December 29, 2025

The Honorable Jonathan Morrison
Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Event Data Recorders; Notice of proposed rulemaking (NPRM); response to petitions for reconsideration [Docket No. NHTSA-2025-0050].

Dear Administrator Morrison,

The Alliance for Automotive Innovation (Auto Innovators) appreciates the opportunity to provide comments in response to the National Highway Traffic Safety Administration's (NHTSA) November 28, 2025, notice of proposed rulemaking (NPRM) and response to petitions for reconsideration on Event Data Recorders (EDR).[1,2] We sincerely appreciate the agency's consideration of our petition in response to the December 18, 2024, rule, and urge the NHTSA to finalize the rule as proposed as soon as possible. Given the rapidly approaching compliance deadlines and the significant operational challenges faced by manufacturers, we urge NHTSA to finalize these proposed changes without delay. As discussed in more detail below, this is necessary to address the lead time challenges that manufacturers are currently experiencing based on the current rule.[3]

Support for Additional Lead Time

Auto Innovators strongly supports NHTSA's proposal to extend the lead time for initial compliance with the requirements of December 18, 2024, rule by one year from September 1, 2027, to September 1, 2028. The EDR is highly integrated with other vehicle systems, and meeting the requirements of the rule requires complex design changes that affect vehicles both on the market and in preproduction. The current lead time is inadequate to achieve compliance without extensive redesign costs or, in cases where redesign is not feasible, disabling EDR functionality until the required design changes are implemented. Without swift finalization of the proposed extension, manufacturers will have to divert focus from implementing robust, compliant EDR systems that directly support NHTSA's objectives and be forced to make costly and potentially disruptive interim changes. Therefore, we support the agency's proposal to adopt a four-year phase-in period as this provides necessary time required for manufacturers to design, engineer, test, validate, and produce vehicles with the necessary hardware and software capable of meeting the new EDR requirements.[4]

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[1] Auto Innovators represents the full auto industry, including the manufacturers producing most vehicles sold in the U.S., equipment suppliers, battery producers, semiconductor makers, technology companies, and autonomous vehicle developers. Our mission is to work with policymakers to realize a cleaner, safer, and smarter transportation future and to ensure a healthy and competitive auto industry that supports U.S. economic and national security. Representing over 5 percent of the country's GDP, responsible for supporting nearly 11 million jobs, and driving $1.5 trillion in annual economic activity, the automotive industry is the nation's largest manufacturing sector.

[2] 90 FR 54619

[3] Docket Number: NHTSA-2024-0084-0005

[4] As noted in the NPRM, "The proposal would require that 25 percent of a manufacturer's applicable vehicles produced from September 1, 2028, to August 31, 2029, comply with Part 563, followed by 50 percent from September 1, 2029, to August 31, 2030, 75 percent from September 1, 2030, to August 31, 2031, and 100 percent on and after September 1, 2031."

We also support the agency's proposal to extend the lead time for small volume manufacturers (SVM) to September 1, 2032. Responding to changes in regulation requires substantially longer lead time and planning for this segment, as SVMs will typically introduce models that will be available over a longer period without the need for significant changes in architecture. The extension of the compliance date helps address these concerns.

Safety Benefits and Offsetting the Regulatory Impact

As noted in the NPRM, NHTSA has decided not to adjust the recording duration and sample rate requirements for EDRs as finalized in the December 2024 final rule. We continue to have concerns about an overestimation of the expected safety benefits associated with the extended 20-second recording duration and 10Hz sampling rate and maintain that similar safety benefits can be attained through less burdensome requirements. That said, we do not expect the agency's proposal to extend the lead time to have a significant impact on the overall safety benefits of the rule.[5] In other words, the proposed phase in schedule enables vehicles in the marketplace to continue to provide some level of EDR functionality while industry adapts to the new requirements.

Despite the rule underestimating the hardware and software costs necessary to update existing EDR systems, the extended compliance time will provide manufacturers with the opportunity to more effectively manage the increased redesign and production costs over time, offsetting the overall regulatory impact of the rule, if finalized. Consistent with Administration's focus on reducing regulatory burden, we urge NHTSA to continue to monitor the effectiveness of the rule over time to identify whether there are opportunities to further refine the performance requirements for EDRs to minimize burden.

In the meantime, we urge the agency to move quickly to finalize this rulemaking so that manufacturers have the regulatory certainty necessary to adjust their production schedules and reduce the overall burden associated with the current rule. At present, they will continue to incur costs until a new rule is finalized.

Correction to Phase-in Schedule for Updated EDR Data Elements

The proposed amendments to Footnote 4 of Table I and Footnote 5 of Table II of 563.7 include references that do not align with the updated phase in schedule.[6,7] More specifically, since Part 563 is an "if equipped" standard, the reported percentage of each manufacturer's vehicle production should only apply to vehicles equipped with EDRs. We therefore recommend that these footnotes in Table I and Table II of 563.7 be revised as follows:

> ***563.7 (a) Table I (Footnote 4)***
> *Except as provided in the following phase-in, for vehicles equipped with an EDR manufactured before September 1, 2031, the required recording interval is −5.0 to 0 sec relative to time zero and the required data sample rate is two samples per second. For vehicles manufactured on or after September 1, 2028 but before August 31, 2029, 25 percent of each manufacturer's vehicle production equipped with an EDR must have the recording interval and data sample rate*

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[5] *Auto Innovators concerns regarding the safety benefits and if-equipped performance requirements are discussed in more detail in our response to the NRPM [Docket Number: NHTSA-2024-0084-0005] and in our petition for reconsideration in response to the final rule [Docket Number: NHTSA-2022-0021-0025]*

[6] *See: 563.7(a) https://www.federalregister.gov/d/2025-21506/p-179*

[7] *See: 563.7(b) https://www.federalregister.gov/d/2025-21506/p-180*

displayed in this table. For vehicles manufactured on or after September 1, 2029 but before August 31, 2030, 50 percent of each manufacturer's vehicle production equipped with an EDR must have the recording interval and data sample rate displayed in this table. For vehicles manufactured on or after September 1, 2030 but before August 31, 2031, 75 percent of each manufacturer's vehicle production equipped with an EDR must have the recording interval and data sample rate displayed in this table. For vehicles equipped with an EDR manufactured before September 1, 2032 by a small-volume manufacturer or limited-line manufacturer, the required recording interval is −5.0 to 0 sec relative to time zero and the required data sample rate is two samples per second. For vehicles equipped with an EDR manufactured before September 1, 2033 by manufacturers producing altered vehicles or vehicles in two or more stages, the required recording interval is −5.0 to 0 sec relative to time zero and the required data sample rate is two samples per second.

563.7 (b) Table II (Footnote 5)
Except as provided in the following phase-in, for vehicles equipped with an EDR manufactured before September 1, 2031, the required recording interval is −5.0 to 0 sec relative to time zero and the required data sample rate is two samples per second. For vehicles manufactured on or after September 1, 2028 but before August 31, 2029, 25 percent of each manufacturer's vehicle production equipped with an EDR must have the recording interval and data sample rate displayed in this table. For vehicles manufactured on or after September 1, 2029 but before August 31, 2030, 50 percent of each manufacturer's vehicle production equipped with an EDR must have the recording interval and data sample rate displayed in this table. For vehicles manufactured on or after September 1, 2030 but before August 31, 2031, 75 percent of each manufacturer's vehicle production equipped with an EDR must have the recording interval and data sample rate displayed in this table. For vehicles equipped with an EDR manufactured before September 1, 2032 by a small-volume manufacturer or limited-line manufacturer, the required recording interval is −5.0 to 0 sec relative to time zero and the required data sample rate is two samples per second. For vehicles equipped with an EDR manufactured before September 1, 2033 by manufacturers producing altered vehicles or vehicles in two or more stages, the required recording interval is −5.0 to 0 sec relative to time zero and the required data sample rate is two samples per second.

Thank you again for the opportunity to provide comments. Please contact me if you have any questions.

Sincerely,

Sarah Puro,
Vice President, Safety and Technology Policy
Alliance for Automotive Innovation.