



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

1200 New Jersey Avenue SE.
Washington, DC 20590

September 21, 2023

The Honorable Jennifer Homendy
Chair
National Transportation Safety Board
490 L'Enfant Plaza East, SW
Washington, DC 20594

Dear Chair Homendy:

This letter addresses safety recommendations issued by the National Transportation Safety Board (NTSB) to the National Highway Traffic Safety Administration (NHTSA) regarding rear impact guards and adaptive driving beam (ADB) headlamps. Also, this letter follows a meeting between staff members of the NTSB and the NHTSA on October 25, 2022. At that meeting, several safety recommendations related to reducing speed-related traffic fatalities were discussed, including: H-17-19; H-17-20; H-17-22; H-17-25, and H-17-26.

We appreciate the willingness of NTSB staff to meet with NHTSA to have a thoughtful and productive discussion of these topics.

Below are NHTSA's current actions and requested classifications for each recommendation.

NTSB Recommendation and Requested Designation:

H-17-19

Identify speeding-related performance measures to be used by local law enforcement agencies, including, but not limited to, the numbers and locations of speeding-related crashes of different injury severity levels, speeding citations, and warnings, and establish a consistent method for evaluating data-driven, high-visibility enforcement programs to reduce speeding. Disseminate the performance measures and evaluation method to local law enforcement agencies.

NHTSA Action:

NHTSA has worked with the International Association of Chiefs of Police (IACP), the National Sheriffs' Association (NSA), and the National Organization of Black Law Enforcement Executives (NOBLE) to provide guidance to law enforcement agencies on the development of performance measures to direct highway safety programs at the State and local level.

Guidance includes:

- *Safer Roads, Stronger Communities*, an e-publication created to illustrate the benefits of traffic safety. This resource provides agencies with an opportunity to create a positive and meaningful impact in communities by using data and performance elements – including those for speeding. It also includes self-assessment and planning tools.¹
- The *Traffic Safety Resource Guide*, which contains information on performance measures and targets across risky driving behaviors, including speeding. The publication also points out the requirements in the NHTSA Highway Safety Grant Program (23 U.S.C. 402) that require States to establish and use performance measures and targets for speeding-related fatalities.²
- A Traffic Safety Initiatives Video Series of five short videos, produced by IACP in collaboration with NHTSA, highlighting traffic safety initiatives by law enforcement agencies across the country.³

NHTSA continues to conduct a study of and revision to the Model Minimum Uniform Crash Criteria (MMUCC) Guideline. In early 2023 NHTSA began a survey of law enforcement officers on their understanding of MMUCC data elements and convened an intergovernmental committee to provide feedback and advice to NHTSA for the next iteration of MMUCC. This committee, which met from January to April 2023, reviewed the draft MMUCC Sixth Edition to inform their advice to NHTSA on changes to the MMUCC. The draft MMUCC Sixth Edition was available for public comment from February 2023 until early May 2023.

NHTSA plans to develop and deliver training to law enforcement on the MMUCC Sixth Edition, which will address these and other topics. NHTSA continues to work with the Governors Highway Safety Association, IACP, and NSA on speeding-related projects to help improve consistency in crash reporting.

NHTSA requests that recommendation **H-17-19** be classified as **Closed, Acceptable Action**.

H-17-20

Identify best practices for communicating with law enforcement officers and the public about the effectiveness of data-driven, high-visibility enforcement programs to reduce speeding, and disseminate the best practices to local law enforcement agencies.

NHTSA Action:

The Department has acted to address the increase in speeding-related crashes and travel speeds in the National Roadway Safety Strategy, which adopts the Safe System Approach. As part of these efforts, NHTSA implemented a national paid media campaign, *Speeding Wrecks Lives*, in the summer of 2022 and 2023. Campaign materials are available at <https://www.trafficsafetymarketing.gov/get-materials/speed-prevention>.

¹ <https://www.theiacp.org/resources/document/safer-roads-stronger-communities-traffic-safety-resource>

² <https://www.theiacp.org/resources/document/traffic-safety-resource-guide>

³ <https://www.theiacp.org/resources/video/traffic-safety-initiatives-video-series>

Best practices and resources have been developed in collaboration with NHTSA’s national law enforcement partners to assist law enforcement as they carry out State and local speeding initiatives. The guidance covers many risky driving behaviors – including speeding. These resources are available on the IACP website.⁴

As research findings become available, NHTSA shares links to the summaries (“Traffic Techs”) and reports with partner organizations including IACP, NSA, and NOBLE to share with their respective memberships. This way, up-to-date findings on practices related to speed enforcement are quickly accessible. Behavioral safety research reports and summaries can be found at https://rosap.ntl.bts.gov/collection_nhtsa_bsr.

NHTSA requests that recommendation **H-17-20** be classified as **Closed, Acceptable Action**.

H-17-22

Work with the Federal Highway Administration (FHWA) to update the Speed Enforcement Camera Systems Operational Guidelines to reflect the latest automated speed enforcement (ASE) technologies and operating practices and promote the updated guidelines among ASE program administrators.

NHTSA Action:

In collaboration with the FHWA, the Speed Safety Camera Program Planning and Operations Guide (Guide) has been published and is available on FHWA’s website.⁵ The Guide provides an update of the U.S. Department of Transportation (DOT) 2008 Speed Enforcement Camera Systems Operational Guidelines. The Guide incorporates updated research and practices from the United States and from international jurisdictions, including information on new technologies such as point-to-point (average speed-over-distance) systems and equity issues related to the deployment of speed safety cameras. The Guide emphasizes speed safety cameras as one component of a comprehensive speed management program to be carefully considered. In addition, the Guide provides four new case studies on how five different jurisdictions in the United States have implemented or taken steps toward implementing speed safety camera programs.

NHTSA requests that recommendation **H-17-22** be classified as **Closed, Acceptable Action**.

H-17-25

Collaborate with other traffic safety stakeholders to develop and implement an ongoing program to increase public awareness of speeding as a national traffic safety issue. The program should include, but not be limited to, initiating an annual enforcement mobilization directed at speeding drivers.

⁴ <https://www.theiacp.org/projects/iacp-traffic-safety-initiatives>

⁵ <https://highways.dot.gov/safety/proven-safety-countermeasures/speed-safety-cameras>

NHTSA Action:

NHTSA *Speeding Wrecks Lives* national paid media campaign began in July 2022 and was relaunched in July 2023. It partners with safety advocates, law enforcement and safety experts to remind the general public that speeding is dangerous and completely avoidable. The speeding awareness campaign targeted drivers ages 18 to 44, who data show are most likely to be involved in speeding-related fatal crashes. Campaign materials for State and local use are available on an ongoing basis at <https://www.trafficsafetymarketing.gov>.

NHTSA requests that recommendation **H-17-25** be classified as **Closed, Acceptable Action**.

H-17-26

Establish a program to incentivize state and local speed management activities.

NHTSA Action

NHTSA works with the Federal Motor Carrier Safety Administration and the Federal Highway Administration to provide the roadmap, tools, guidance, and resources for state and local governments to use in designing and applying a balanced and effective speed management program.⁶ NHTSA publishes Uniform Guidelines for State Highway Safety Programs, as required by 23 U.S.C. 402. The guidelines offer direction to States in formulating their highway safety plans for highway safety efforts that are supported with section 402 and other grant funds. NHTSA's guideline on speed management describes the components that a State's speed management program should contain, which includes:

- Defining the relationship between speed limits, speeding, and safety.
- Applying road design and engineering measures to obtain appropriate speeds.
- Setting speed limits that are safe and reasonable.
- Applying enforcement efforts and appropriate technology that effectively target crash-producing speeders and deter speeding.
- Effectively marketing communication and educational messages that focus on high-risk drivers.
- Soliciting the cooperation, support, and leadership of traffic safety stakeholders.

To promote this strategy, NHTSA delivers a Speed Management Program course to state and local jurisdictions. The course uses a multidisciplinary approach to address speeding problems in states and local communities. Additionally, NHTSA provides training curricula to law enforcement officers on the use of speed-measuring devices (i.e., radar and lidar) to identify and take enforcement action to deter speeding. NHTSA also works with national law enforcement partners, including the IACP, the NSA, the NOBLE, and the International Association of Directors of Law Enforcement Standards and Training to heighten awareness of the speeding problem in the United States and deliver effective enforcement countermeasures to combat it.

⁶ <https://www.nhtsa.gov/laws-regulations/guidance-documents>

As part of the DOT's comprehensive National Roadway Safety Strategy, NHTSA launched a national public education campaign to address speeding. The *Speeding Wrecks Lives* campaign aimed to change general attitudes toward speeding and remind drivers of its deadly consequences. The campaign launched in July 2023 and was supported by a national media buy featuring English and Spanish-language ads running on television, radio, and digital platforms. In conjunction with our national campaign, numerous States conducted their own speed campaigns to further heighten awareness and promote safe speeds on their roadways.

NHTSA regional offices provide technical assistance to States to analyze their crash data and implement comprehensive safety programs and local speed management activities in their highway safety planning process. Their technical assistance focuses on all risky driving behaviors, including speeding, and encompasses an in-depth assessment and a strategic analysis to identify gaps in programs, strategies, and partnerships. Additionally, our National Center for Statistics and Analysis's portal presents interactive tools, including a speeding data visualization dashboard, that shows National and State speeding-related fatalities, to give States access to comprehensive visualizations and dashboards with information on fatal motor vehicle traffic crashes based on data from NHTSA's Fatality Analysis Reporting System.⁷

Under the Bipartisan Infrastructure Law, Public Law 117-58, and as articulated in our recently published final rule, Uniform Procedures for State Highway Safety Grant Programs (RIN 2127-AM45), States must engage affected and potentially affected communities during their triennial Highway Safety Planning process and throughout the life cycle of the grant award, with a particular emphasis on underserved communities and population segments over-represented in the data.

NHTSA requests that recommendation **H-17-26** be classified as **Closed, Acceptable Action**.

H-14-04

Revise requirements for rear underride protection systems for newly manufactured trailers with gross vehicle weight ratings over 10,000 pounds to ensure that they provide adequate protection of passenger vehicle occupants from fatalities and serious injuries resulting from full-width and offset trailer rear impacts.

NHTSA Action:

On June 15, 2022, NHTSA issued a final rule on Rear Impact Guards and Rear Impact Protection (RIN 2127-AL58) upgrading Federal Motor Vehicle Safety Standard (FMVSS) No. 223 (*Rear Impact Guards*) and FMVSS No. 224 (*Rear Impact Protection*) to require rear impact guards to provide sufficient strength and energy absorption to protect occupants of compact and subcompact passenger cars impacting the rear of trailers at 56 kilometers per hour (km/h) (35 miles per hour (mph)). These upgraded requirements for rear impact guards, which are required for new trailers and semitrailers with a gross vehicle weight rating of 4,536 kilograms (10,000

⁷https://explore.dot.gov/views/DV_FARS_SPD/Home?%3Aiid=1&%3AisGuestRedirectFromVizportal=y&%3Aembed=y

pounds), will provide upgraded protection in crashes in which a passenger motor vehicle hits the center of the rear of a trailer or semitrailer, and in which 50 percent of the width of the passenger motor vehicle overlaps the rear of the trailer or semitrailer.

NHTSA requests that recommendation **H-14-04** be classified as **Closed, Acceptable Action**.

H-18-40

Revise FMVSS No. 108 to allow adaptive headlight systems.

NHTSA Action:

On February 15, 2022, NHTSA issued a final rule amending Federal Motor Vehicle Safety Standard No. 108 (*Lamps, Reflective Devices, and Associated Equipment*) to allow ADB headlamps (RIN 2127-AL83). ADB headlamps utilize technology that actively modifies a vehicle's headlamp beams to provide more illumination while not causing excessive glare to other vehicles. ADB systems provide upper beam illumination, where appropriate in the beam pattern, while limiting undesirable glare directed toward oncoming and proceeding drivers. ADB has the potential to reduce the risk of crashes by increasing visibility without increasing glare. This final rule amends FMVSS No. 108 to allow an ADB headlighting system, meeting specified performance criteria and installed as original equipment, to be certified by vehicle manufacturers. It permits the use of these innovative safety systems on motor vehicles.

NHTSA requests that recommendation **H-18-40** be classified as **Closed, Acceptable Action**.

If you have any questions, or require additional information, please contact me or Darren Hall, Governmental Affairs, Policy and Strategic Planning, at 202-650-7620.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ann Carlson', with a stylized flourish at the end.

Ann Carlson
Acting Administrator