

# Advisory Committee on Underride Protection November 15, 2023, Meeting Minutes

## Time and Location

The meeting was held November 15, 2023, at 12:30 – 4:30 p.m. ET. It was a virtual meeting conducted via Zoom for Government webinar.

## Participants

### National Highway Traffic Safety Administration (NHTSA)

James Myers, *Designated Federal Officer*

### Committee Members

Adrienne Gildea, *Law Enforcement, Committee Chair*

Daniel McKisson, *Labor Organizations*

Jane Mathis, *Families of Underride Crash Victims*

Marianne Karth, *Families of Underride Crash Victims*

Claire Mules, *Insurance Industry*

Matthew Brumbelow, *Insurance Industry*

Jennifer Tierney, *Truck Safety Organizations*

Harry Adler, *Truck Safety Organizations*

Aaron Kiefer, *Motor Vehicle Crash Investigators*

Lee Jackson, *Motor Vehicle Crash Investigators*

Jeff Zawacki, *Motor Vehicle Engineers*

Jeff Bennett, *Motor Vehicle Engineers*

Doug Smith, *Motor Carriers*

Dan Horvath, *Motor Carriers*

Kristin Glazner, *Truck and Trailer Manufacturers*

John Freiler, *Truck and Trailer Manufacturers*

Mindy Carter, *Emergency Medical Service Providers*

Ted Delbridge, *Emergency Medical Service Providers*

## Welcome and Call to Order

James Myers, Designated Federal Officer, welcomed everyone to the meeting and conducted roll call to verify the presence of a quorum. He noted that the meeting recording would be

made available online. He also made a statement clarifying the Committee’s purpose and abilities.

Adrienne Gildea, Committee Chair, stated that the meeting minutes will be circulated to Committee members for feedback after the meeting. The Chair also noted that the Committee is subject to the Federal Advisory Committee Act process and conduct requirements and reviewed participation guidelines and requirements for document submissions.

## New Member Introductions

The Chair acknowledged the new Committee members. Emergency medical service providers representatives Mindy Carter and Dr. Ted Delbridge introduced themselves. Law enforcement representative, Thomas Mrozinski was unable to attend the meeting.

## Discussion

The Chair reviewed the general topics for discussion identified in the prior meeting. Committee members were given the opportunity to present and discuss information related to underride.

Kristin Glazner suggested that the Committee meet monthly and have opportunities to meet in-person. The Committee discussed meeting frequency and scheduling. The Committee voted on a motion to request more frequent meetings, up to monthly, and the motion passed. Ms. Glazner also made a motion to request that NHTSA explain the rulemaking process, and the motion passed.

Jane Mathis and Jennifer Tierney stated that they had family members die in underride crashes and are long-time safety advocates. Jane Mathis lost her son and daughter-in-law in 2004. Jennifer Tierney lost her father in 1983. Jennifer Tierney stated support for monthly meetings with 30 days prior notice and urged the Committee to do all they can for underride protection.

Lee Jackson highlighted the U.S. Department of Transportation’s safe system approach. He stated that the Committee needs data in order to make recommendations and that NHTSA should provide information to the Committee. The Committee discussed submitting requests to NHTSA and agreed to compile a list of requests after all Committee members finished their presentations.

Matthew Brumbelow discussed the Insurance Institute for Highway Safety (IIHS) assessment of the Advance Notice of Proposed Rulemaking (ANPRM) on side underride guards<sup>1</sup> and the limitations of the analysis used in the ANPRM. He provided an alternative estimate of lives that could be saved by a side underride guard mandate. The IIHS analysis was submitted to the docket of the ANPRM during the comment period<sup>2</sup>.

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<sup>1</sup> Federal Register notice for the ANPRM on side underride guards published April 21, 2023, at [88 FR 24535](#).

<sup>2</sup> Public comments to the ANPRM are at Regulations.gov in NHTSA Docket NHTSA [NHTSA-2023-0012](#).

Aaron Kiefer discussed the SafetySkirt side guard system that he designed and showed crash test videos with and without the guard to demonstrate that the guard provided protection for a car striking the side of a trailer at 43.4 miles per hour in a crash test. There was some discussion amongst Committee members regarding the guard weight, ground clearance, test parameters, and the potential for testing by other companies.

Jeff Bennett provided an overview of NHTSA's statements on side underride protection and the lack of data to support rulemaking. He showed the Utility Trailers side underride guard and stated that customers decline installation of the guard due to concerns about weight and damage, as rigid side skirts are frequently damaged due to insufficient ground clearance. He also noted a lack of crash testing for different scenarios and emphasized crash prevention. There was some discussion regarding ground clearance.

Marianne Karth stated that the Committee mission is to provide recommendations and assess progress, and that the Committee needs information from NHTSA and from authors of various reports regarding their methods. She noted that the U.S. has not harmonized with the United Nations Economic Commission for Europe standard for front underride guards. There was some discussion about guard strength at the ends of side underride guards and questions about what tests have been completed.

Harry Adler stated that the Committee should review maneuverability and compatibility, protection for vulnerable road users, existing lateral protection devices and guards in the United States and internationally, and data collection and underreporting of underride in different states.

Dan Horvath stated that there are operational concerns for different trailer configurations and compatibility with infrastructure with low ground clearance. He also stated support for a focus on crash prevention and noted that the American Trucking Associations is working with the Federal Railroad Administration to reduce crashes on railroad crossings. The Committee discussed ground clearance and guards in other countries.

Doug Smith provided a history of infrastructure and current trailer configurations in the U.S. with a focus on raised railroad crossings, ground clearance, and weight. He discussed the differences between trailers in Europe and the United States. The Committee discussed weight limits, the proportion of trailers that are limited by weight, and concerns such as an increase in the number of trucks on the road.

The Committee discussed requests for NHTSA, including updates on current research and deliverables, identification of crash avoidance experts, and explanations of prior testing and decisions. There was some disagreement amongst Committee members regarding prioritizing or tabling requests and next steps for the Committee.

## Wrap Up

Discussion continued through the scheduled end time for the meeting. The Committee agreed to submit a list of requests to NHTSA compiled by the Chair, then the meeting adjourned.