MODEL STATE CONCURRENT RESOLUTION TEMPLATE: COMMERCIAL MOTOR VEHICLE UNDERRIDE PROTECTION

1. STATE LEGISLATIVE DRAFTING & CUSTOMIZATION GUIDE

This model resolution is designed for state legislators, legislative counsel, transportation committee chairs, and highway safety advocates seeking to introduce a formal state legislative resolution urging the United States Congress and the United States Department of Transportation (USDOT) to enact comprehensive commercial motor vehicle underride protection standards.

State concurrent resolutions serve as powerful official policy declarations from state legislatures to federal lawmakers. By passing this resolution, state legislatures express the collective will of their citizens, highlight state-level crash burdens, and apply crucial intergovernmental pressure on Congress and federal regulatory agencies.

Instructions for Legislative Drafters & Staff

When customizing this template for introduction in your state legislature, update all bracketed placeholders formatted in capital letters (e.g., `[STATE]`, `[LEGISLATIVE BODY]`) as follows:

- **`[STATE]`**: Insert the formal name of your state (e.g., *State of Ohio*, *Commonwealth of Pennsylvania*, *State of Texas*).
- **`[LEGISLATIVE BODY]`**: Insert the constitutional title of your state legislature (e.g., *General Assembly*, *Legislature*, *General Court*).
- **`[CHAMBER FIRST]`** / **`[CHAMBER SECOND]`**: Insert the introducing chamber (e.g., *Senate*, *House of Representatives*, *House of Delegates*, *State Assembly*) and the concurring chamber.
- **`[RESOLUTION NUMBER]`**: Assign the appropriate legislative designation (e.g., *S.C.R. No. 104*, *H.C.R. No. 42*, *Joint Resolution No. 12*).
- **`[LOCAL CRASH STATISTICS & STATE HIGHWAY DATA]`**: Insert state-specific underride fatality and severe injury data from your State Highway Patrol, Department of Transportation, or Fatality Analysis Reporting System (FARS) state reports (optional, guidance provided in text).

- **[LOCAL ADVOCATES, VICTIM FAMILIES & ENGINEERING CONTRIBUTORS]**: Insert the names of resident citizen advocates, crash victims, local universities, or regional engineering firms advocating for underride safety within your state (optional).
- **[STATE CONGRESSIONAL DELEGATION]**: Insert references to your state's U.S. Senators and Representatives.

2. MODEL STATE CONCURRENT RESOLUTION (TEXT FOR ENACTMENT)

[STATE LEGISLATIVE BODY] OF THE [STATE]

REGULAR SESSION [YEAR, E.G., 2027]

[CHAMBER FIRST] CONCURRENT RESOLUTION

[RESOLUTION DESIGNATION, E.G., S.C.R. NO. ____ / H.C.R. NO. ____]

Introduced by: [SPONSORING MEMBERS OR COMMITTEE ON TRANSPORTATION]

A CONCURRENT RESOLUTION

TO URGE THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION REQUIRING COMMERCIAL MOTOR VEHICLES TO BE EQUIPPED WITH COMPREHENSIVE UNDERRIDE PROTECTION SYSTEMS, INCLUDING FRONT, SIDE, AND UPGRADED REAR IMPACT GUARDS.

PREAMBLE & FINDINGS OF FACT

WHEREAS, among the most severe and lethal motor vehicle collisions occurring on highways across [STATE] and the United States are underride crashes involving heavy commercial motor vehicles—including semitrailers, trailers, and single-unit commercial trucks with a gross vehicle weight rating exceeding 10,000 pounds—colliding with smaller passenger cars, light trucks, motorcycles, bicyclists, and pedestrians; and

WHEREAS, a geometric structural mismatch exists between high-riding commercial trailers and lower-profile passenger motor vehicles, causing striking passenger motor vehicles to slide underneath truck chassis during side, rear, and front collisions, resulting in catastrophic Passenger Compartment Intrusion (PCI) that shears off vehicle passenger compartments and bypasses built-in vehicle safety features, including airbags, seatbelts, and crumple zones; and

WHEREAS, over the past 50 years, more than 31,500 Americans have lost their lives in preventable truck underride crashes, including over 4,201 passenger vehicle occupants killed in

underride collisions over the past two decades, and more than 556 pedestrians and bicyclists killed by side impacts with large commercial trucks over a five-year period nationwide; and

WHEREAS, motor vehicle collisions involving commercial truck underride impose a severe human, economic, and emergency response toll on [STATE], impacting local families, law enforcement officers, emergency medical responders, and highway infrastructure [OPTIONAL: INSERT STATE SPECIFIC DATA: including an estimated _____ fatal and severe underride collisions occurring on [STATE] roadways over the past decade]; and

WHEREAS, empirical research and crash testing co-hosted by federal regulators and state transportation institutes—including live crash demonstrations conducted at the Commercial Motor Vehicle Safety Summit in Raleigh, North Carolina on August 11, 2026—have provided conclusive proof of underride guard efficacy, demonstrating that:

1. **Guarded Impact Protection**: A passenger car striking the side of a semi-trailer equipped with a certified side underride guard at 39 miles per hour maintains complete occupant survival space with zero Passenger Compartment Intrusion.
2. **Unguarded Impact Lethality**: A passenger car striking an unguarded semi-trailer at 40 miles per hour suffers catastrophic roof shear and complete passenger compartment intrusion, resulting in fatal injuries for front-seat occupants; and

WHEREAS, citizens of [STATE], including bereaved family members, crash survivors, and commercial motor vehicle safety engineers [OPTIONAL: INSERT NAMES OF STATE RESIDENTS OR LOCAL ADVOCATES, E.G., including resident advocates who have dedicated years to national underride prevention], have urged state and federal leaders to take decisive statutory action to prevent these recurring highway tragedies; and

WHEREAS, the National Transportation Safety Board (NTSB) has consistently recommended since 1970, and formally reiterated in safety recommendations issued in 2013 and 2014, that the National Highway Traffic Safety Administration (NHTSA) mandate that all heavy commercial trucks and trailers be equipped with strong side, rear, and front underride protection systems; and

WHEREAS, double-blind peer-reviewed scientific literature published in 2026 establishes that federal side underride guard mandates will save between 50 and 150 lives annually nationwide, prevent thousands of severe injuries, generate a positive Net Present Value of +137 million to +2.8 billion, and deliver integrated aerodynamic fuel savings of 500 to 714 gallons of diesel per trailer annually ($2,500 to $5,000 annual fuel savings per trailer), demonstrating that side guards pay for themselves within 1 to 2 years of fleet operation; and

WHEREAS, comprehensive underride protection legislation is endorsed by premier national transportation safety, law enforcement, and consumer organizations, including the Commercial

Vehicle Safety Alliance (CVSA), National Safety Council, Consumer Reports, Insurance Institute for Highway Safety (IIHS), Truck Safety Coalition, Advocates for Highway and Auto Safety, and AnnaLeah & Mary for Truck Safety;

OPERATIVE RESOLUTIONS

NOW, THEREFORE, BE IT RESOLVED BY THE [CHAMBER FIRST] OF THE [STATE] (THE [CHAMBER SECOND] CONCURRING):

SECTION 1. That the [LEGISLATIVE BODY] of [STATE] strongly urges the Congress of the United States to pass comprehensive commercial motor vehicle underride protection legislation during the current legislative session (such as the *Stop Underrides Act*), establishing federal statutory mandates for comprehensive underride protection—including side underride guards (LPD+), UN R93-compliant front override guards, and upgraded 40 mph 30% overlap rear impact guards—on all newly manufactured trailers, semitrailers, and single-unit commercial motor vehicles with a gross vehicle weight rating exceeding 10,000 pounds.

SECTION 2. That the [LEGISLATIVE BODY] of [STATE] urges the Secretary of the United States Department of Transportation and the Administrator of the National Highway Traffic Safety Administration (NHTSA) to expeditiously complete pending rulemakings under Docket No. NHTSA-2023-0012 (RIN 2127-AM54) and issue revised cost-benefit analyses that incorporate vulnerable road user protections and aerodynamic fuel offsets.

SECTION 3. That official, authenticated copies of this resolution be transmitted by [OFFICER OF THE CHAMBER FIRST, E.G., Secretary of the Senate / Chief Clerk of the House] to:

1. The President of the United States;
2. The President Pro Tempore and Secretary of the United States Senate;
3. The Speaker and Clerk of the United States House of Representatives;
4. The Chairs and Ranking Members of the Senate Committee on Commerce, Science, and Transportation and the House Committee on Transportation and Infrastructure;
5. The Secretary of the United States Department of Transportation;
6. The Administrator of the National Highway Traffic Safety Administration;
7. Each member of the [STATE] Congressional Delegation; and
8. The Secretary/Commissioner of the [STATE DEPARTMENT OF TRANSPORTATION] and the Chief of the [STATE HIGHWAY PATROL / STATE POLICE].

SECTION 4. This resolution shall take effect immediately upon adoption.

3. SECTION-BY-SECTION TECHNICAL ANNOTATIONS & EVIDENCE BASE

To assist legislative committees, research analysts, and bill drafters during committee hearings, this section provides legal and scientific citations supporting each finding in the model resolution:

Resolution Section	Policy / Technical Topic	Supporting Evidence & Regulatory Authority
Preamble Para 1–2	Underride Mechanics & PCI	NTSB Safety Recommendations H-14-001 through H-14-007; IIHS crash testing documenting Passenger Compartment Intrusion (PCI) and roof shear mechanisms.
Preamble Para 3	National Mortality Figures	FARS database statistics (1973–2025); IIHS published analysis documenting 4,201 underride fatalities and 556 vulnerable road user side-impact deaths.
Preamble Para 5	Empirical Crash Testing	Live crash testing co-hosted by FMCSA and ITRE at NC State University on August 11, 2026 (39 mph guarded vs 40 mph unguarded side underride tests).
Preamble Para 7	NTSB Recommendations	NTSB 2013 and 2014 formal recommendations calling for side, rear, and front underride guards across Class 8 commercial vehicles.
Preamble Para 8	Peer-Reviewed Economics	Double-blind peer-reviewed study by Eric Hein (2026) demonstrating 50–150 lives saved/year, positive Net Present Value (+137M to +2.8B), and 500–714 gal/yr fuel offsets.
Section 1	Congressional Mandate	Bipartisan Infrastructure Law (IIJA § 23011); proposed *Stop Underrides Act* legislative framework.
Section 2	NHTSA Rulemaking Docket	Federal Register Docket No. NHTSA-2023-0012 (RIN 2127-AM54); Information Quality Act (IQA) guidelines and Executive Order 12866 / OMB Circular A-4.