



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

Administrator

1200 New Jersey Avenue, SE  
Washington, DC 20590

July 1, 2016

The Honorable Christopher A. Hart  
Chairman  
National Transportation Safety Board  
490 L'Enfant Plaza East, SW  
Washington, DC 20594

Dear Chairman Hart:

This letter addresses several Safety Recommendations issued by the National Transportation Safety Board (NTSB) to the National Highway Traffic Safety Administration (NHTSA) regarding heavy vehicles. In each of the areas below, NHTSA is pursuing alternate solutions that we believe provide greater potential safety.

### **Pedal Misapplication Recommendations**

**H-09-11:** Require the installation of brake transmission shift interlock systems or equivalent in newly manufactured heavy vehicles with automatic transmissions and other transmissions susceptible to unintended acceleration associated with pedal misapplication when starting from a parked position.

**H-09-12:** Analyze pedal configurations in heavy vehicles, including innovative designs, to determine the effect of pedal design on the driving task, examining among other things pedal error, reaction time, driver acceptance, and driver adaptation.

**H-09-13:** Once the analysis of pedal configurations requested in Safety Recommendation H-09-12 is complete, publish pedal design guidelines for designers and manufacturers.

Response: NHTSA conducted research on pedal misapplication in heavy vehicles and vehicle dimensions (“Measurement of School Bus Pedal Dimensions, June 2015, DOT HS 812 168 and “Driver Brake and Accelerator Controls and Pedal Misapplication Rates in North Carolina” DOT HS 812 058). Our research indicated that “optimal pedal dimensions for one demographic may not be optimal for another.” An extensive review of crash data revealed insufficient safety benefits to outweigh the societal cost associated with regulating pedal placements and interlocks. We instead have focused on safety solutions such as automatic emergency braking, where we anticipate far greater potential for safety benefit. For these reasons, the agency will no longer conduct additional research to pursue standards on the issue of pedal configuration or interlocks in heavy vehicles. We request that these recommendations be closed, as no further action will be pursued in this area.

### **Brake Stroke Monitoring Systems Recommendations**

**H-12-58:** Develop minimum performance standards for onboard brake stroke monitoring systems for all air-braked commercial vehicles.

**H-12-59:** Once the performance standards in Safety Recommendation H-12-58 have been developed, require that all newly manufactured air-braked commercial vehicles be equipped with onboard brake stroke monitoring systems.

Response: As with the pedal configuration Safety Recommendations (H-09-11 through 13) identified above, NHTSA is not convinced that brake stroke monitoring systems would provide sufficient safety benefit to support regulation. The costs of installing sensor systems needed to monitor brake stroke far outweigh the potential benefits associated with additional regulations and requirements. Federal Motor Vehicle Safety Standard No. 121, "Air brake systems," already requires automatic slack adjusters and indicators for heavy vehicle brakes. In addition, the Federal Motor Carrier Safety Administration guidelines already include brake inspections. As with the pedal placement issues identified above, we believe automatic emergency braking provides a better alternative for safety benefit. For these reasons, the agency will no longer conduct additional research to pursue standards on the issue of brake stroke monitoring systems in heavy vehicles. Again, we request that these recommendations be closed, as no further action will be pursued in this area.

### **Onboard Vehicle Weighing Systems Recommendations**

**H-13-28:** Develop minimum performance standards for onboard vehicle weighing systems for trucks that have a gross vehicle weight rating of 10,000 pounds or more and are typically field loaded and used in the transportation of aggregates or earthen construction materials, raw natural resources, and garbage or refuse, or in logging and timber operations, or agricultural operations.

**H-13-29:** Once minimum performance standards for onboard vehicle weighing systems are established, require these systems to be installed on newly manufactured trucks that have a gross vehicle weight rating of 10,000 pounds or more and are typically field loaded and used in the transportation of aggregates or earthen construction materials, raw natural resources, and garbage or refuse, or in logging and timber operations, or agricultural operations.

Response: NHTSA has determined that onboard vehicle weighing systems would not provide sufficient safety benefit to support regulation because our crash data does not support the assertion of H-13-28 and H-13-29 that overweight vehicles are causing crashes. Many commercial vehicles are knowingly driven overweight. Therefore, onboard weighing systems would not be effective without tremendous investments in roadside enforcement. Additional enforcement would significantly drive up the cost of a rulemaking beyond the NTSB's projected \$2,000 per vehicle for the onboard weighing systems. We instead are focusing on safety

Page 3

The Honorable Christopher A. Hart

solutions such as heavy vehicle speed limiters and automatic emergency braking where we anticipate far greater potential for safety benefit. For these reasons, the agency will no longer conduct additional research to pursue standards on the issue of onboard vehicle weighing systems in heavy vehicles. We request that these recommendations be closed, as no further action will be pursued in this area.

In summary, we are requesting that these Safety Recommendations be closed, as NHTSA is pursuing alternative actions in each area that we believe will yield greater safety benefits, based on our data and research. If you have any questions, or require additional information, please contact me or Ms. Melanie O'Donnell, our NTSB Liaison, at (202) 366-0689, or via e-mail at [melanie.odonnell@dot.gov](mailto:melanie.odonnell@dot.gov).

Sincerely yours,

A handwritten signature in black ink that reads "Mark R. Rosekind". The signature is written in a cursive style with a large, prominent initial "M".

Mark R. Rosekind, Ph.D.