



June 28, 2021

Chandana Achanta
Office of Information and Regulatory Affairs
Office of Management and Budget

RE: Request for Emergency Processing of Information Collection Request

Dear Ms. Achanta:

The National Highway Traffic Safety Administration (NHTSA) requests emergency processing of a request for approval of a collection of information concerning crash reporting for vehicles equipped with Automated Driving Systems (ADS) and SAE Level 2 Advanced Driver Assistance Systems (ADAS). NHTSA seeks emergency clearance for this information collection request for the maximum permissible period under 5 C.F.R. § 1320.13(f). NHTSA requests that emergency approval be granted within one (1) business day after it submits this request for emergency approval.

NHTSA is requesting emergency processing of this request because the proposed collection of information (1) is needed prior to the expiration of the time periods established under 5 C.F.R. Part 1320, (2) is essential to NHTSA's mission, and (3) public harm is reasonably likely to result if normal clearance procedures are followed. *See* 44 U.S.C. § 3507(j); 5 C.F.R. § 1320.13(a). The proposed collection involves crash data relating to ADS and ADAS equipped vehicles to assist the agency in identifying potential defects. Absent the information sought through this proposed collection, the agency will be limited in ability to "protect[] the public against unreasonable risk of accidents occurring because of the design, construction, or performance of a motor vehicle and against unreasonable risk of death or injury in an accident." 49 U.S.C. § 30102(a)(9). Recent crashes involving ADS and/or Level 2 ADAS equipped vehicles have resulted in fatalities and serious injuries, and public harm is reasonably likely to result absent emergency approval.

Upon receipt of the emergency approval, NHTSA will issue a Standing General Order requiring manufacturers and operators of vehicles equipped with ADS or Level 2 ADAS to report crashes where the systems were engaged or in use immediately before the crash. Specifically, NHTSA's Order will require the specified companies to report certain crashes within one day of learning of them, update those reports within ten days, and update reports of crashes and report certain other ADS crashes monthly.

The Order will provide the agency with critical and timely safety data and help it understand the extent to which incidents are potentially a result of safety defects, including whether manufacturers have failed to appropriately design their systems based on their foreseeable

misuse. Access to ADS data may show whether there are common patterns in driverless vehicle crashes or systematic problems in operation. Accordingly, this Order will enable NHTSA to collect information necessary for the agency to identify unreasonable safety risks requiring recalls, even as the technology deployed continues to evolve.

NHTSA has taken all practicable steps to consider the interests of other interested agencies and members of the public in order to minimize the burden of the collection of information.

NHTSA requests that OMB approve or disapprove the collection of information no later than the following business day. *See* 5 C.F.R. § 1320.13(b).

If you would like to discuss this matter further, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Ann Carlson".

Ann Carlson
Chief Counsel