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Werner Enterprises, Inc. (Werner) appreciates the opportunity to comment on the Advance Notice of Proposed Rulemaking (ANPRM) promulgated by the National Highway Traffic Safety Administration (NHTSA). Werner supports enhanced safety technology on tractors and trailers. However, in this case, Werner agrees with earlier comments submitted by American Trucking Associations, Inc. (ATA), that additional research and testing is required prior to mandating side underride protection on newly manufactured trailers.

In its comment on this ANPRM, ATA stated that though it “supported the Bipartisan Infrastructure Law’s requirement to study side underride protection” and “commends NHTSA’s efforts in conducting the research,” there are overriding concerns about the potential for unintended safety and operational consequences, the net negative annual benefit calculated by NHTSA, and additional costs. Werner agrees with all three concerns. Further, Werner notes the numerous technical challenges posed by adding weight to trailers, including possible increases in fuel consumption and emissions, as well as difficulty in making high-grade railroad crossings and completing certain docking tasks, which may hang up or damage cargo and create safety hazards for other motorists, train operators, train passengers, and dock workers.

Based on these safety and operational concerns, Werner opposes the proposed requirement to install side underride protection on newly manufactured trailers. Werner appreciates the opportunity to comment on this rulemaking and would gladly provide more information or examples describing the concerns referenced herein.

Sincerely,

Jaime Hamm

Jaime Hamm
Vice President
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