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 Maimoona Rahim  
 Yacoov Tarko  
 Doug Migden

June 1<sup>st</sup>, 2022

Dr. Steve Cliff  
 Deputy Administrator  
 National Highway Traffic Safety Administration  
 Department of Transportation  
 1200 New Jersey Avenue S.E., West Building  
 Washington, D.C. 20590-0001

Dear Deputy Administrator Cliff,

The City of Seattle Bicycle Advisory Board welcomes the opportunity to offer the following comments in response to NHTSA’s proposed updates to the New Car Assessment Program (NCAP).

The Seattle Bicycle Advisory Board (SBAB) advises the Mayor, City Council, and City Departments and Divisions on projects, policies, and programs that improve and/or affect bicycling conditions in Seattle. We strive to hold the city accountable to its Vision Zero goal of “ending traffic deaths and serious injuries on city streets by 2030” ([Vision Zero, City of Seattle](#)).

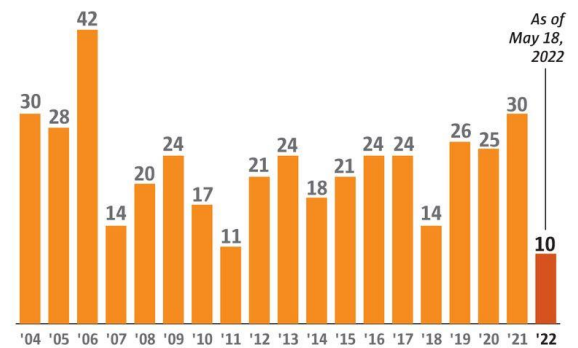
Seattle is trending in the wrong direction regarding our Vision Zero goals. The Seattle Times recently reported that “Ten people have been killed on Seattle’s roads in 2022, according to the Seattle Department of Transportation, outpacing the number of deaths at this time last year and the year before. At least 59 people have been seriously injured” ([5/21/2022, Seattle Times](#)).

While SBAB is advocating for biking infrastructure that is permanent, durable, and maximizes safety for residents who are rolling and walking, the ever-increasing size and weight of passenger vehicles poses a growing threat to people biking and walking in our communities. The New Car Assessment Program only considers the safety of those within cars, not of those outside cars. This is completely unacceptable considering our failure to make progress towards ending traffic deaths and serious injuries.

### No slowdown seen in Seattle traffic deaths

The goal of zero traffic fatalities has remained elusive for Seattle.

TOTAL NUMBER OF TRAFFIC DEATHS BY YEAR



Source: Seattle Department of Transportation

MARK NOWLIN / THE SEATTLE TIMES

The Seattle Bicycle Advisory Board shall advise the City Council, the Mayor, and all departments and offices of the city on matters related to bicycling, and the impact which actions by the city may have upon bicycling; and shall have the opportunity to contribute to all aspects of the city’s planing processes insofar as they relate to bicycling.

- City Council Resolution 25534



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Across the country, fatalities and serious injuries among pedestrians and cyclists have skyrocketed by more than 50 percent over the past ten years, dramatically outpacing overall roadway fatalities. Newly released estimates from NHTSA show that nearly 43,000 people died in crashes in 2021, a 10.8% jump from 2020. Data confirms the role of vehicle design in exacerbating the safety crisis unfolding on our nation's streets, with studies from the [Insurance Institute for Highway Safety](#) (IIHS) and [Consumer Reports](#) documenting direct links from vehicle size, speed, and weight to increasing traffic fatalities. Updates to NCAP have not kept pace with these realities, and international equivalents have surpassed the U.S. program. Current vehicle standards and rating systems have failed to protect people outside of cars, especially in multimodal urban environments.

The Seattle Bicycle Advisory Board is encouraged to see NHTSA take the crucial step of incorporating safety features that protect people outside of vehicles into NCAP. However, the proposed changes to the Program can go further. In addition to incorporating several long-overdue technological changes, the rating system must address the outsized roles that vehicle speed, size, weight, and visibility from the driver's seat play in determining safety outcomes. To help alleviate the national traffic safety crisis, **NHTSA should ensure no vehicle receives a five star rating without scoring highly in the following categories:**

- **ADAS features capable of sensing and protecting people outside vehicles:** This RFC incorporates important technologies into NCAP, including blind spot detection and intervention (BSI/BSW), lane keeping support (LKS), and pedestrian automatic emergency braking (PAEB). To maximize safety benefits to people outside vehicles, NHTSA's testing protocols for these systems must account for documented shortcomings of ADAS features. These technologies are known to be less reliable in [dark lighting, inclement weather, while turning, traveling at higher speeds](#), or at detecting [people of color](#), and [people carrying objects](#)<sup>1</sup>. NHTSA can significantly improve vehicle safety not only by reserving five-star ratings for vehicles equipped with ADAS, but ensuring these systems perform to a high standard.
- **Intelligent speed assistance systems that automatically limit unsafe speeds:** Vehicle speed plays a critical role in determining the likelihood and severity of traffic crashes, injuries, and fatalities. Crashes are more likely to occur as a driver's speed increases, as does the likelihood of a crash being fatal. Intelligent speed assistance (ISA) is a tool [proven to reduce](#) speed-related crashes and fatalities. This technology is already widely deployed across Europe and Euro NCAP's rating system provides a [model](#) for NHTSA to follow in considering ISA. NCAP can act as an incentive for automakers to make ISA standard in all vehicles, by reserving full credit only where it is available.

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<sup>1</sup> See p. 344 of Manual.



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- Pedestrian protection and crashworthiness/survivability for people outside the vehicle:** Since 2010, NHTSA has documented that large high-front vehicles present increased risks to people walking and biking. With very large SUVs and light trucks making up an ever-increasing share of vehicular traffic and driving a large share of fatalities and serious injuries among pedestrians and cyclists, federal action to address vehicle size is long overdue. NHTSA’s proposal to include a crashworthiness pedestrian protection testing program in NCAP in 2022 is an opportunity to update vehicle test criteria to ensure safety for the widest possible range of people. NHTSA can do so by following the [example of Transport For London](#) and select, as their default “test case,” a significantly smaller than average person, to ensure that all people are properly considered in the crashworthiness testing. Designing test criteria built around the smaller-than-average person will result in increased safety for everyone.
- Direct visibility from the driver’s seat (“direct vision”):** Cameras, mirrors, sensors and other ADAS features cannot replace the need for direct sight. Large vehicles, such as SUVs, light trucks, and heavy trucks, have large blind spots and visibility problems, which are directly connected to decreased safety and increases in fatalities. A recent [IIHS study](#) found that pick-up trucks are 4 times more likely, and SUVs are 3 times more likely, to cause a fatal crash when making a left turn because of limited visibility from the driver’s seat. Data from the USDOT Volpe Center shows that when drivers are operating trucks with low visibility from the driver's seat they are able to detect pedestrians in a crosswalk in front of them only 13% of the time, versus 100% in vehicles that offer better visibility from the driver's seat. NHTSA should use existing tools, such as [USDOT’s Blind Zone Calculator](#) and [international direct vision standards](#), to evaluate and address the safety impacts of blind spots on large vehicles. Vehicles with low direct visibility from the driver’s seat should not receive 5-star ratings.

The Seattle Bicycle Advisory Board greatly appreciates NHTSA’s consideration of these comments. Safer vehicles are a pillar of USDOT’s National Roadway Safety Strategy and NHTSA can do more to leverage NCAP and ensure consumers have a comprehensive understanding of vehicle safety. We welcome further opportunities to guide the continued development of the NCAP program as NHTSA takes important steps towards incorporating the safety of people traveling outside personal vehicles into the program.

Sincerely,

The Seattle Bicycle Advisory Board