

Statement of National Highway Traffic Safety Administrator

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Chairman Burgess, Ranking Member Schakowsky, and members of the committee, on behalf of the men and women of the National Highway Traffic Safety Administration (NHTSA), thank you for the opportunity to update you on our agency's efforts to save lives, prevent crashes, and reduce the economic toll of fatalities and injuries on our roads.

The last year has been one of the most eventful in NHTSA's five-decade history. This year promises to be just as significant. The agency must continue to make progress on encouraging safe behavior on the roads, on improving the safety performance of vehicles, on encouraging automakers to reduce safety defects, and on accelerating the development of safety technologies that promise a revolution in safety unlike any in the history of the automobile. We must keep our eyes on that future while dealing with the very troubling here-and-now fact that traffic fatalities appear to have grown by 9 percent in 2015, erasing years of safety gains.

Every American should be able to drive, ride or walk to their destination safely. Every time. Deaths on our roadways are not inevitable accidents. They are preventable tragedies. The only acceptable goal for roadway deaths is zero. It all comes down to choices: the choice of a driver to get behind the wheel after a night of drinking, or not. The choice of a manufacturer to cut corners on safety, or not. The choice of policy-makers to act in the interests of safety, or not. The 32,675 deaths that occurred on our roads in 2014 should be unacceptable to all of us, and we need to make the right choices to save those lives.

On January 14 in Detroit Secretary Foxx announced the President's proposed 1.2 billion budget for NHTSA that includes important investments in NHTSA's behavioral safety efforts and for accelerating safety technologies such as vehicle automation. The 10-year, \$3.9 billion commitment to automated vehicle development may be the most important single investment in NHTSA's history. It represents our best chance to ensure that the astounding advances in technology that we see on the horizon meet their full safety potential. I strongly urge your support for the President's budget proposal. I believe you and your colleagues in Congress will one day be able to look back on your support for that plan as a life-saving legacy, one of the most significant actions you took to fulfill our obligations to public safety.

Today I'd like to outline NHTSA's current activities and immediate plans in four broad areas: Our work to promote safe behavior and reduce dangerous actions on our roads; our work to improve the safety performance of vehicles through regulation and non-regulatory means; our

work to identify and address unreasonable risks to safety through the defect recall process; and our efforts to create a proactive safety culture within the auto industry.

I will begin with a topic that receives far less public and media attention than it is due: Human behavior on the roads. NHTSA research shows that in 94 percent of crashes, a human error or decision is the critical reason for the crash. Whether it is impairment through alcohol, drugs, fatigue or distraction; recklessness and speeding; or other unsafe behavior, our own, human choices are the greatest threat to highway safety.

NHTSA knows through decades of success that there is a highly effective model to combat these unsafe behaviors: strong laws, strong enforcement, and strong education and awareness efforts. Over the last year we have sought to strengthen our use of that effective model. With your support, we have continued high-visibility enforcement efforts aimed at drunk driving, distraction and seat belt use. We launched the agency's first ad campaign aimed at strengthening the resolve of parents to make sure their pre-teen and tween kids buckle up. We launched a new initiative to combat drowsy driving, and convened a summit of some of the most prominent safety and behavioral experts in the nation to review research and plot strategies on distracted driving.

We have also continued to work closely with NHTSA's partners at the state level. As you know, the majority of NHTSA's budget funds safety programs in the states, and NHTSA has worked over the last year to streamline grant applications processes and to distribute funding more quickly once it becomes available. Your action and those of your colleagues in approving the Fixing America's Surface Transportation (FAST) Act has provided much needed certainty for these programs.

NHTSA and our partners in safety can point to decades of success in reducing dangerous behaviors such as drunk driving and increasing safe choices such as seat belt use. But that progress is not a given. In 2015, according to NHTSA's early estimates, traffic fatalities rose by roughly 9 percent. We are analyzing the data to determine the sources of this increase, but we know that historically, economic expansions led to increased fatalities as the amount and kinds of driving that Americans did, changed. But we also know that a 9 percent increase is nearly unprecedented. And so we have resolved to do more.

In February, NHTSA launched a new era of innovation in traffic safety. We held a series of one-day traffic safety events throughout the country to engage our stakeholders and the public on how to meet the challenge of reducing motor vehicle crashes, injuries and fatalities over the next decade. The focus was on identifying new and innovative approaches, and on building and strengthening partnerships. Through collaboration and engagement in our shared safety mission, we can maximize safety benefits. While there are many exciting new developments in motor vehicle technology and automation, driver error remains the primary cause of most crashes

today. To effectively reduce the number of fatalities, we must engage all road users in this effort.

While NHTSA will do all it can to search for solutions, we cannot accomplish this alone. To be frank, it has become clear that in some places, America has taken its eye off the ball on highway safety. Only 14 states prohibit hand-held cell phone use while driving, despite ample evidence that cell phone distraction is killing people. Astonishingly, 22 states still do not require rear passengers to use seat belts. Thirteen states prohibit the use of automated speed enforcement. Thirty-one states have no law requiring helmets for all motorcyclists.

This needs to change, or more Americans will die needlessly. Those who argue that stronger safety laws aren't necessary should acknowledge that they are making a choice, and that their choice is that it's okay for more of their friends, neighbors and fellow citizens to die.

In concert with our behavioral safety efforts, NHTSA has spent the last year moving on multiple fronts to raise the level of safety in the vehicles on our roads. NHTSA's research, regulatory and consumer-information efforts are aimed at continuing the decades of progress in making vehicles safer.

Over the last year, NHTSA has issued a final rule requiring electronic stability control on heavy vehicles, a rule that will save an estimated 50 lives and provide more than \$300 million in net economic benefits per year. We proposed a new rule to protect consumers from unsafe novelty motorcycle helmets that do not meet federal safety standards, helmets that leave motorcyclists twice as likely to suffer a head injury as those wearing approved helmets. And we issued a notice of proposed rulemaking to improve truck safety by upgrading current rear impact guards on trucks and trailers.

We believe that these, and other efforts to update the Federal Motor Vehicle Safety Standards, will save lives. But just as strong traffic laws are not enough, by themselves, to meet our goals, we cannot rely on regulation alone to improve vehicle safety. There are simply too many lives at stake – we must use every tool available to us.

Sometimes that tool is simply making a statement. After more than four decades of research and debate about seat belts on school buses, NHTSA last year made the common-sense declaration that, yes, every student on a school bus should have access to a three-point seat belt. Following that statement, a number of states have begun considering not just the wisdom of seat belts, but how to provide the funding necessary to install them. States and local school districts across the country are beginning to demonstrate that you don't have to wait for a federal mandate to protect our children.

Similarly, last year 10 major automakers demonstrated that they do not have to wait for a federal mandate to provide all of their customers with automatic emergency braking (AEB), an advanced technology proven to prevent crashes and save lives. Those 10 automakers all responded to a

challenge from NHTSA and the Insurance Institute for Highway Safety (IIHS), and committed to the principle that AEB should become a standard feature on all their new vehicles. That number grew to 20, and on March 17 NHTSA and the IIHS announced a historic commitment by 20 automakers representing more than 99 percent of the U.S. auto market to make automatic emergency braking a standard feature on virtually all new cars no later than NHTSA's 2022 reporting year, which begins September 1, 2022. NHTSA estimates that the agreement will make AEB standard on new cars three years faster than the agency believes it could likely achieve through the regulatory process based upon the agency's past experience in mandating advanced safety technologies. During those three years, according to IIHS estimates, the commitment will prevent 28,000 crashes and 12,000 injuries.

NHTSA's most powerful non-regulatory safety tool is putting information in the hands of consumers. Since its inception nearly four decades ago, NHTSA's 5-Star Ratings program has protected Americans by helping them learn how well new vehicles will protect them and their families in a crash, and by incentivizing vehicle safety advances with life-saving benefits. A new era of technology innovation promises the most significant changes in vehicle safety since the invention of the car. Today, safety is no longer just about assuming crashes will happen, and protecting us from their consequences. It's about preventing crashes from ever occurring. And the 5-Star Ratings need to reflect that.

So, in December, NHTSA requested comment on its planned new 5-Star Ratings program for this new era. The revisions, which the agency plans to implement in 2018 for Model Year 2019 vehicles, would continue the legacy of pushing crash-worthiness improvements by adding new, tougher crash tests and new crash dummies, including the NHTSA-developed THOR, that will provide far richer data about what happens to occupants in a crash. The program will, for the first time, rate vehicles on crash avoidance as well as crash worthiness. And in response to the disturbing increase in pedestrian deaths on our roads, it will rate vehicles on how well they prevent and mitigate the harm of pedestrian impacts.

The new-era 5-Star Ratings reflect our commitment to accelerate the development of life-saving technology innovations. Our direction from Secretary Foxx is clear: If a technology can protect safety, we will take action to bring it to our roads, and to ensure that it is deployed in order to maximize its safety potential. Two other efforts further illustrate this commitment.

The first is NHTSA's work on vehicle-to-vehicle (V2V) communications. Last year, the Secretary asked NHTSA to accelerate our work on a proposed regulation that would require all new vehicles to be capable of V2V and vehicle-to-infrastructure communications. We met his target and that proposed rule is currently under interagency review. V2V allows vehicles to "see," metaphorically, through obstacles, detecting a vehicle around a blind corner or a commuter slamming on the brakes on a crowded highway. Research by DOT and NHTSA shows that just two applications of this technology, addressing intersection and left-turn collisions, could prevent more than 600,000 crashes, and save more than 1,000 lives each year. Because of

the unique nature of V2V – its safety potential depends on widespread deployment – industry is broadly supportive of a federal role in mandating the technology. NHTSA is working with the Federal Communications Commission and the Department of Commerce on a joint test plan. Private industry and Government need to work together to ensure V2V technology has the clear signal we need to save lives. Your support will be critical in this effort.

Second, NHTSA and DOT are also moving swiftly on autonomous vehicle technology. In January at the North American International Auto Show in Detroit, Secretary Foxx announced a series of steps to meet those goals. The President's 10-year, \$3.9 billion commitment is key to this effort. This funding will allow us to pursue large-scale deployment pilots to test autonomous vehicles and connected vehicle systems in designated corridors throughout the country and to work with industry to ensure a common multi-state interoperability framework for autonomous and connected vehicles.

In addition, the Secretary announced steps NHTSA will take to bring our regulatory framework into this new era. NHTSA will use all its available tools to encourage safe innovation. Already, we have used our regulatory interpretation authority to clear the way for technology innovations. For example, NHTSA has issued interpretations to Google, BMW and General Motors regarding automated safety technologies. The Secretary encouraged manufacturers to seek use of NHTSA's exemption authority, under which we can exempt a limited number of vehicles from regulatory standards if they offer the promise of safety improvements.

The Secretary also directed NHTSA to provide, within the next six months, three key products that will help light the way to this new era. We will offer manufacturers operational deployment guidance that outlines how autonomous vehicles should perform on the roads, and how to evaluate their performance; we will work with states and the American Association of Motor Vehicle Administrators to provide model policy to states; and we will identify new tools and authorities that NHTSA may need for this new era so that we can be sure we meet our goal of encouraging safe innovation.

While we are looking forward to the future, we must also maintain our focus on safety today. In 2014, NHTSA issued a record number of recalls for a record number of vehicles. And last year, nearly 900 vehicle recalls were filed with NHTSA, a new record. Those recalls involved more than 51 million vehicles and massive recalls are still a prominent feature of the safety landscape.

As you know, DOT and NHTSA last year launched an unprecedented effort to coordinate and accelerate the Takata recalls. That effort included a public proceeding, which included a public information meeting to outline the state of the recalls and steps the agency was considering under its accelerated remedy authority.

The proceeding included an opportunity for public comment, and NHTSA went to significant effort to solicit comments. NHTSA consulted extensively with auto manufacturers, inflator suppliers and outside experts. The result was the Coordinated Remedy Order DOT/NHTSA

issued on Nov. 3, 2015. That Order, issued to all the affected automakers and to Takata, set Takata recall remedy schedules, accelerating the process by two years or more while minimizing production and design shortcuts that could create new safety risks. The process of designing new inflators so that most replacement inflators are now sourced from suppliers other than Takata, is not simple and entails some risk, as we outlined at the October 2015 coordinated remedy proceeding public meeting. NHTSA also ordered automakers to prioritize the production of remedy parts and their distribution so that the inflators at highest risk of causing injury or death would be first in line for replacement.

This is perhaps the most aggressive use of the agency's enforcement authority in its history and is emblematic of our efforts to restore public confidence in this life-saving technology.

NHTSA has made major efforts in the last year to improve our processes for identifying vehicle defects, and that effort will continue. In January, Secretary Foxx announced a historic agreement with 18 auto manufacturers on a series of concrete commitments to safety. These commitments include, for example, enhancing analysis of Early Warning Reporting (EWR) data and maximizing safety recall participation rates. The proactive safety agreement could change the conversation on safety from one in which we are reacting to issues after they appear, to one in which we are catching them sooner or preventing them from happening at all; it has the potential to save lives, prevent injuries and save money and time. Real safety is finding and fixing defects before someone gets hurt, rather than waiting to punish a manufacturer after the damage is done.

If regulations and enforcement are our only tools to protect the public, then we are restricted to more of the same old story – cat-and-mouse games between the regulator and the regulated; Let me repeat what the Secretary made abundantly clear in January: We have not given up the use of those tools, but we know that it is possible to create a culture in which every individual in every organization, public and private, puts safety at the top of the priority list, and never compromises on safety's No. 1 standing. As was done in commercial aviation, we can put systems in place where industry and government collaborate to identify and address safety problems, because both industry and government have safety as their primary goal.

The Proactive Safety Agreement can have an impact for decades to come. But it will also help us in the here and now. Among the commitments from manufacturers is to work with us to improve the pace at which recalled vehicles are repaired.

NHTSA has made major efforts in the last year to improve our processes for identifying vehicle defects, and that effort will continue. We also hope the agreement with major automakers will help prevent problems and identify them sooner when they do occur. But identifying defects is not enough; we have to make sure they get fixed.

Consumers who receive recall notices perform their own risk assessments and decide when – or in too many cases, when not to take the car in to have it repaired. And there is a very strong correlation between socio-economic status and recall completion. Not surprisingly, if you're

working two low-wage jobs with no paid time off just to keep food on the table, you might not consider it a priority to get a recall fixed.

NHTSA has focused a lot in the last year on making sure that all vehicle owners, and not just those buying luxury cars, enjoy the benefit of advances in safety technology. But this is another example where we need to democratize safety. We are hopeful the Proactive Safety Agreement will help make fixing all recalled vehicles a priority, regardless of who owns them.

This is a high priority item for NHTSA, and we are taking action.

NHTSA launched “Safe Cars Save Lives,” an advertising campaign to raise the level of understanding in the American public of the actions we all need to take to keep our families safe from vehicle safety defects.

The year-long digital ad campaign, accompanied by online video and information resources, is designed to promote use of NHTSA’s VIN lookup tool to regularly check for open recalls, and to encourage consumers, if they discover a recall, to take quick action. The campaign makes a simple point: taking action on a safety recall keeps you and the people you love safe.

This campaign is a big step, but it’s in some ways just a down payment; raising awareness and encouraging action will require sustained and dedicated effort, and I am hopeful that the commitments made in January to work together on improving recall rates will include broader action to affect public attitudes. We are eager to work with companies, trade associations, and others on this important effort.

NHTSA is also committed to work with manufacturers on outreach to others with a stake in the recall process, and dealers play a central role in the recall completion effort.

You are going to hear NHTSA talk a lot in the months to come about proactive safety, about the need for all of us with a role in protecting the public to make safety our highest priority. Doing so will require new ways of thinking for NHTSA, for automakers and suppliers, for dealers, for safety advocates and for the public.

I appreciate the opportunity to testify today, and am pleased to answer your questions.