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## **Truck Safety Coalition and Advocates for Highway and Auto Safety File Petition to NHTSA to Reconsider Inadequate Rear Underride Final Rule**

*Washington, DC* – Today, the Truck Safety Coalition (TSC) and Advocates for Highway and Auto Safety (Advocates) jointly filed a formal [petition](#) for reconsideration to the National Highway Traffic Safety Administration (NHTSA) in response to its inadequate and alarming [final rear underride guard rule](#) for commercial motor vehicles (CMVs).

TSC Board Member Jennifer Tierney, who lost her father to an underride crash, said, “For those of us who have lost loved ones in these incredibly violent underride crashes, the rule is exasperating and heartbreaking. We urge U.S. Department of Transportation (DOT) Secretary Pete Buttigieg and NHTSA Administrator Steve Cliff to take immediate action to improve the rule to protect all road users and prevent future needless tragedies.”

Underride crashes involve a passenger vehicle passing under the front, side, or rear of a large truck. These crashes are nearly always fatal or result in lifelong, debilitating injuries because standard safety features of a passenger vehicle frequently do not deploy as the vehicle passes underneath the CMV. This is a well-known safety concern that the U.S. DOT has been studying for well over 50 years. Despite some passenger vehicles being safer than ever, the Insurance Institute for Highway Safety (IIHS) estimates that in two-vehicle crashes involving a passenger vehicle and a large truck, 97% of the fatalities occur to passenger vehicle occupants.

NHTSA’s rear underride guard final rule fails to even meet Infrastructure Investment and Jobs Act (IIJA) requirements, dropping the directive to issue a standard effective at 35 mph when 30% of the passenger vehicle overlaps with the rear underride guard. In fact, by NHTSA’s own admission, 94% of CMVs are

already in compliance with their new final rule. Former NHTSA Administrator and Citizens for Reliable and Safe Highways (CRASH) Board Chair Joan Claybrook described the rule as “nothing less than regulatory malpractice.”

Moreover, this rule acknowledges the cost differential of readily available guards which meet IIJA requirements ranges between \$100-\$1,000, a fraction of the cost to purchase and maintain a CMV.

Cathy Chase, president of Advocates, urges NHTSA to take advantage of the opportunity to reconsider the rear underride guard rule. “NHTSA must do the right thing by adopting a comprehensive safety standard for underride guards. There is no sound excuse for the rule, at a minimum, to not meet the test the Insurance Institute for Highway Safety (IIHS) has been using to rate rear underride guards for the last five years, especially considering nine major trailer manufacturers meet it. As the agency tasked with ensuring safety on our roadways, NHTSA has a responsibility to combat the recent surge in truck crash deaths and injuries. Improving the underride standard is one of many needed improvements.” According to NHTSA, large truck fatalities increased 13% over the previous year. Annually, there are over 146,000 injuries. Since 2009, truck crash deaths have increased by 66%. Chase continued, “These figures are sobering and behind every number is a tragic loss and a family irreparably devastated.”

The TSC and Advocates argue that NHTSA failed to consider all available data involving underride crashes as required by law in proposing the final rule, saying “the Final Rule is not in the public interest.” The petition additionally was co-signed by several TSC families and individuals who have suffered immeasurable loss and suffering due to insufficient underride protection.

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*The Truck Safety Coalition (TSC) is a partnership between Citizens for Reliable and Safe Highways (CRASH), also known as The CRASH Foundation, and Parents Against Tired Truckers (P.A.T.T.). The Truck Safety Coalition is dedicated to reducing the number of deaths and injuries caused by truck-related crashes, providing compassionate support to truck crash survivors and families of truck crash victims, and educating the public, policymakers, and the media about truck safety issues. Visit our website at <https://trucksafety.org>*

[Advocates for Highway and Auto Safety](#) is an alliance of consumer, medical, public health, law enforcement and safety groups and insurance companies and agents working together to make America's roads safer. Advocates' mission is the adoption of federal and state laws, policies and programs that prevent motor vehicle crashes, save lives, reduce injuries, and contain costs.