



March 17, 2024

Mr. Peter Simshauser
Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

RE: Agency Information Collection Activities; Notice and Request for Comment; Reporting of Information and Documents About Potential Defects [Docket No. NHTSA-2025-0004]

Dear Mr. Simshauser,

The Alliance for Automotive Innovation (Auto Innovators) appreciates the opportunity to provide comments in response to the February 14, 2025 *Federal Register* notice and request for comments on the agency's intention to seek an extension of the information collection on the "Reporting of Information and Communications about Potential Defects" without change.^{1,2}

Auto Innovators members have a long history of not only complying with these requirements but also supporting efforts to make the Early Warning Reporting (EWR) process achieve its public policy purpose more efficiently. We have emphasized the importance of ensuring that this information collection activity appropriately balances the utility of collecting certain data for identifying potential defects, while also seeking to minimize the overall reporting burden. And we have appreciated the opportunity for dialog with NHTSA toward improving the EWR regulation. This is particularly relevant in the context of this information collection request given that significant resources are required to collect, compile, format, analyze, classify, and report early warning data to NHTSA.

We write to express our concern that the agency's proposal to extend this information collection activity does not include any proposed modifications to the existing process for elements that have been identified by the agency as being low utility. More specifically, in developing its request to OMB, NHTSA has not provided sufficient justification on the ongoing utility of collecting *aggregate data*, which includes aggregated information such as consumer complaints, property damage, warranty claims, and field reports. This review and justification are necessary to ensure the information collection activity meets the intent of the Paperwork Reduction Act.

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 approximately 5 percent of the country's GDP, responsible for supporting nearly 10 million jobs, and driving \$1 trillion in annual economic activity, the automotive industry is the nation's largest manufacturing sector.*

² 90 FR 9655

The collection of aggregate data does not provide practical utility.

While we recognize that NHTSA may have previously contemplated that aggregate data would provide public utility when first establishing the EWR requirements, it has become increasingly clear (through both our members' experience in complying with these requirements for over 20 years, as well as the agency in reviewing it) that these data have limited or no practical utility. In fact, this fact was discussed in the agency's May 10, 2023, Report to Congress on Proposed Improvements to Early Warning Reporting Data.³

- *[Page 4] "NHTSA studied EWR data and identified potential improvements by 1) reviewing the current EWR reporting requirements and related rulemaking and legislative histories; 2) studying prior reviews of the effectiveness and burden of current reporting requirements; and 3) evaluating changes to current reporting requirements that would optimize NHTSA's data analytics and risk-based pre-investigation processes. This work found that copies of non-dealer field reports, death and injury claims and notices, property damage claims, foreign recalls and manufacturer communications have been the most effective parts of current reporting, and that aggregate reporting of consumer complaints and field reports were the least effective while also presenting high reporting burdens. Based on this, NHTSA focused its study on identifying methods for improving requirements that have been effective and considering deemphasizing reporting requirements with low effectiveness and high reporting burden."*
- *[Page 13-14] "From the 2016 Advancing Safety Through Data Conference through 2022, the Office of Defects Investigation (ODI) continued to meet with industry groups, individual manufacturers in each of the reporting categories, and other highway safety stakeholders to review ideas for improving EWR data, including burdens associated with current reporting, improvements in the reporting of production information, field report metadata, and processes for death and injury reporting and follow-up queries. From these discussions, the Agency has determined that incident level reporting is the most likely to reveal early signals of potential safety defects and that aggregate data provides the least benefit while significantly contributing to reporting burden."*

We completely agree with the agency's assessment that aggregate data collection provides the lowest utility and the highest reporting burden. The non-objective way in which the data sources are defined, as well as differences in business processes across the automotive industry, essentially render the data unusable for any robust statistical comparison to enable early detection of field issues. Given that both the industry and NHTSA agree there is no practical utility for aggregate data, there is no reason to extend this portion of the information collection for an additional three years. Auto Innovators requests that NHTSA modify its information collection approval request to OMB and remove the collection of aggregate data.

To the extent that OMB does not approve the collection of aggregate information, NHTSA should also update Part 579 to remove the corresponding reporting requirements.

Auto Innovators remains committed to working collaboratively with the agency on improve EWR reporting and help it to achieve the original public policy objectives more efficiently. In the near-term, removing requirements related to aggregate data would allow for a more focused and efficient use of

³ See: <https://www.nhtsa.gov/sites/nhtsa.gov/files/2023-05/Proposed-Improvements-Early-Warning-Reporting-Data-Report-to-Congress-5-10-2023.pdf> (Accessed March 2025)

government and industry resources in analyzing other data that may be more effective for identifying potential defects.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'SP' followed by a horizontal line.

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