National Association of
City Transportation Officials

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The Honorable Jonathan Morrison
Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE
Washington, DC 20590-0001

Administrator Morrison:

On behalf of the National Association of City Transportation Officials (NACTO), I am responding to the National Highway Traffic Safety Administration's (NHTSA) request for comment on updating the NHTSA's New Car Assessment Program (NCAP) by adding rear automatic braking (RAB) systems with pedestrian avoidance ability to the advanced driver assistance systems (ADAS) technologies [Docket No. NHTSA-2026-1156].

NACTO's member cities are leaders in road safety planning and design, and have championed the implementation of proven tools to reduce serious injuries and fatalities on their streets. Our member cities have long advocated for the inclusion of Pedestrian Automated Emergency Braking (PAEB) systems in both the Federal Motor Vehicle Safety Standards (FMVSS) and NCAP, and are pleased to see the proposed inclusion of RAB, another critical tool for pedestrian safety. As noted in the RFC, RAB systems could prevent 36 pedestrian-involved fatal backing crashes every year, with disproportionate benefits for small child victims.

As passenger vehicle sizes increase, we are especially glad to see the inclusion of an RAB test scenario for both an adult and a two-year-old pedestrian. We also support the proposal's recommended performance criteria for evaluating RAB: (1) the vehicle shall not contact the test mannequin; (2) an auditory warning shall be provided prior to RAB system brake application onset; (3) the RAB system shall default to "ON" after each ignition/key cycle; and (4) after the vehicle comes to a complete stop, its brakes shall not be released unless test mannequin is no longer in the vehicle's path or the driver performs a deliberate override action.

NCAP could better serve consumers if the RAB tests also included the following:

1. Dark and Inclement Weather Conditions Testing
In 2024, NHTSA added PAEB tests in dark conditions with no overhead lighting, and we ask that the same be added for RAB tests. Research shows that PAEB systems are less effective in dark or inclement weather than during daylight and fair weather. NACTO urges NHTSA to incorporate testing procedures that account for these known shortcomings in keeping with the addition of darkness testing for PAEB systems in 2024.

2. Testing Effectiveness on a Broader Range of Skin Tones
A 2019 Georgia Institute of Technology study found that autonomous vehicle technology does not "see" darker skin as well as lighter skin, and calls for additional investigation into this phenomenon. Research shows that Black and Indigenous people are disproportionately killed while walking. Testing RAB's ability to detect and respond, especially to vulnerable road users of color, is a critical step in eliminating these disparities.

3. Inclusion of Bicycle Speeds Testing
The current RAB test proposal for moving pedestrians would evaluate system performance for an adult traveling at 5 km/h (3.1 mph) and a 2-year-old child traveling at 3.2 km/h (2 mph) from both the left and the right, with the vehicle moving at both 4 km/h (2.5 mph) and 8 km/h (5 mph). NACTO recommends adding a third moving pedestrian scenario of an adult traveling at 16 km/h (10 mph) to account for potential bicyclist movements behind a vehicle in reverse. In particular, when motor vehicles are reversing out of a driveway onto a street, it is common for a person on a bicycle to pass behind at 10-14 mph.

We sincerely appreciate the NHTSA's efforts to advance safety through thoughtful research and stakeholder engagement. Thank you for the opportunity to contribute to this process.

Sincerely,

Ryan Russo
Executive Director
National Association of City Transportation Officials