmap development as soon as practicable.

Industry Stakeholder Engagement – At the public hearing, several stakeholders, including MEMA, remarked on the value of having industry engaged in evolving and modernizing the U.S. NCAP. As key innovators of advanced vehicle technologies, suppliers are on the forefront of evolving and engineering the sensors, components, and systems vital to enhancing crash avoidance and mitigation systems as well as pedestrian detection and avoidance systems. As such, MEMA urged that NHTSA establish regularly scheduled meetings with vehicle manufacturers and suppliers to assess the program and its roadmap. Additionally, such meetings could offer opportunities over time to evaluate and amend the program as needed (e.g. adding/removing technologies or updating test procedures). Other industry stakeholders recommended that NHTSA form an advisory committee and suggested what some of their specific objectives and responsibilities could be. In general, MEMA would support any form of organized government-industry collaboration that includes suppliers in the dialogue, endeavors to improve vehicle safety for all road users, and supports the NHTSA mission “to save lives, prevent injuries, and reduce economic costs due to road traffic crashes, through education, research, safety standards, and enforcement.” Any engagement, though, should be organized, planned, and yield results.

Consumer Information

In recent years, NHTSA’s inclusion of “recommended safety technologies” featured under the U.S. NCAP has aided in consumer awareness and understanding and contributed to improve consumer adoption to a limited degree. The NCAP website “SaferCar.gov” notes a limited set of technologies – automatic emergency braking (AEB),³ forward collision

³ NHTSA splits AEB into crash imminent braking (CIB) and dynamic brake support (DBS).

warning (FCW), lane departure warning (LDW), and rearview cameras.⁴ While the agency's recommendations are helpful, there are many other available advanced safety technologies available now – today – that offer substantive safety benefits. More can and must be done to improve consumer education. NHTSA and the NCAP can play key roles by raising the visibility of all currently available advanced safety technologies, explaining their essential functions, and highlighting their safety benefits.

Consumer Understanding, Acceptance and Exposure – MEMA believes that adding crash avoidance technologies to NCAP will improve consumer understanding and acceptance and facilitate increased adoption. As the agency is aware, many of these crash avoidance systems are building block technologies for automated driving systems (ADS). And while suppliers continue to work very closely with their vehicle manufacturer customers to bring ADSs to market, these systems will not be broadly available for many years. Exposing consumers now to ADS building block technologies is a desirable pathway for them to gain experience with and build confidence in these types of systems. The more attention and focus directed to increasing the presence of crash avoidance systems in the U.S. vehicle fleet is an opportunity for the agency to have an impact on reducing vehicle fatalities, injuries, property damage claims, and societal costs.

Website Information and Public Campaigns – MEMA recognizes that communicating in-depth, complex technological information to consumers can be challenging. The NHTSA.gov and SaferCar.gov websites provide information about “Driver Assistance Technologies” on a page that lists several technologies each with brief descriptions and accompanying videos or animations explaining how the technology works.⁵ It is visually easy to understand and covers the agency's current list of NCAP “recommended safety technologies” as well as technologies where NHTSA “recognizes” the potential safety benefits. Even more helpful, the website indicates whether the technologies are standard or optional.

MEMA recommends that NHTSA also consider taking the approach it has implemented for other public education safety campaigns, such as “Click It Or Ticket” or “U Text. U Pay.” While those campaigns are focused on addressing risky driving behaviors, the agency can take that campaign concept, which is recognized as an effective mechanism for sending important messages to the driving public. In the case of NCAP, a campaign using public service announcements and social media can be an effective tool in communicating with a broader audience about the program and the technologies it evaluates. Utilizing tactics like

⁴ For models prior to 2018, NHTSA SaferCar.gov website notes if rear cameras are standard or optional equipment, since these cameras were only required equipment as of May 2018.

⁵ We note a minor issue that the agency can likely remedy quickly. When searching the current SaferCar.gov website, we noted a confusing link. If a user visits the main SaferCar.gov site and clicks on the “Safety Technologies” box/link, the user is taken to a page on NHTSA's website titled “Technology and Innovation.” Unfortunately, the subjects listed on that page are not related to the NCAP's recommended safety technologies and could be confusing to a consumer. While this is probably an oversight, it is easily fixed by simply changing the link for the SaferCar.gov “Safety Technologies” box/link so that the user instead lands on the “Driver Assistance Technologies” page on NHTSA's website. To avoid consumer confusion, MEMA suggests NHTSA correct this link issue so that the user is exposed to the information on NHTSA's “Driver Assistance Technologies” page.

these could be particularly helpful as the NCAP evolves and, again, expand consumer understanding and further acceptance of safety technologies.

Monroney Label and FAST Act Mandate– While the online website of information is helpful, there are other opportunities where the agency can effectively communicate important information about these safety technologies – principally the vehicle Monroney label. MEMA supported language in the “Fixing America’s Surface Transportation Act of 2015” (FAST Act) in which Congress directed NHTSA to “ensure that crash avoidance information is indicated next to crashworthiness information” on new vehicle window stickers so that consumers are better informed.⁶ MEMA urges NHTSA to act and fulfill its congressional mandate requiring crash avoidance information to be presented on the Monroney label. MEMA further recommends that the label should also make clear which technologies are standard or optional. Educating consumers by providing them with complete government safety information about a vehicle they are interested in purchasing, is an important component of NHTSA’s mission. Presenting and displaying this additional information on a vehicle label is an effective way to promote consumer awareness about the availability of enhanced vehicle safety systems, increase consumer knowledge and demand, and accelerate the integration of these safety systems into the fleet.

In addition to fulfilling the FAST Act mandate, MEMA urges NHTSA to expand the space allotted for safety information on the Monroney label. In the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users of 2005 (SAFETEA-LU), Congress required NHTSA to amend the Automotive Information Disclosure Act by requiring certain information be presented on the label and stipulating a *minimum* size requirement in which the NCAP ratings and other information would appear on the label.⁷ We believe there is an opportunity to increase the size of this facet on the overall label and, as a result, provide more information to consumers. Part of the struggle in past years has been the issue of how to fit information about advanced systems into the small area of the label’s “real estate” currently devoted to safety. Since NHTSA seeks to undertake a comprehensive review of how the U.S. NCAP program can evolve and meet the needs of the future, MEMA urges the agency to look beyond the traditional layout of the label as part of this process. Therefore, NHTSA should revisit this matter to expand the dimensions of the required safety information on the Monroney label to not only accommodate the additional information required by the FAST Act but also explore other mechanisms to convey information to consumers. For example, incorporating a QR code on the label can link consumers to a mobile-friendly website housing all of the pertinent information on the vehicle ratings and technologies available (standard or optional) on that vehicle. QR codes are currently incorporated in the fuel economy section of the Monroney label.

The key takeaway is that NHTSA must initiate action and commence the public notice and comment process – without further delay – to revise, update and modernize the Monroney label in accordance with the Congressional mandate under the FAST Act.

⁶ Sec. 24322, Public Law No: 114-94

⁷ Sec. 10307, Public Law No. 109.59

Rating System

MEMA supports the continued use of the well-known and consumer-friendly “5-star rating” system. This format is the most direct and tangible method by which to communicate, in an understandable way, all the appropriate, important information consumers need to make an informed, educated purchasing decision when comparing vehicles. Moreover, the star system is utilized by other global NCAPs. There is no impetus to support a different ranking regime.

MEMA recognizes that the agency will receive multiple comments and ideas about how the ratings for crash avoidance could be structured and rated, including from some of our individual members. Therefore, broadly speaking, MEMA strongly supports having separate 5-star scores for the categories of crashworthiness and crash avoidance plus a combined, overall vehicle rating. MEMA believes these individual ratings are critical pieces of information for consumers to compare and differentiate vehicles. As such, there should be visibility to both categories’ ratings. MEMA has previously indicated that we would not support an approach that only publishes a single combined rating because we believe that would undervalue the importance of each separate category’s rating. Also, we would encourage NHTSA to categorize technologies that detect and protect vulnerable road users (e.g. pedestrians and cyclists) under crash avoidance. Lastly, MEMA recommends that NCAP provide a stronger incentive and differentiation between standard and optional equipment and between active, intervention-assist systems versus passive, warning-only systems by reflecting those discerning factors in the rating.

Additionally, we believe it is important for NHTSA to evaluate the effectiveness of NCAP including consumer understanding of the 5-star rating system. Therefore, MEMA recommends that NHTSA revisit the notice for public comment on proposed collection of information titled “Safety Ratings and Advanced Crash Avoidance Technologies Consumer Research” published January 3, 2016 but subsequently withdrawn.⁸ We would stress that this activity should be part of a forward-moving process to begin updating NCAP and should not be undertaken as a prerequisite before any further work or progress on modernization can be made.

NCAP ratings, of course, are based on various test protocols and equipment. MEMA believes that the agency should aim to align U.S. NCAP with existing programs as much as possible and as appropriate. Alignment of test protocols and test equipment with other global regional NCAP programs, such as EuroNCAP, is critical because it reduces or eliminates unnecessary burdens and duplicative resources not only for OEMs and suppliers, but also for governments and third-party testing labs. Standardizing these procedures and equipment gives all stakeholders a common, consistent objective that allows for improved certainty that benefits future product research, development and planning. Moreover, when these processes can be streamlined, it further enhances industry innovation and speeds technology advancement.

⁸ 82 Fed Reg at 175

Crash Avoidance Technologies

MEMA recommends the agency consider adding the following technologies to the U.S. NCAP:⁹

- Automatic Emergency Braking (AEB) Front and AEB Rear, including:
 - Car-to-Car Detection/Protection
 - Pedestrian Detection/Protection
- Rear Cross Traffic Alert
- Left-Turn Assist
- Lane Keeping Assist
- Driver Monitoring System
- Vehicle-to-Vehicle and Vehicle-to-Everything (V2V, V2X)
- Rear Occupant Detection/Monitoring System

The U.S. crash statistics show that vehicle crash, fatality, and injury figures continue to rise, most notably in the non-occupant and motorcycle categories.¹⁰ Updating the NCAP to include active crash avoidance technologies and incentivizing vehicle manufacturers to increase equipping vehicles with these systems will result in a positive benefit and could save lives. NHTSA is well-positioned to encourage and incentivize wider adoption of crash avoidance technologies by not only improving how this information is communicated to the consumer, but also by exposing consumers to more of these technologies by expanding the current NHTSA list of “recommended safety technologies.” As previously stated, increasing consumer awareness and comfort level with crash avoidance systems should correlate to increasing the deployment of equipped vehicles in the U.S. fleet and reaping the safety benefits.

MEMA welcomes the opportunity to discuss these technologies further with NHTSA. Any future dialogue with the agency on the NCAP – particularly regarding its expansion – must include suppliers and their systems’ experts.

Conclusion

In summary, MEMA recognizes that advanced safety features typically have slow adoption curves, which may be attributed to lack of consumer understanding and acceptance as well as to their reluctance to pay a premium. Computing power and sensor capabilities have rapidly improved with each new generation of vehicle safety systems, making them more widely available and under a range of price-points. As the rapid pace of technology continues, this trajectory will also progress. Advanced safety technologies, if widely adopted, have the potential to drastically reduce fatalities, injuries, and property damage claims. It is desirable for more consumers to gain more exposure and experience with the crash avoidance and mitigation technologies of today to prepare them for the more complex automated driving systems of the future.

⁹ These represent technologies that we believe are priority candidates to include in NCAP; we may supplement the list in the future.

¹⁰ “Traffic Safety Facts: 2016 Data” DOT HS 812 580, NHTSA/USDOT, September 2018.

Therefore, it is critical for NHTSA to develop a long-term roadmap and provide some level of certainty for vehicle manufacturers and system suppliers. Yet, this significant endeavor cannot solely rest on the shoulders of NHTSA. We believe that collaborations between the government, OEMs, suppliers, safety advocates, and other stakeholders are key to the success of any major evolution of the NCAP. Nevertheless, the U.S. cannot afford to continue to wait for the “perfect” U.S. NCAP framework. The time to acclimate the consumer and increase exposure to these advanced safety systems is now. There are immediate steps the agency can and should take to improve and enhance consumer education and understanding. Among NHTSA’s first steps must be to fulfil the congressional mandate to update and expand the vehicle safety information on the Monroney label to include crash avoidance safety technologies. Concurrently, the agency can improve consumer’s research experience online and on the vehicle label as well as consider public campaigns to enhance consumer awareness of these technologies.

The future of NCAP’s success also hinges on proper planning. Thus, the long-term roadmap, with sustained, substantive input from industry stakeholders, is essential. Moreover, updating the NCAP in practical, feasible phases, will also enable consumers to gradually, but fully, assess the “above and beyond” vehicle safety features available on vehicles.

MEMA appreciates NHTSA’s consideration of our comments. For more information or questions, please contact Leigh Merino, senior director of regulatory affairs, at (202) 312-9249, or lmerino@mema.org.

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