



February 14, 2023

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

Dear Chair Homendy:

We have reviewed the National Transportation Safety Board's (NTSB) August 22, 2022, report, *Sport Utility Vehicle Centerline Crossover Collision with Pickup Truck on State Route 33, January 1, 2021*, (NTSB/HIR-22/05), and the safety recommendations to the National Highway Traffic Safety Administration (NHTSA). NHTSA's responses to the recommendations are discussed below.

**NTSB Recommendation and Requested Designation:**

**H-12-33:** Develop and disseminate to appropriate State officials a common standard of practice for drug toxicology testing, including (1) the circumstances under which tests should be conducted, (2) a minimum set of drugs for which to test, and (3) cutoff values for reporting the results.

**NHTSA Action:**

The NTSB's Safety Research Report, *Alcohol, Other Drug, and Multiple Drug Use Among Drivers, December 22, 2022*, (SRR-22-02), reclassified safety recommendation H-12-33 from **Open—Acceptable Response** to **Closed—Acceptable Action/Superseded** by safety recommendation H-22-33 in section 4.5.2 of this report. NHTSA is drafting a response to this new recommendation.

**H-17-24:** Incentivize passenger vehicle manufacturers and consumers to adopt intelligent speed adaptation (ISA) systems by, for example, including ISA in the New Car Assessment Program (NCAP).

**NHTSA Action:**

NHTSA's March 9, 2022, Request for Comments (RFC) proposing upgrades to the NCAP (87 FR 13452) sought comments from the public on whether ISA should be included in NCAP, whether ISA should be a warning or warning and intervention, whether override systems should be allowed, objective test protocols, consumer acceptance of ISA technologies, and other means

of reducing speeding. NHTSA is reviewing the public comments received on the RFC and is developing a final decision notice for publication in 2023. NHTSA plans to launch a FY23 research project focused on light vehicle ISA to build knowledge on a range of technical approaches. This study will include a literature review of ISA implementation approaches, prior research studies, technology deployments (e.g., NYC pilot program), and current/expected global regulations (e.g., Europe). Following this study, NHTSA will assess further research needs and the appropriate next steps. The research on ISA and the development of test procedures is still ongoing.

NHTSA requests that recommendation H-17-24 be classified as **Open, Acceptable Response**.

**H-22-22:** Require that all new vehicles be equipped with passive vehicle-integrated alcohol impairment detection systems, advanced driver monitoring systems, or a combination thereof; the systems must be capable of preventing or limiting vehicle operation if driver impairment by alcohol is detected.

**NHTSA Action:**

NHTSA is working to publish an advance notice of proposed rulemaking (ANPRM) pursuant to the statutory mandate in the Infrastructure Investment and Jobs Act, referred to as the Bipartisan Infrastructure Law (BIL), on Advanced Impaired Driving Technology (RIN 2127-AM50). This rulemaking would begin to explore development of a Federal Motor Vehicle Safety Standard to require passenger motor vehicles to be equipped with advanced impaired driving prevention technology. The ANPRM will seek public comment on how NHTSA could develop minimum performance requirements that meet the Safety Act's requirements and specify a test procedure under which compliance with any such requirements could be measured.

Since 2008, NHTSA has worked with the Automotive Coalition for Traffic Safety (ACTS) on the Driver Alcohol Detection System for Safety (DADSS) under a series of cooperative agreements to develop noninvasive technology to prevent alcohol-impaired driving by measuring blood or breath alcohol accurately, precisely, and rapidly. Through ACTS, 17 automakers representing approximately 99 percent of all vehicles sold in the United States provide financial support to the DADSS program, in addition to Federal funds. With the codification of the program at 23 U.S.C. 403(h) and its reauthorization under BIL, NHTSA and ACTS have continued to work together on the DADSS program.

NHTSA requests that recommendation H-22-22 be classified as **Open, Acceptable Response**.

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

Sincerely,



Ann Carlson  
Acting Administrator