

PBOT

PORTLAND BUREAU OF TRANSPORTATION

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Ted Wheeler Mayor Millicent D. Williams Director

November 18, 2024

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

SUBJECT: Comments on Notice of Proposed Rulemaking for the proposed Pedestrian Head Protection Federal Motor Vehicle Safety Standard [Docket No. NHTSA-2024-0057-0001]

Dear Acting Administrator Shulman,

The Portland Bureau of Transportation (PBOT) is pleased to submit comments in response to the proposed Pedestrian Head Protection Federal Motor Vehicle Safety Standard (Docket No. NHTSA-2024-0057-0001).

We are glad to see NHTSA propose a rule that explicitly addresses vehicle design—including the design of light trucks—to improve pedestrian (and bicyclist) safety. We largely support the proposals and urge you to go further in some instances.

Portland is a city of about 650,000 residents. Portland is also a Vision Zero city, having committed to the goal of eliminating traffic deaths and serious injuries in 2015. We are serious about our responsibility to protect Portlanders and visitors who travel on our streets. This past year however, 69 people died traveling in Portland, the highest number of traffic deaths in at least three decades.

The Portland Bureau of Transportation (PBOT) has adopted a Safe System approach to saving lives with safe streets, safe speeds, safe people, and safe vehicles. We have successfully funded and secured policy wins to build safer, slower streets in Portland. We work with students and community members to build a culture of shared responsibility. However, locally, we are limited in actions we can take to advance safe vehicles, and we seek federal leadership in this space.

The [National Roadway Safety Strategy](#) articulates that the Safe System approach calls not only for safer people and safer roads, but also explicitly for Safer Vehicles with “[systems and features that help to prevent crashes and minimize the impact of crashes on both occupants and non-occupants.](#)” While regulators have continued to press for design changes that make motor vehicle drivers and passengers safer in the event of a crash, the same has not been done for those outside of a motor vehicle.



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As a member of the National Association of City Transportation Officials (NACTO), Portland contributes to the organization's efforts to promote and develop guidance on vehicle safety standards. We support the detailed comments that NACTO submitted in response to NHTSA's Notice of Proposed Rulemaking for Pedestrian Head Protection Federal Motor Vehicle Safety Standard (Docket No. NHTSA-2024-0057-0001).

Specifically, Portland urges NHTSA to consider the following specific comments on the proposed rule:

- We oppose NHTSA's exclusion of vehicles with a very short hood and a front shape that's close to vertical.
- We support NHTSA's intent to apply FMVSS 228 to rear-engine vehicles and bidirectional vehicles.
- We support a test speed above 35 km/h to capture a greater percentage of pedestrian impacts and achieve additional safety benefits.
- We support NHTSA's proposal to apply the more stringent test requirement to cover instances where the first contact between a pedestrian and motor vehicle occurs in more than one area. As NHTSA notes in the NPRM, this is a simple and common-sense approach.
- We encourage NHTSA to shorten the 2-year implementation timeline, given that manufacturers are already required to meet similar targets in other markets.
- We support NHTSA's proposed Regulatory Option 3, to test the entire hood top, given that it would have substantially more safety benefits than the currently proposed Option 2.
- We request that NHTSA include grilles (in addition to hoods) in the proposed rule, as well as any other location where a child's head could impact a car or light truck when hit.

In addition, Portland strongly supports NACTO's call for more action from NHTSA on vehicle design.

- Regulate vehicle height and weight to stem the tide of fatal crashes involving light trucks.
- Adopt a minimum forward visibility standard for all passenger vehicles and heavy trucks.
- Require Intelligent Speed Assistance (ISA) in all new vehicles.
- In future rulemakings, regulate after-market modifications to ensure the hood requirements set forth in FMVSS 228 are still met.

We thank you for the opportunity to comment on this rulemaking and stand ready to continue supporting the U.S. DOT's efforts to implement a Safe System approach and protect people walking, biking, rolling, and riding in motor vehicles on U.S. streets.

Sincerely,

A handwritten signature in black ink, appearing to read "Millicent Williams". The signature is fluid and cursive, with a prominent initial "M".

Millicent Williams, Director
Portland Bureau of Transportation