

NHTSA, PLEASE TAKE CYCLIST SAFETY SERIOUSLY

Signed by 164 Local/State/Regional and 29 National Organizations
Organized by the League of American Bicyclists

Secretary Pete Buttigieg
US Secretary of Transportation
Department of Transportation
1200 New Jersey Avenue
Washington, DC 20590

Acting Administrator Ann Carlson
National Highway Traffic Safety Administration
Department of Transportation
1200 New Jersey Avenue
Washington, DC 20590

Dear Secretary Buttigieg and Acting Administrator Carlson,

We, the undersigned organizations, ask that the National Highway Traffic Safety Administration (NHTSA) be more inclusive of bicyclists and motorcyclists in their programs and rules on car safety standards. The U.S. Department of Transportation (DOT) has adopted a Safe System Approach as its guiding paradigm for roadway safety. Principles of that approach include "Death and Serious Injuries are Unacceptable" and "Safety is Proactive." As the agency within DOT responsible for our safety on the roads, we ask NHTSA to live up to its principles and proactively take action to reduce all road users' deaths by including bicyclists and motorcycle riders in its programs and rules on vehicle safety. Continuing to ignore and minimize these deaths, either by excluding them entirely from consideration or by vaguely saying they will be addressed in the future, is unacceptable. Recent reporting by ProPublica further highlights the concerns we have about both NHTSA and the Federal Motor Carrier Safety Administration disregarding our safety and the value of our lives.

We appreciate your Administration's National Roadway Safety Strategy, and we are actively working to support its goals with you. We know that improving safety for all users is critical to meeting this administration's climate and equity goals, as well as improving transportation access for all. However, we will never succeed in reducing vulnerable road user fatalities until NHTSA stops ignoring and minimizing the deaths of these constituencies in their cost-benefit analyses of truck and car regulations.

We understand this is a long running problem that started before your tenure. The problem was crystalized in the ProPublica and Frontline reporting showing the influence the truck industry has had over DOT in removing data on the life saving benefits of side guards. However, motorcyclist and bicyclist safety has been discounted in several substantial ways over the last few years.

During your Administration, NHTSA has:

- Failed to include bicyclists and motorcyclists in testing automatic emergency braking and cyclist safety was not given a timeline for inclusion in the New Car Assessment Program request for comment published in 2022 (NHTSA-2021-0002),

- Failed to include standards for automatic emergency braking performance for cyclist safety in the Advanced Notice of Proposed Rulemakings requiring automatic emergency braking systems for light (NHTSA-2023-0021) and heavy (NHTSA-2023-0023/FMCSA-2022-0171) vehicles in 2023,
- Failed to include the testing of vehicles for cyclist crashworthiness in the New Car Assessment Program request for comment published in 2023 (NHTSA-2023-0020),
- Failed to include both cyclists and pedestrians among the potential lives saved in the cost-benefit analysis used for the Advanced Notice of Proposed Rulemaking requiring side underride guards for large trucks published in 2023 (NHTSA-2023-0012). In fact, the lives of all vulnerable road users, including motorcyclists, were excluded and ignored.

There are two actions the Administration could take right now to start to bring NHTSA up to international safety standards:

1. Include cyclist and motorcyclist Automatic Emergency Braking into the New Car Assessment Program, and
2. Revise the Advanced Notice of Proposed Rulemaking on Truck Underride Guards to include vulnerable road users, including motorcyclists.

Include Cyclist AEB in the New Car Assessment Program.

- Cyclist and motorcyclist AEB meet all of the criteria NHTSA set out in its request for information.
- The Bipartisan Infrastructure Law requires NHTSA to strive for “global harmonization of vehicle regulations as a means for improving motor vehicle safety.” The United States is behind Europe, Japan and Korea in including cyclist AEB in its NCAP. The EU has gone as far as to require a standard for cyclists and motorcyclists AEB in new cars.
- When NHTSA asked for comments on including cyclist AEB in the NCAP, none of the automobile companies argued against it. BMW has included the technology in all its cars since 2013. HATCH inc. (Hyundai) was supportive if the AEB tests were the same as EuroNCAP. Subaru utilizes technology that the Insurance Institute for Highway Safety has reported could reduce insurance claims from relevant claims by 29 percent.
- The current NHTSA plan is to consider including cyclists and motorcyclists AEB in an update after 2026, almost a full decade after the EuroNCAP included it.

Rescind and revise the Side Underride Guard Advanced Notice of Proposed Rulemaking.

- The study the proposed rule is based on does not include vulnerable road user fatalities, nor those of motorcyclists. VRU-large truck crashes are the most deadly crashes on our roads. In a 2014 letter to NHTSA, the National Transportation Safety Board (NTSB) stated, *“death rates of vulnerable road users involved in collisions with tractor-trailers were high: 152.8 per 1,000 involved pedestrians/cyclists and 119.5 per 1,000 involved motorcyclists. In comparison, death rates were 2.0 per 1,000 involved tractor trailer occupants and 10.9 per 1,000 involved passenger vehicle occupants.”*¹

¹ Letter from NTSB to NHTSA on tractor trailers and cyclists and pedestrians. April 23, 2014 H-14-001-007. <https://www.nts.gov/safety/safety-recs/RecLetters/H-14-001-007.pdf>

- The study only looks at data up to 2017 even as crashes have increased since then.
- The cost-benefit analysis in the advanced NRPM only looked at a very narrow criteria of truck-car crashes and was criticized by NTSB, the Insurance Institute for Highway Safety, and the National Association of Mutual Insurance Companies for being too narrow and underestimating the number and value of potential lives saved.

The undersigned organizations request that you use your leadership and commitment to vulnerable road users and roadway safety to ensure NHTSA fully accounts for and safeguards cyclists. It is critical that NHTSA include vulnerable users when setting car and truck safety standards.

Would you be available to meet about these important safety issues, and to talk through how we can work together to include vehicle safety measures to make our roads safe for all users? Please contact Caron Whitaker at Caron@bikeleague.org if you have any questions.

Thank you for your consideration. We look forward to working with you to improve safety for all road users.

Sincerely,

National Organizations

Advocates for Highway and Auto Safety
America Walks
American Bicycling Education Association
American Motorcyclist Association
Americans for Older Driver Safety
Association of Pedestrian and Bicycle Professionals
Bicycle Oven Company
BikeCo LLC
Black Girls Do Bike
Center for Auto Safety
East Coast Greenway Alliance
Families for Safe Streets
Institute for Safer Trucking
League of American Bicyclists

North American Bikeshare and
Scootershare Association
National Organizations for Youth Safety
National Youth Bike Council
Natural Resources Defense Council
New Urban Mobility alliance (NUMO)
PeopleForBikes
Rails to Trails Conservancy
Ride of Silence
Safe Routes Partnership
Sierra Club
Stopdistractions.org
Transmutational Cycling
Transportation for America
Truck Safety Coalition
Vision Zero Network

State and Local organizations (listed by state)

Alabama

Alabama Bicycle Coalition
Huntsville Urban Bike Share Coop

Natchez Trace Cycling

Alaska

Anchorage Park Foundation
Bike Anchorage
Fairbanks Cycle Club
Sitka Trail Works

Arizona

Coalition of Arizona Bicyclists
Modified Motorcycle Association of Arizona
Phoenix Metro Bicycle Club
Tempe Bicycle Action Group
Yuma Regional Bicycle Coalition

Arkansas

Conway Advocates for Bicycling
Trailblazers
Memphis Hightailers Bicycle Club
Memphis Hightailers Foundation

California

Bike East Bay
BikeLA
CalBike
Calif. Assoc. of Bicycling Organizations
Delta Pedalers
Fresno County Bicycle Coalition
Fresno Cycling Club
Marin County Bicycle Coalition
Napa County Bicycle Coalition
San Diego County Bicycle Coalition
San Diego Cyclo-Vets
San Francisco Bay Area Families for Safe Streets
Tamalpais Velo Club
Walk Bike Berkeley

Colorado

Bicycle Colorado
Bike Colorado Springs

Connecticut

Bike New Britain Inc.
Bike Walk Connecticut
Bike West Hartford
Norwalk Bike/Walk Commission
People Friendly Stamford
Sustainable Streets Norwalk
The Safe Streets Coalition of New Haven
Bike Walk Connecticut

District of Columbia

Washington Area Bicyclist Association

Delaware

Bike Delaware

Florida

Florida Bicycle Association
Longboat Key Bike Association, Florida
Pedal Power Promoters, LLC

Georgia

Bike Walk Macon
Bike Walk Savannah
BikeAthens
Georgia Bikes, Inc.
Propel ATL

Hawai'i

Hawai'i Bicycling League

Idaho

Boise Bicycle Project
Idaho Walk Bike Alliance

Illinois

Bicycle Club of Lake County
Bike Palatine Club
Bike Walk Highland Park
Champaign County Bikes
Downers Grove Bicycle Club
Elmhurst Bicycle Club
Friends of Cycling in Elk Grove
McHenry County Bicycle Advocates
Ride Illinois
Starved Rock Cycling Association

Indiana

Bicycle Garage Indy / BGI Fitness
Bike Indianapolis
Central Indiana Bicycle Association
Health by Design
Indiana Trails

Iowa

Active Living & Transportation Commission,
Mason City, IA
Iowa Bicycle Coalition

Kansas

BikeWalkKC
Bike Walk Wichita

Kentucky

Bike Walk Kentucky

Louisiana

Bike Easy

Maine

Bicycle Coalition of Maine
Bike Biddeford/Saco
Maine Better Transportation Association
South Portland Land Trust
York Bicycle and Pedestrian Committee
Kelly, Remmel & Zimmerman - Bicycle and
Pedestrian Law Practice Group
Westbrook Safe Mobility and Access
Committee

Maryland

Bicycle Advocates for Annapolis & Anne
Arundel County
Frederick Bicycle Coalition
Washington Area Bicyclist Association

Massachusetts

Boston Cyclists Union
Green Streets Initiative
Joe Lavins Memorial Fund
Somerville Alliance for Safe Streets
Transportation for Massachusetts
TransitMatters

Michigan

Detroit Greenways Coalition
League of Michigan Bicyclists

Minnesota

Bicycle Alliance of Minnesota
Our Streets Minneapolis

Mississippi

Bike Walk Mississippi
Natchez Trace Cycling
Memphis Hightailers Bicycle Club
Memphis Hightailers Foundation

Missouri

Local Motion
Missouri Bicycle & Pedestrian Federation
Missourians for Responsible Transportation
BikeWalkKC

Montana

Bike/Walk Montana

Nebraska

Bike Walk Nebraska

Nevada

Truckee Meadows Bicycle Alliance

New Hampshire

Bike-Walk Alliance of New Hampshire
Cross New Hampshire Adventure Trail
Friends of the Concord-Lake Sunapee Rail Trail

New Jersey

Bike Hoboken
Bike JC
Bike North Bergen
New Jersey Bike & Walk Coalition

New Mexico

New Mexico Touring Society

New York

Bike New York
Transportation Alternatives
Virtuous Bicycle

North Carolina

Asheville on Bikes
Bike Durham
Bike Walk NC
Blue Ridge Bicycle Club
Carrboro Bicycle Coalition

North Dakota

ABATE of ND

Ohio

Bike Cleveland
Ohio Bicycle Federation

Oklahoma

BikeOklahoma
Tulsa Bicycle Club

Oregon

BikeLoud PDX
Ride of Silence - Oregon

Pennsylvania

Bicycle Coalition of Greater Philadelphia
Mobilify Southwestern Pennsylvania
Bike Pittsburgh

Rhode Island

Blackstone Valley Tourism Council
Rhode Island Bicycle Coalition
Woonasquatucket River Watershed Council

South Carolina

Charleston Moves
Palmetto Cycling Coalition

Tennessee

Bike Walk Tennessee
Highland Rim Bicycle Club
Memphis Hightailers Bicycle Club
Memphis Hightailers Foundation
Mid-South Trails Association
Natchez Trace Cycling
Walk Bike Nashville

Texas

Bike Houston
BikeTexas

Utah

Bike Utah

Vermont

Local Motion

Virginia

Alexandria VA Bicycle and Pedestrian
Advisory Committee
Bike Norfolk
Greater Richmond Fit4Kids, Richmond City
Safe Routes to School Program
PedalSafe ROA
Potomac Pedalers Touring Club
Richmond Ambulance Authority
Richmond Area Bicycling Association
RIDE Solutions Virginia
Roanoke Valley Greenway Commission
Sports Backers
Virginia Bicycling Federation
Washington Area Bicyclist Association

Washington

Cascade Bicycle Club
West Sound cycling Club
Fix the Burke Gilman
Washington Bikes

West Virginia

KYOVA Interstate Planning Commission
Mountain State Wheelers
West Virginia Complete Streets Advisory
Board
WV TRAIL (Trails & Recreation Advocacy &
Information Link)

Wisconsin

Bike Fitchburg, Inc.
Greater Shorewood Bikers, Inc.
Wisconsin Bike Fed
Madison Bikes

Wyoming

Wyoming Pathways