



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

ODI RESUME

Investigation: DP 22-004
Prompted by: Defect Petition
Date Opened: 01/17/2023
Investigator: Nate Seymour
Approver: Stephen Ridella
Subject: Semi-Trailer Rear Impact Guard
Reviewer: Joshua Neff

MANUFACTURER & PRODUCT INFORMATION

Manufacturer: Generic Manufacturer
Products: Van-Type Semi-Trailers (all years)
Population: 2,450,000 (Estimated)
Problem Description: The rear impact guard may allow light vehicles to underide a semi-trailer in the event of a crash.

FAILURE REPORT SUMMARY

	ODI	Manufacturer	Total
Complaints:	0	TBD	TBD
Crashes/Fires:	0	TBD	TBD
Injury Incidents:	0	TBD	TBD
Number of Injuries:	0	TBD	TBD
Fatality Incidents:	0	TBD	TBD
Number of Fatalities:	0	TBD	TBD
Other*:	1	TBD	TBD

*Description of Other: Defect Petition

ACTION / SUMMARY INFORMATION

Action: Further evaluation of the Defect Petition in order to grant or deny the petition.

Summary:

The Office of Defects Investigation (ODI) received a petition dated August 18, 2022, requesting an investigation of all van-type semi-trailers due to collisions with passenger vehicles and other vulnerable road users (pedestrians, bicyclists, or motorcyclists) resulting in significant injuries or death due to a lack of effective rear impact guards. No single trailer manufacturer or equipment supplier was identified. The petition itself can be reviewed at [NHTSA.gov](https://www.nhtsa.gov) under ODI Number 11481272.

Federal Motor Vehicle Safety Standard (FMVSS) numbers 223 and 224 contain performance requirements for rear underride guards on semi-trailers. On July 15, 2022, NHTSA published a final rule (87 FR 42339), which amended these standards. This action was taken in response to petitions for rulemaking from the petitioners, the Insurance Institute for Highway Safety (IIHS), and the Truck Safety Coalition (TSC). These revised standards went into effect January 11, 2023, with a compliance date of no later than July 15, 2024.

In support of their petition, the petitioners state that rear underride fatalities are known to be underreported, and that these fatalities—as well as the existence of certain rear impact guard options—indicate that semi-trailers lack effective rear impact guards. The petition acknowledges that the issues presented may be addressed by the actions the agency is taking pursuant to the Bipartisan Infrastructure Law. This defect petition has been opened to evaluate the issue and determine whether to grant or deny the petition.