

**ADVISORY COMMITTEE ON
UNDERRIDE PROTECTION (ACUP)
Statement of Concurrence / Non-Concurrence**

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|-----------------------------------|----------------------|
| Voting Member Name | Kristin Glazner |
| Voting Member Organization | Wabash |
| Stakeholder Representation | Trailer Manufacturer |

As a voting member and full participant of ACUP, I hereby acknowledge that I have reviewed the *ACUP Final Report* and make the following declaration regarding the Report:

1. Concur with the Final Report, Section I (“Majority Report”), as written

Voting Member Signature _____ Date: _____

2. Concur with the Final Report, Section II (“Minority Report”), as written

Voting Member Signature _____ Date: _____

3. Concur with the Final Report,


Section I (“Majority Report”),

Section II (“Minority Report”),

as written with the following exception(s): (Fully explain the areas of exception below, providing specific page number if appropriate. Submission of additional pages is permitted.)

Voting Member Signature _____ Date: _____

4. Non-Concur with both Sections I and II of the Final Report as written. Letter of Dissent must be provided.

Voting Member Signature: 

Date: June 27, 2024

I do not concur with the ACUP Report. This summary reflects the entirety of my comments.

ACUP's value lies in fulfilling its charge to find common ground among disparate views on how NHTSA can and should address underride protection. My focus has been on areas for which I believe ACUP may provide actionable consensus recommendations that will assist NHTSA.

For several reasons, ACUP's deliberative processes and governance structure did not yield actionable recommendations arising from informed compromise. The Committee was not convened until halfway through its two-year charter, and only met six times. No guidance was provided about resources available to ACUP to effectively fulfill the role set by Congress. The primary source for information presented to ACUP was ACUP members themselves; ACUP did not solicit input from technical experts on most of the topics covered. ACUP members were required to submit motions on various topics *before* receiving or offering any information about those topics, meaning a substantial portion of each meeting was devoted to discussing and voting on motions that often were unrelated to any information made available to or discussed by the group. Contrary to agency direction, discussions were conducted by Committee members via email exchanges on wide-ranging topics. No external report writer was retained.

The result is separate "majority" and "minority" reports. While an accurate reflection of division within the Committee, these reports do not satisfy our obligation under the ACUP Charter to produce consensus recommendations that meaningfully inform NHTSA and Congress on underride protection. I am a member of ACUP as a whole and do not consider myself to be in the "majority" or the "minority."

The "majority report" is misleading insofar as it combines content that is reflective of the Committee's work with concepts and information that were neither presented to nor discussed by the Committee, are unsupported by data, or are inaccurate. The "majority report" does not distinguish true consensus views from editorial content by the report's sole author. This is unfortunate, because although there were subjects on which the Committee did reach genuine consensus, they cannot be readily identified within the "majority report." I refer any reader of the ACUP Report to the meeting minutes, available meeting recordings, and any Committee email records for the most accurate documentation of the Committee's work.

Lastly, my understanding based on NHTSA's guidance is that its rulemaking decisions are data-driven. To that end, I moved at the March 13, 2024, meeting that the Committee recommend that NHTSA conduct comprehensive, updated research on U.S. underride crash characteristics, including the frequency of 30 percent rear overlap crashes. This motion passed 13-4 and thus represents a true consensus view of ACUP. I commend this consensus recommendation to NHTSA's attention.

In the event the Committee meets again under its extended Charter, my hope is that additional support for the DFO and an improved process will facilitate more productive discussions.