ALLIANCE FOR AUTOMOTIVE INNOVATION

May 4, 2026
Jonathan Morrison
Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Docket No. NHTSA 2026-0529; Notice and Request for Comment; Incident Reporting for Automated Driving Systems (ADS) and Level 2 Advance Driver Assistance Systems (ADAS)

Dear Administrator Morrison,

The Alliance for Automotive Innovation ("Auto Innovators") appreciates the opportunity to provide input on the collection activities related to the Standing General Order on Crash Reporting (SGO). Auto Innovators represents the full automotive 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 automotive 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 almost $1.5 trillion in annual economic activity, the automotive industry is the nation's largest manufacturing sector.

All stakeholders should strive to build trust within the ADAS and ADS ecosystems. Auto Innovators members support transparency and continue to believe that it is essential to American competitiveness and national security that there be a path that facilitates the testing, deployment and commercialization of such vehicles. If used correctly, a data repository under the management of the National Highway Traffic Safety Administration (NHTSA) can create a single national framework that collects useful, meaningful and objective data.

NHTSA's goal is safety. However, NHTSA itself has indicated that the SGO data has important limitations and is not intended to enumerate whether any particular feature is safe or unsafe. Since the data lacks context or normalization based on the number of vehicles or miles traveled, its usefulness for meaningful analysis is limited.[1] Moreover, the data as currently collected does not meet the quality standards necessary for valid statistical comparison or sound policy judgments. As discussed below, there continues to be misunderstanding about the broad compliance burden the SGO imposes on OEMs, — which must ensure company-wide compliance and analysis of all potentially reportable crashes.

[1] https://www.nhtsa.gov/sites/nhtsa.gov/files/2022-06/ADS-SGO-Report-June-2022.pdf

Reporting requirements. The SGO's reporting requirements affect the full range of Auto Innovators members. We recognize and appreciate the streamlining that the Administration implemented over the past year; however, the SGO remains challenging for companies. Simply put, NHTSA's analysis of the costs remains understated, and no attempt has been made to assess how the burden the SGO imposes yields a commensurate safety benefit.

While Auto Innovators objects to the continuation of the SGO in its current form, our members are not opposed to data collection generally. However, the data collection for ADS vehicles must be targeted towards the development of a Federal regulatory framework for the deployment of those vehicles. We would support a data repository that created a national framework, met these objective criteria, and which prohibited separate reporting requirements at the State and Local level.

Burden on companies. The ICR states that "NHTSA also expects reporting to be more efficient now that most of the reporting entities have more than five years of experience and established internal process."[2] Our member companies strongly disagree with this assertion. As the number of vehicles subject to the SGO increases, so do burdens on companies and the complexities of the reporting regimes. When the SGO was issued in 2021, it was estimated that Level 2 ADAS features were in more than one-quarter of Model Year 2021 vehicles; that number grew by more than 25 percent in only two years, hitting roughly one-third of vehicles in Model Year 2023.[3]. Fleet penetration continues to grow. For example, by Model Year 2025, For example, Level 2 hands on steering assist with ACC was available in roughly half of new vehicles. [4]

Projections suggest that ADAS technology penetration will continue to grow rapidly. That means the reporting requirements under the SGO will soon apply to the overwhelming majority of new vehicles sold in the United States. A reporting regime of that scale — covering most of the new vehicle fleet — was likely not anticipated. Such a regime should be established through notice-and-comment rulemaking, not imposed unilaterally through a Standing General Order.

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[2] National Highway Traffic Safety Administration, Docket No. NHTSA-2026-0529.

[3] https://www.mitre.org/sites/default/files/2024-09/PR-24-2614-PARTS-Market-Penetration-Advanced-Driver-Assistance-Systems.pdf

[4] ADAS figures compiled by Alliance for Automotive Innovation with data provided by Omdia, "US Light Vehicle Factory Installed Electronic/ADAS Equipment," Model Years 2016 – 2025. Driver Monitoring Camera is defined as: Detects the driver's head position and facial expression, as well as monitors the driver's activity inside the cabin to gauge the level of driver distraction. If external sensors detect an imminent collision, the system may automatically apply the brakes. Hands Off Steering Assist is defined as "through the use of cameras, sensors and computer logic, a driver assist system which enables the vehicle to control speed and steering, enabling the driver to remove their hands from the steering wheel but still requiring them to keep their eyes on the road".
There were roughly 15.7 million vehicles sold in the United States for Model Year 2025, and 16 million for Model Year 2024.

The burden the SGO places on manufacturers will only increase. Companies have already invested heavily in the organizational infrastructure needed to identify, investigate, and report potentially covered crashes. As the SGO's reach grows, so too will the cost of maintaining and scaling those structures — compounding a compliance burden that was already significant.

NHTSA estimates it will receive 3,704 ADAS related crash reports each year over the next three years. This estimate under counts the likely crashes and does not account for the additional analysis that companies must do to determine if they are reportable under the SGO. More importantly, even if NHTSA's estimate of future crash reports is correct, crash reports submitted to NHTSA is not the correct metric to accurately understand the burden of the SGO on the industry. The reason it is undercounting is because automakers must review every crash they receive notice of to determine whether it is reportable under the SGO.

In the context of Early Warning Reporting, Auto Innovators submitted data to NHTSA about crash reports, including injury and fatality claims and notices and property damage claims.[5] For the years 2018-2022, an average of about 18,000 such claims and notices were submitted to the agency under the Part 579 regulations. While not all of these involve ADAS equipped vehicles, the figure demonstrates the amount of information manufacturers receive about vehicle crashes. As the number of new vehicles with ADAS systems increase, it will be necessary for manufacturers to continually monitor larger and larger numbers of incidents to determine whether they could be reportable under the SGO.

While many of these matters will not directly involve allegations about ADAS systems, at the same time, the breadth of the SGO requires them to be reviewed regularly to determine whether a report must be submitted. Often, initial reports are ambiguous, requiring a manufacturer to regularly monitor the available information on each matter in the event the information triggers the SGO submission criteria. Once reported, further monitoring is required and supplemental reports can be necessary.

Such claims and notices under49 CFR Part 579 have regulatory definitions,[6] but the SGO is much broader. Its definition of "notice" is as follows:

> "Notice" is defined more broadly than in 49 CFR § 579.4 and means information you have received from any internal or external source and in any form (whether electronic, written, verbal, or otherwise) about an incident that occurred or is alleged to have occurred, including, but not limited to vehicle reports, test reports, crash reports, media reports, consumer or customer reports, claims, demands, and lawsuits. A manufacturer or operator

[5] See page 17 of Appendix to February 23, 2024 Comments of Auto Innovators on NHTSA's Report to Congress on Proposed Improvements to Early Warning Reporting Data.
[6] See 49 CFR § 579.4.

has notice of a crash or a specified reporting criterion (i.e., fatality, a resulting hospital-treated injury, vehicle tow-away, air bag deployment, or the strike of a vulnerable road user) when it has notice of facts or alleged facts sufficient to meet the definition of a crash or a specified reporting criterion, regardless of whether the manufacturer has verified those facts. "Notice" does not encompass any crash that you learned about solely from another entity's report pursuant to this General Order if you have no materially additional or different information to report. If you have any other source of notice regarding this crash, your duty to report the incident runs from the date the separate notice is received.

The Part 579 reporting numbers and the breadth of the SGO requirements lead Auto Innovators to conclude that NHTSA's estimate is significantly understated. Looking at crash statistics and the increasing number of new vehicles with Level 2 ADAS features further suggests that agency estimates are not correct.

Recommended changes to the data collection. If OMB grants NHTSA's request to continue data collection, Auto Innovators recommends the following changes to the SGO:

- Eliminate reporting requirements for vehicles that are considered SAE Level 2. Any driver assistance system that requires the driver to maintain attention and remain in control of the vehicle should not have any required reporting. As noted above, vehicles with Level 2 ADAS technologies make up a growing percentage of the new vehicle fleet. NHTSA's defect and recall authority already includes making determinations on whether system or feature is not appropriately working. Numerous reports required under 49 CFR Part 579 provide insight into feature performance as do the Vehicle Owner's Questionnaire, which allows consumers to report concerns directly to the agency. In the absence of Level 2 reporting under the SGO, NHTSA will continue to receive robust safety data from other sources.
- Revise the definition of crash to explicitly exclude minor property damage and eliminate the requirement that ADS crashes with less than $1,000 in property damage be reported. In the case of modern vehicles, especially those with ADS sensors, a small fender bender could easily result in costs that are expected to exceed $1,000. The most common reporting requirement met under the revised SGO is airbag deployment.
- Consistent with the Administration's intention to harmonize automotive standards through mutual recognition, Auto Innovators recommends that NHTSA adopt the EU parameters in which companies must report data when the ADS or ADAS was engaged within 5 seconds of

the time to crash. [7] In addition, Auto Innovators recommends changing the reporting obligation from 5 calendar days to 5 business days.

Thank you for the opportunity to provide our comments.
Sincerely,

Sarah Puro
Vice President, Safety and Technology Policy

[7] https://unece.org/sites/default/files/2025-03/R171e.pdf See Section 7.2.1.1:
"The manufacturer shall notify the Type Approval Authority as soon as practical about any safety-critical occurrence the manufacturer becomes aware of, where the system or its features were switched to 'on' mode, or had been switched to 'on' mode within the last 5 seconds before the safety-critical occurrence."