July 3, 2026

National Highway Traffic Safety Administration
Office of State Data Reporting System Division (NSA-0120)
U.S. Department of Transportation
Room W43-481
1200 New Jersey Avenue SE
Washington, DC 20590

Re: Public Comment on NHTSA's State Data Transfer (SDT) Information Collection Request (Docket No. NHTSA-2026-1321; OMB Control No. 2127-0753)

I am responding to NHTSA's June 25, 2026 notice inviting comment on the State Data Transfer (SDT) Information Collection Request. I support renewal of the SDT program. The SDT program electronically reports police crash data from the States into NHTSA's national crash databases, and modernizing it is the right goal. But NHTSA should revise this ICR before OMB completes its review. SDT is the best opportunity to fix a longstanding and well-documented flaw in underride crash data. Underride occurs when a passenger vehicle goes under the front, side, or rear of a larger truck or trailer. National crash data undercounts and misclassifies underride crashes because the State police crash report forms that supply SDT often do not contain a dedicated underride field, and because NHTSA has not taken effective corrective action to improve the accuracy of data capture at the source.

This is a practical utility issue under the Paperwork Reduction Act. This notice expressly requests comment on ways to enhance the quality, utility, and clarity of the information to be collected. That standard is directly implicated here. NHTSA states that it uses SDT data to identify highway safety trends, evaluate the effectiveness of motor vehicle safety standards, and develop countermeasures, and that SDT data pre-populates Fatality Analysis Reporting System (FARS), the Crash Report Sampling System (CRSS), and the Crash Investigation Sampling System (CISS). When fatal underride crashes are inconsistently coded or not recorded on the police crash report, the data SDT transfers are less useful for exactly the purposes the notice identifies, and the same gap carries into FARS, CRSS, and CISS.

Underride is not a trivial or isolated crash category. The Government Accountability Office reported that from 2008 through 2017 an average of about 219 fatalities from underride crashes involving large trucks were reported annually, while also concluding that those fatalities were likely underreported because of variability in State and local data collection. NHTSA's recent side underride analysis found that fatalities associated with side underride were 78 percent higher than reported in FARS, corresponding to an estimated average of 89 light-passenger-vehicle-occupant fatalities annually, and had to be identified through detailed police crash report review rather than captured reliably in the data.

I have raised this same underride data issue with the agency for years through other formal channels. In April 2023, I submitted an Administrative Procedure Act petition asking USDOT and NHTSA to standardize underride definitions, differentiate rear underride, side underride, and front override, require an underride or override checkbox on State police crash report forms as States modernize electronic reporting, and provide recurring training to FARS analysts and law enforcement. In September 2023, I submitted a public comment on NHTSA's State Data Transfer ICR and tied underride capture to State electronic data collection, MMUCC alignment, and standardized data transfer to NHTSA. NHTSA responded in April 2025, but largely narrowed the issue to whether the agency can compel States through FARS alone and pointed to an underride information pamphlet and existing training. This SDT ICR describes exactly the leverage the April 2025 response was missing. The SEDC grant already requires participating States to modernize their crash data repositories, align with the Model Minimum Uniform Crash Criteria, and transfer standardized data electronically. A dedicated underride data element belongs in the set of reporting requirements.

The following points explain why NHTSA should revise this ICR to address the underride data deficiencies identified below.

1. **Underreported underride data is not a new issue.**

NHTSA analyses and GAO findings have documented for years that underride crashes are underreported because reporting practices vary across jurisdictions and many State police crash report forms do not include a dedicated underride field. GAO found that only 17 State crash report forms had a specific underride field when it examined the forms from the 50 States and the District of Columbia. The presence or absence of that field directly affects whether underride crashes are captured in the national crash databases that SDT supplies.

2. **The SDT program is the right place to fix this, and the fix is already underway for everything except underride.**

This ICR describes a program built to standardize what the States collect and transmit. SEDC grantees must upgrade their statewide crash data repositories, adopt electronic crash reporting by law enforcement, and increase alignment with the latest MMUCC. The 6th Edition of MMUCC, released in January 2024, already includes an underride/override data element. The field the States would need to capture underride is written into the standard the SEDC grant requires them to align with. Ten Non-SEDC States are already converting to SEDC requirements, and the rest are building the capability to do so by January 2030. The data elements are being added, mapped, and standardized across the participating States. Adding underride costs far less now, while repositories are being rebuilt and MMUCC alignment is being accomplished, than it will cost to retrofit later. What is missing is not the data element. It is a requirement that States capture it and transmit it through SDT. If underride is left out of this modernization, the national databases will keep undercounting underride crashes even after the States finish transferring their data electronically.

3. **NHTSA's April 2025 response does not resolve the underlying problem, and this ICR shows why.**

NHTSA's April 2025 response stated that the agency cannot require States to provide specific data or modify their police crash report forms through the FARS program, and does not treat FARS participation as mandatory. Whatever the limits of the FARS program, they do not apply here. The SEDC grant is a discretionary program that already imposes specific requirements on grantees, including MMUCC alignment and standardized electronic transfer. NHTSA sets the terms of that grant. It can add a dedicated underride data element to the standardization and MMUCC-alignment requirements that grantees have already agreed to meet. For Non-SEDC States transmitting under a memorandum of understanding, NHTSA sets the terms of the MOU and the data mapping. NHTSA has these tools, and this ICR describes them. What remains is for the agency to require States to capture underride consistently rather than relying on correction factors after the data reach FARS. This is a simple fix to a known data problem.

4. **Guidance and a pamphlet are not a substitute for a discrete data element and consistent State capture.**

NHTSA's underride pamphlet may address part of the GAO recommendation for training and guidance, but it is not a substitute for a dedicated underride checkbox or field on the police crash report form. Unless underride is recorded as a discrete data element in the State police crash report and carried through the SDT transfer into the national databases, those databases will continue to undercount underride crashes. That shortcoming also matters under DOT Order 1351.29A, which directs DOT to maximize the utility of the information collected and to design information collection instruments consistent with the intended use of the information. An SDT transfer that carries no underride element cannot serve its intended safety and rulemaking uses for underride crashes.

5. **Improved capture at the source strengthens the rulemaking and economic analysis that depend on this data.**

NHTSA states that SDT supplies critical volume for cost-benefit analyses and safety standard evaluation. Accurate underride counts and injury severity distributions are exactly what benefit-cost analysis under OMB Circular A-4 requires. When the agency has to reconstruct underride fatalities through manual police crash report review because the field does not exist, the resulting estimates depend on proxy adjustment factors rather than direct counts. Underride must be captured as a discrete element in SDT so the agency can retire the adjustment factors and count these crashes directly in FARS, CRSS, and CISS.

6. **Passenger-vehicle and vulnerable road user underride crashes should be tracked separately.**

Vulnerable road user underride crashes should be identified and reported separately from passenger-vehicle underride crashes. FARS records pedestrian and bicyclist fatalities, but it does

not flag the cases where a pedestrian or bicyclist goes under the side or rear of a truck or trailer. Those deaths are counted as ordinary pedestrian or bicyclist fatalities, with no way to identify them as underride. These crashes differ materially from passenger-vehicle underride. The SDT data elements and coding guidance must require States to capture vulnerable road user underride as a distinct event, separate from passenger-vehicle underride. Voluntary reporting has produced the undercount the agency is trying to correct, so this reporting must be mandatory, not left to State discretion.

7. **I offer this as an expert with Federal-State data agreements.**

During a 30-year career with the U.S. Fish and Wildlife Service, I managed cooperative agreements and grant programs with States under Section 6 of the Endangered Species Act. Those agreements provided Federal funding to support State data collection and required measurable progress toward agreed objectives. Federal agencies routinely use funding conditions, standardization requirements, and performance review to shape how States collect and report data. The SEDC grant and the SDT MOUs work the same way. The mechanism to require a dedicated underride element already exists in the program this ICR describes.

Requested action

For years, NHTSA has known that underride cases are missed in the national crash databases. SDT reports State crash data into those databases, and the SEDC modernization is the chance to capture these crashes at the source. Each recommendation below is directed at improving the quality, clarity, and utility of the information collected under this ICR, consistent with the PRA and with DOT Order 1351.29A. Specifically, NHTSA should:

1. Add a dedicated underride data element to the SEDC grant standardization and MMUCC-alignment requirements, and to the non-SEDC memoranda of understanding and data mapping, so that a discrete underride field is captured and transferred through SDT.

2. Establish adoption timelines and completeness benchmarks for underride capture within the SEDC implementation schedule that already runs through January 2030, rather than treating underride as a later add-on.

3. Revise the underride data elements and coding guidance so that pedestrian, bicyclist, and other vulnerable road user events involving going under the side or rear of a truck or trailer are identified and tracked separately from passenger-vehicle underride crashes.

4. Take corrective action to improve the accuracy of underride capture at the source so that the SDT collection under OMB Control No. 2127-0753 aligns with DOT Order 1351.29A.

5. Report, at minimum in the administrative record for this ICR, on the actions taken, the timelines and benchmarks established, and the measurable progress made toward adoption of underride reporting in the State crash reporting systems that supply SDT.

Thank you for your consideration.

Sincerely,
Eric Hein