



October 17, 2024

Sophie Shulman
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

RE: Request for extension of comment deadline – Federal Motor Vehicle Safety Standards; Pedestrian Head Protection, Global Technical Regulation No. 9; Incorporation by Reference; 89 FR 76922.

Dear Ms. Shulman,

The Alliance for Automotive Innovation (Auto Innovators) requests a 30-day extension of the public comment regarding the recently issued Notice of Proposed Rulemaking (NPRM) that seeks to establish a new Federal Motor Vehicle Safety Standard (FMVSS) on Pedestrian Head Protection based on Global Technical Regulation No. 9 (GTR No. 9).^{1,2} This 89-page proposed rule appeared in the *Federal Register* on September 19, 2024, with a published comment deadline of November 18, 2024. Additional time is necessary to enable the Association and our members to conduct a detailed review of the NPRM and provide constructive feedback on the agency's proposal, including the Preliminary Regulatory Impact Analysis (PRIA) that was published late: more than a week after the notice.

As noted in prior comments to the agency, Auto Innovators remains supportive of the Department of Transportation's efforts to address pedestrian protection.³ However, based on a preliminary review, we have significant concerns that the NRPM does not align with how the GTR is being implemented in other parts of the world. What is more, we are concerned that the agency's proposal will likely require substantial vehicle design changes that have not been fully considered by the agency.

The extension will be used to evaluate the practicability and complexity of the design changes (and corresponding lead time) needed to meet the proposed requirements, and more fully evaluate the regulatory impact and unanticipated costs that will be imposed on consumers as a result of new US-specific regulations. It will also enable commenters to develop more detailed comments to inform the rulemaking process, which will benefit the agency. In particular, there may be a need for the association to compile anonymized and aggregated industry data to provide the agency support for our positions. A 30 day extension would make the comments due no later than December 18, 2024.

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 maintain U.S. competitiveness in cutting-edge automotive technology. 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 89 FR 76922

³ [Auto Innovators Comments to NHTSA on GTR No. 9 – July 7, 2022](#)

In addition to this extension request, we also note that NHTSA is expected to make a final decision on Pedestrian Protection in New Car Assessment Program (NCAP) based on this newly proposed standard; a decision notice is currently under review by the Office of Management and Budget (OMB).⁴ While we remain supportive of updates to NCAP, it is also important that the process for updating the program be data driven and that it does not inadvertently prejudice or limit the potential outcome of this rulemaking effort while subject to public comment.⁵

Please contact me if you have any questions. We look forward to any follow-up with the agency to discuss this request further.

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

Cc: Mr. Ryan Posten

⁴ [RIN: 2127-ZA22 Pending EO 12866 Regulatory Review](#)

⁵ Typically, FMVSS sets the performance standards that vehicles are required to meet prior to sale in the United States. The NCAP consumer information program then builds upon regulation by rating vehicle performance based on the extent to which it meets or exceeds these standards. In other words, higher levels of performance yield higher ratings.