

September 5, 2023

Docket Management Facility, M-30  
U.S. Department of Transportation  
1200 New Jersey Avenue SE  
West Building, Ground Floor, Room W12-140  
Washington, DC 20590-0001

**RE: [Docket No. FMCSA–2022–0171] RIN 2126–AC49  
Heavy Vehicle Automatic Emergency Braking; AEB Test Devices**

Dear Sir or Madam:

National School Transportation Association (NSTA) is pleased to offer comments to the Federal Motor Carrier Safety Administration (FMCSA) on Heavy Vehicle Automatic Emergency Braking; AEB Test Devices, as published in Volume 88 Number 128, of the Federal Register on July 6, 2023.

**About The National School Transportation Association**

NSTA has been the leading resource for school transportation solutions and the voice for private school bus operators for over 58 years. We are a membership organization for school bus contract-operators engaged primarily in transporting students to and from school and school-related activities. Members range from small family businesses to large multi-state operators. Private school bus contractors account for 38 percent of the nation's pupil transportation services and employ more than 250,000 individuals as bus drivers, mechanics, maintenance workers, dispatch, and office workers. School transportation represents the largest form of mass transportation in the United States, and daily, approximately 25 million K-12 students are transported by an estimated 480,000 yellow school buses.

According to Department of Transportation statistics, school bus transportation is the safest form of transportation over all modes. Children are 70 times safer going to and from school in a yellow school bus than by walking, biking, being driven by parents in cars, or teens driving themselves.

**NSTA Supports the FMCSA Efforts to Increase Roadway Safety**

NSTA supports FMCSA efforts to increase safety through the usage of technological advances like automatic emergency braking (AEB) on heavy-duty vehicles. NSTA believes that the addition of AEBs on school buses may help to reduce vehicle crashes and injuries to drivers and passengers. To this end, NSTA would like to ensure that the Agency acknowledges that there have been confirmed occurrences of these systems not properly deploying. In 2021, over 11,000 Tesla vehicles were recalled due to the false AEB events occurring<sup>i</sup>. Therefore, it is imperative that errors in AEB technology are resolved before requiring this equipment on school buses. Not only could an error in AEB technology cause potential harm to school

**National School Transportation Association**

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children, but sudden stops of heavy duty vehicles could cause harm to surrounding vehicles. According to recent research by AAA, AEB devices work well to prevent and reduce the severity of rear-end collisions, but still are not fully proficient in the most dangerous crash types: T-Bone and intersection crashes<sup>ii</sup>. NSTA suggests that both FMCSA and the National Highway Traffic Safety Administration (NHTSA) further study technological advances that can ensure AEBs accurately detect these dangerous scenarios.

### **Summary and Conclusion**

In conclusion, NSTA appreciates FMCSA efforts to enhance and improve roadway safety, and we believe that the Agency should continue to pursue safety initiatives. The organization believes that the requirement of AEB devices can result in a positive change for the motoring public, but we are concerned about the potential false deployment of AEB devices.

NSTA appreciates the opportunity to offer comments on FMCSA–2022–0171, RIN 2126–AC49, and we look forward to a continued dialogue with the Agency in monitoring the results of this initiative.

If you have any questions about our position, or need further clarification on our comments is required, please do not hesitate to contact me via email at [cmacysyn@yellowbuses.org](mailto:cmacysyn@yellowbuses.org), or via telephone at 703-684-3200, ext. 700

Sincerely,



Curt Macysyn  
Executive Director  
National School Transportation Association

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<sup>i</sup> <https://electrek.co/2021/11/02/tesla-recalls-11704-vehicles-over-automatic-emergency-braking-done-over-the-air/>

<sup>ii</sup> <https://info.oregon.aaa.com/braking-bad-aaa-research-shows-automatic-emergency-braking-often-performs-poorly/>