



April 9, 2019

Chairman David Price  
Committee on Appropriations  
Subcommittee on Transportation,  
Housing and Urban Development  
2358-A Rayburn House Office Building  
Washington, DC 20515

Ranking Member Mario Diaz-Balart  
Committee on Appropriations  
Subcommittee on Transportation,  
Housing and Urban Development  
2358-A Rayburn House Office Building  
Washington, DC 20515

**RE: Department of Transportation Fiscal Year 2020 Budget Request**

Dear Chairman Price and Ranking Member Diaz-Balart:

The Center for Auto Safety (“the Center”) submits the following letter in connection with the appropriations request by the Department of Transportation (DOT) for Fiscal Year 2020. Specifically, this letter focuses on the budget request for the National Highway Traffic Safety Administration (NHTSA). The Center, founded in 1970, is an independent, member-driven, non-profit consumer advocacy organization dedicated to improving vehicle safety, quality, and fuel economy not only for our members, but all drivers, passengers, and pedestrians across the country. We appreciate the Subcommittee carefully considering input from all stakeholders and stand ready to assist in any way we can to improve the effectiveness of the agency that more than 300 million Americans depend on for the safety and quality of our vehicles and our roads.

On behalf of our members nationwide, the Center calls upon Congress to appropriate budgetary levels commensurate with the scope of the task facing NHTSA at a critical moment in auto safety.

Despite pledges to make a safety a priority, the budget request submitted on behalf of DOT in FY 2019 would have slashed NHTSA’s funding by almost 11% from its FY 2018 levels. This requested dramatic cut came at a time when there are more than 37,000 traffic deaths and over 2 million serious injuries caused by traffic incidents annually. Sadly, based on preliminary data, 2018 saw another increase in traffic deaths involving some of our most vulnerable road users – pedestrians. Some estimates suggest there were over 6,200 pedestrian traffic deaths in 2018. At this point,<sup>1</sup> the preliminary data for 2018 indicates the nation still suffers more than 100 deaths every day associated with motor

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<sup>1</sup> Governors Highway Safety Association, *Pedestrian Traffic Fatalities by State: 2018 Preliminary Data*, available at: <https://www.ghsa.org/resources/Pedestrians19>.

vehicle crashes. We need a more effective and empowered NHTSA, not a weakened agency.

For FY 2020, NHTSA's budget request is in line with the larger DOT philosophy of promising safety but cutting areas that actually deliver on those promises. The budget request seeks to significantly decrease funding to the areas of the agency that are the most likely to deliver safety results to the American people. In FY 2019, thanks to this Subcommittee, NHTSA's enacted appropriation for "Vehicle Safety Programs," (which are the heart of the agency) was \$190,000,000. For FY 2020, DOT has requested \$151,000,000 for this vital program – a 21% decrease in funding.

The areas that DOT is choosing to underfund at NHTSA, the Rulemaking, Enforcement, and Research and Analysis departments, have been directly responsible for vehicle crashworthiness and other safety standards that make have saved hundreds of thousands of lives since NHTSA's founding five decades ago.<sup>2</sup> Smart, targeted regulations make a real difference when it comes to safety in our cars and on our roads. Congress, from time to time, has chosen to enact a higher level of funding to a safety agency than the level requested by the Executive branch. Once again, on behalf of all Americans impacted by vehicle safety, we call upon you to take a similar path for FY 2020 and beyond.

### **Enforcing the Law**

NHTSA's mission, which is to reduce deaths, injuries, and economic losses resulting from motor vehicle crashes, provides jurisdiction covering all passenger motor vehicles in the United States. Unfortunately, there is a lot of work for NHTSA to do. In addition to the rising number of deaths caused by traffic crashes every year, recent years have seen recalls resulting from defective vehicles climb to historic numbers. In 2016, there were over 53 million vehicles recalled, which was the third year in a row with recalls exceeding 50 million, totaling more than 150 million recalls over a three-year period. These numbers include, but are not limited to, the 42 million vehicles and counting under recall resulting from the defective Takata airbag inflators. In other words, even without Takata, there are tens of millions of defects resulting in recalls across all auto manufacturers.

Yet, despite these record setting recall figures, NHTSA's Office of Defects Investigation (ODI), the unit directly responsible for conducting defect investigations and overseeing recalls, remains chronically underfunded and understaffed. In the FY 2019 enacted budget, Vehicle Safety's share of the NHTSA total appropriation was \$190 million of which \$33 million was for ODI. Incredibly, despite the record number of recalls and the increase in motor vehicle deaths, injuries, and societal costs over the past few years, in its proposed FY 2019 budget, NHTSA has *reduced* its request for Vehicle Safety to \$151 million and ODI funding down to \$19.5 million.<sup>3</sup> American drivers deserve more cops on the safety enforcement beat.

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<sup>2</sup> <https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/annualvehiclerecallssince1996.pdf>

<sup>3</sup> <https://www.transportation.gov/sites/dot.gov/files/docs/mission/budget/334271/fy-2020-nhtsacbj-submission-final-31219-tag.pdf>.

## Self-Driving Cars

When it comes to self-driving cars, it is essential NHTSA plays an integral role in ensuring the safe operation of these robot-vehicles. Research has always been a key function of the agency and must continue to be a priority as the cars of the future are being conceived, tested on the open road, and eventually deployed in our neighborhoods.

Yet, when examining the FY 2020 budget, one finds NHTSA's request for "Vehicle Safety Research and Analysis activities" reduced by over \$16 million, a 33% reduction, from enacted FY 2019 levels, down to \$32.8 million. These activities are designed to "enhance the safety and security of automotive electronic control systems while supporting the safe adoption of vehicle automation technologies,"<sup>4</sup> At a time when many members of Congress have acknowledged the need to ensure the safe development of self-driving vehicles and when private industry is spending tens of billions of dollars in this space – the federal government must be able to, at the very least, maintain its current funding levels to provide the necessary oversight of this potentially society changing technology. A reduction in research funding works in opposition of this goal.

## Writing Rules of the Road

NHTSA's Safety Standards Support program is responsible for promulgating the rules that Congress directs be written. An even playing field that provides guidance for all players in the auto manufacturing space is necessary for safety and a well-operating marketplace. Yet, as technology advances, the job of writing the relevant rules becomes even harder. As NHTSA's budget request notes:

Motor vehicle technology is becoming increasingly complex and the agency's knowledge and expertise must continue to evolve to inform policy decisions. The requested funding will allow NHTSA to update standards to keep pace with rapid technological change and ensure the agency retains its ability to effectively protect the safety of the American driving public.<sup>5</sup>

Despite, claiming that the "requested funding" for FY 2020 will accomplish this task, NHTSA has requested only \$2.041 million for this increasingly "complex function." This move will only undercut the timeliness of rulemakings and harm consumer safety.<sup>6</sup> One must wonder if this is because of the current Departmental preference for voluntary guidance over mandatory rules.<sup>7</sup>

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<sup>4</sup> <https://www.transportation.gov/sites/dot.gov/files/docs/mission/budget/334271/fy-2020-nhtsacbj-submission-final-31219-tag.pdf>.

<sup>5</sup> <https://www.transportation.gov/sites/dot.gov/files/docs/mission/budget/334271/fy-2020-nhtsacbj-submission-final-31219-tag.pdf>, page 48

<sup>6</sup> Christopher Jensen, *Researcher Says Auto Safety Measures Prevented Millions of Deaths, March 12, 2018* available at: <https://www.fairwarning.org/2018/03/research-finds-auto-safety-measures-saved-5-8-million-lives-half-century/>

<sup>7</sup> See *Preparing for the Future of Transportation, Automated Vehicles 3.0*, <https://www.transportation.gov/sites/dot.gov/files/docs/policy-initiatives/automated->

## Conclusion

Money alone will not make any safety agency function perfectly. The ability for NHTSA to realize its full potential to save lives, prevent injuries, and reduce the economic burdens due to crashes on our nation's roads lies with political leadership committed to fulfilling the agency's statutory mission, a dedicated career staff, and the multitude of stakeholders with which those civil servants work on a daily basis. However, the agency tasked with overseeing so much of our nation's traffic and vehicle safety cannot reach this potential with one arm tied behind its back. Underfunding this critical agency is counterproductive to the safety goals I am sure we all share.

On behalf of the Center for Auto Safety and our members, thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Levine". The signature is fluid and cursive, with a large initial "J" and "L".

Jason Levine  
Executive Director

cc: Honorable Nita Lowey  
Honorable Kay Granger