



Date: July 20, 2023
To: NHTSA
From: Jascha Franklin-Hodge, Chief of Streets
Subject: Comments on Advanced Notice of Proposed Rulemaking for Side Underride Guards [NHTSA-2023-0012-0003](#)

Thank you for the opportunity to comment on the Advance Notice of Proposed Rulemaking for Side Underride Guards, and specifically the cost benefit analysis of Side Underride Guards for collisions with passenger vehicles.

Our major comment is that the Cost Benefit Analysis presented is missing a critical segment of the population who would benefit from side underride guards: vulnerable road users, including cyclists, pedestrians, people in assisted mobility devices, scooter riders, and other road users who are not inside a motor vehicle.

In 2010-2015, 9 out of the 10 cyclist fatalities in the Boston area involved large vehicles.

In 2015, the City of Boston became the first city in the nation to implement an ordinance requiring city-owned and city-contracted large vehicles (motor vehicles over 10,000 lbs and semi-trailers over 26,000 lbs) to be equipped with Side Underride Guards (side guards). Since then, cities around the country and one state¹ have taken the lead in requiring their government-owned and government-contracted fleets to be equipped with side guards. While we are confident that these measures have already saved lives, we need federal action to ensure that all vulnerable road users are protected from this horrific and readily preventable type of crash.

¹ Cities and states that have implemented Side Guard requirements for government-owned vehicles include Seattle Washington, Portland Oregon, San Francisco, Orlando and Fort Lauderdale Florida, Washington DC, New York, Denver Colorado, Boston/Cambridge/Somerville/Newton, and the State of Massachusetts.

Regarding the specific questions in section IV in the Request for Comment:

Question 1: The injury target population was obtained by reviewing crash data and estimating side underride underreporting in FARS through PCR reviews. We seek comment on the estimated injury target population resulting from underride crashes with PCI into the side of trailers.

- The Cost Benefit analysis injury target population should be extended to include vulnerable road users

Question 4: Are there other benefits that NHTSA has not considered that could be used to justify a mandate for side underride guards? The agency seeks information and supporting rationale concerning these additional benefits of side underride guards.

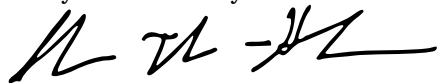
- Protection for vulnerable road users is well established by [Volpe](#) and others, and for this reason side guards are required in at least 43 countries, 12 US cities, and one state. With more and more people walking and biking in our cities, it is essential that this readily implementable design feature be required in new large vehicles to protect truck drivers from causing this type of crash, and other road users from being injured or killed.

Question 7: NHTSA's cost estimates were based on the AngelWing side underride guard manufactured by Airflow Deflector. NHTSA seeks relevant information on side underride guards that have been fully developed and tested and are currently available for installation on trailers in the United States.

- Please also analyze side guards intended to protect vulnerable road users. Volpe can provide information on readily available products designed to do this.

If you have any questions about our ordinance and program, we would be happy to speak with you.

Many thanks for your consideration.

A handwritten signature in black ink, appearing to be 'N. V. - J. L.', written in a cursive style.

Reference: [City of Boston Truck Side Guard Ordinance Flyer](#)