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ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

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July 25, 2025

Mr. John Bozzella
President and Chief Executive Officer
Alliance for Automotive Innovation
1050 K Street NW, Suite 650
Washington, DC 20001

Dear Mr. Bozzella,

Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade hearing on Thursday, June 26, 2025, to testify at the hearing entitled, "Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Friday, August 8, 2025. Your responses should be mailed to Alex Khlopin, Policy Analyst, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to alex.khlopin@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,

Gus M. Bilirakis
Chairman
Subcommittee on Commerce, Manufacturing, and Trade

cc: The Honorable Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade

Attachment —Additional Questions for the Record

The Honorable Gus Bilirakis (R-FL)

1. Mr. Bozzella, in your written testimony you highlighted the fact that the auto industry is challenging the AEB rule finalized by NHTSA under the previous administration, noting it may "hinder, rather than help, motor vehicle safety." Can you help me understand how this federal safety standard could hinder safety?

   Let me be very clear - automakers fully support the deployment of AEB and welcome a rulemaking mandating the technology. Our members have spent billions of dollars developing AEB and have deployed it on almost all vehicles. That was done through a voluntary commitment ten years ago - and IIHS and NHTSA were both at the table. We entered into that voluntary agreement with the understanding that it would do two things: 1) save lives and 2) be used to inform future rulemaking. Automakers lived up to their end of the agreement and met our commitment as promised.

   Unfortunately, NHTSA did not use the agreement to inform their rulemaking. Instead, the agency issued a rule that is not technically feasible. In fact, only one vehicle NHTSA tested showed it could *potentially* meet the new rule under *some* circumstances, but **did not meet the requirements every time, as required by any FMVSS**.

   What's worse, the rule may actually have the effect of decreasing safety. Since the requirements are so strict, in order to attempt to meet compliance, manufacturers will have to excessively overdesign systems. The result will be systems that stop aggressively and when drivers and other road users do not expect them to stop. In fact, NHTSA's own regulatory impact analysis acknowledged the rule could contribute to an increase in rear-end collisions.[1] Frustrated consumers are then going to be calling you (Members of Congress).

   This is not a path to advance safety. On the contrary, it is more likely to cause consumers to lose faith in what we all agree is an important, lifesaving technology. Auto Innovators wants NHTSA to fix the rule so that it is objective, repeatable and practicable.

2. I understand that several automakers are now delivering advance warnings to drivers as they approach road hazards such as tow trucks, wrong way drivers, disabled vehicles, first responders, and work zones. In Europe, these 'Local Hazard' warnings have been established as a rated category in their 'Euro NCAP' safety ratings for new vehicles since 2023. Is it time to begin adopting these digital alert warning systems as a new vehicle safety standard in the NCAP, or through other measures?

   In many cases, NCAP is an excellent tool to advance the potential safety benefits of nascent technologies. Euro NCAP is far ahead of US NCAP in many areas. We have proposed a number of ways in which the US should modernize NCAP. A key component of the program's

[1] "Lastly, this analysis did not quantify any possible disbenefits resulting from Lead Vehicle AEB. It may be the case that Lead Vehicle AEB may engage in response to an imminent rear-crash scenario and resultingly create another imminent rear-end crash scenario. That is, the vehicle who's Lead Vehicle AEB engages may be at risk for being rear-ended by the vehicle behind it because the distance between the middle and the last vehicle would be shorter in the crash…"
https://www.regulations.gov/document/NHTSA-2023-0021-1069, p. 251

future success is ensuring a clear roadmap outlining how the program will evolve over time. For the program to be effective, it must be updated on a more consistent and predictable basis. This not only provides alignment with the agency on research, planning, and decision making, but it also helps inform industry investments in the development and introduction of new safety technology. The roadmap development process should be data driven and focused on advancing proven technologies that have demonstrated safety benefits. The process should also include proactive engagement with expert stakeholders to understand the benefits, limitations, and maturity of new technologies being considered for inclusion in the program.

The Honorable Debbie Dingell (D-MI)

1. Mr. Bozzella, can you also help us understand what NHTSA should be doing to modernize its crash dummy standards using tools and data that already exist? And why aren't the approved existing female test dummies being used more in critical safety decisions, especially when they could save lives today?

   We support the goal of improving occupant safety for all passengers, including females. We also support NHTSA taking additional steps to ensure that crash tests are as representative of the driving public as possible. That is why we sent a letter to NHTSA on June 25, 2025, to encourage the agency to adjust its existing procedures to ensure female dummies are tested in all the same positions as male dummies.

   While some argue that new dummies are needed to improve female occupant safety, it is worth noting that such test devices are still largely in the developmental phase and have not yet been shown to provide clear improvements in crash safety. If the dummy does not accurately predict real world injuries, it may do more harm than good.

   More research is needed to make sure that the integration of any new dummies is done right, but this should not delay safety. Using the existing dummies offers a path to immediate and improved representation in crash testing. NHTSA should immediately expand the use of existing female dummies in consumer information testing via updates to the New Car Assessment Program (NCAP) to include testing with the female dummy in the driver's seat. These updates to NHTSA's procedures represent a simple, commonsense step to give time for further evaluation of new dummy designs and other avenues for evaluating occupant safety.

   It is also important to recognize that a dummy can only represent a limited and specific segment of the population. We encourage further research by NHTSA on the potential use of simulation to evaluate crash occupant protection across a broader range of human body types. Focusing exclusively on test dummies does not maximize occupant protection and may divert resources away from the development of more technology-neutral approaches.

2. Mr. Bozzella, what steps should we be taking to ensure that these CAFE standards are practicable, while still pushing innovation, protecting health, and keeping American manufacturing at the cutting edge?

   CAFE standards should be set at a reasonably achievable level that balances technological feasibility and economic practicability among other considerations, as required by statute. The evaluation of maximum feasible standards should recognize

that manufacturers are trying to balance investment in future technologies while also remaining competitive in today's market. The standards must consider the U.S. market and whether additional supporting conditions are necessary to achieve fuel economy goals.

Another key issue of practicability is the complexity of overlapping and occasionally conflicting state and federal greenhouse gas, fuel economy, and zero-emission vehicle regulations under three different regulators and five different regulations. These include California greenhouse gas standards and zero-emission vehicle mandates; EPA greenhouse gas standards, NHTSA CAFE standards, and DOE's determination of the fuel economy for electric vehicles (which can completely upend CAFE compliance plans after NHTSA has already determined CAFE standards). These programs all target the same tailpipe and overlapping policy goals, but use different methodologies, timelines, and enforcement tools. This fragmentation not only increases compliance costs that are passed off to consumers, but also introduce significant investment uncertainty, stifle planning, and reduce vehicle affordability. In short, the multitude of inconsistent regulations is becoming a significant obstacle to our ability to deliver cleaner, safer, more advanced vehicles to American drivers.

This kind of misalignment is not sustainable, and it's not competitive. While our global competitors are building unified national strategies to reduce emissions and promote innovation, we are increasingly asking U.S. manufacturers to navigate a regulatory maze. CAFE should be a catalyst for innovation, not a compliance quagmire. We believe that smart regulation can and should support cleaner, more fuel-efficient vehicles. But to do so effectively, it must be coordinated, realistic, and aligned with the broader industrial strategy for the U.S. automotive sector.

3. There's been a lot of discussion about vehicle data and repair access, and I want to make sure we're grounding this conversation in the facts. Right now, consumers have the right to repair their vehicles where and how they choose. Independent repair shops have access to the same diagnostic and repair information as franchised dealers OEMs though a memorandum of understanding (MOU) make that information available. This agreement has worked for over a decade, and it continues to be reaffirmed. 70% of post-warranty repairs already take place outside the dealer network. This conversation should be about how we ensure that consumers continue to have access to safe, high-quality repairs, and that repairs are done correctly, using the proper procedures, especially as vehicles are becoming more and more sophisticated.

   Mr. Bozzella, can you walk us through the current framework that ensures independent repair shops have access to the same tools and information as dealers? And to follow up, some recent proposals suggest that consumers and independent repair shops don't currently have access to critical repair data. Is that accurate? What obligations are currently in place that require OEMs to make this information available to independent repair facilities?

   Our members fully support right to repair and that is a large part of why 75% of post warranty repairs are completed by the independent repair community. In fact, it is not in our member companies' interest to restrict consumer choice in vehicle repair because if consumers can't get their vehicle fixed where they live, why would they be loyal that

brand? Companies know consumers have choices in the market and know that their customers will explore other options if they disagree with the choices a company makes about their products.

Beyond this consumer interest, for over a decade, automotive manufacturers have remained committed to a national Memorandum of Understanding linked to a 2013 state law in Massachusetts, which ensures independent repair shops have access to the same repair and diagnostic tools, data, and information as franchised dealers.

This commitment has not changed, even as vehicle technologies have evolved. There is no doubt that vehicles are increasingly complex systems that require skills, knowledge, and capabilities related to software, sensors, new battery technologies and beyond. But even amidst this period of rapid innovation across the industry, the industry continues to make the information necessary to repair those vehicles available to consumers, repair shops, and others invested in the repair ecosystem. Without that commitment, how could a company like Alldata become "the industry's #1 choice for unedited mechanical and collision OEM repair information…" [including] "Up-to-date OEM mechanical/collision repair information and procedures for…95% of all vehicles on the road today."[2]

It is also true that as technologies evolve, innovations require OEMs to take certain steps reduce risks of compromises that could harm vehicle security, safety, or consumer privacy. Critically, these protections in NO WAY change our commitment to providing the tools, data, and information necessary for independent shops to repair our products.

In light of our ongoing commitment to providing consumers with clear choice and maintaining a competitive marketplace for safe repair, we engaged with independent owner-operated shops to continue to learn from any challenges they face. After all, independent repairers are the front the line of this debate: they represent the intersection of all the interested parties - consumers, tool makers, OEMs, insurance companies, aftermarket parts manufacturers, and the list goes on.

The result of these conversations is comprehensive legislative framework - The SAFE Repair Act - that enhances consumer protection while maintaining the principles of fair competition and vehicle safety. This framework includes:

- **Affirmation of Vehicle Data Access**: Assuring consumers and independent repair shops have the data they need to repair their vehicles.
- **Empowering Consumers**: Ensuring consumers retain the right to decide where and how their vehicles are repaired.
- **Prioritizing Vehicle Safety**: Guaranteeing that repairs are performed in accordance with manufacturer-produced repair procedures to restore vehicle safety systems and structural integrity.
- **Offering Part Choices**: Ensuring consumers with a choice between original equipment manufacturer (OEM) parts and non-OEM parts for repairs.
- **Protecting Non-OEM Choices**: Extending the same recall and safety protections to non-OEM parts as are available for OEM parts.
- **Enhancing Transparency**: Requiring disclosure of prior alterations or repairs for used vehicles so that consumers are fully informed.
- **Promoting Inspection Programs**: Supporting periodic safety inspection and post-collision inspection programs to safeguard against unsafe or improper repairs.

[2] See e.g. https://www.alldata.com/us/en

By addressing these priorities, we can help ensure all consumers have access to high-quality repairs that uphold safety and transparency. This path forward not only strengthens consumer trust but also reinforces a balanced approach to the automotive repair marketplace.

I look forward to continuing to work with Dr. Dunn, you and other members of the committee to advance commonsense automotive repair legislation that prioritizes two core tenants – consumer choice and safety.

4. Mr. Bozzella, I want to thank the auto industry for supporting efforts to end drunk driving. As the Driver Alcohol Detection System for Safety (DADSS) comes to an end and several of your suppliers are working on other types of anti-drunk driving technology that would meet the requirements of the HALT Act, can you please share what your industry is doing to make DADSS technology or other anti-drunk driving technology available in production vehicles? What can the auto industry do to help advance the HALT Act?

   In 2023, more than 12,000 people died as the result of drunk driving. This has been a persistent problem on U.S. roads that the auto industry remains committed to addressing. For years, automakers have been working collectively and individually to develop technologies to reduce drunk driving. They have also invested in crashworthiness and crash avoidance technologies to make vehicles safer if someone makes an inappropriate decision to drive impaired. As noted in our comments to NHTSA on the ANPRM, there is important consumer education and acceptance research that must be conducted before NHTSA moves forward with any technology mandates in this area. NHTSA should take a leading role in supporting those consumer education efforts and has requested the Appropriations Committee provide funding for such efforts. The auto industry is also funding its own research to better understand consumer attitudes towards drunk driving and anti-drunk driving technology, and we are looking to collaborate with other organizations on additional research.

5. As vehicles become increasingly connected, we have a responsibility to make sure that these vehicles are not putting people in vulnerable situations, especially survivors of domestic violence. We know these technologies can be misused. Survivors have reported abusers using connected car apps to stalk them, disable their vehicles, or monitor their every movement. Today, there is no consistent process for survivors to cut off an abuser's access to these connected vehicle technologies. That's why I introduced the bipartisan Safe Vehicle Access for Survivors Act, with my colleague Congressman Dan Crenshaw, to create a clear, confidential, and survivor-centered path to disable connected vehicle access when it's being used as a tool of abuse. I appreciate the support from both those in the survivor community and in the auto industry on this legislation, and I'm hopeful we can get this across the finish line.

   Mr. Bozzella, can you explain why legislation like the Safe Vehicle Access for Survivors Act is so necessary, especially as this connected vehicle technology gets more advanced?

   First, I want to thank you for your leadership for the introduction of H.R. 2110, the Safe Vehicle Access for Survivors Act, with Rep. Crenshaw. In partnership with important domestic violence prevention organizations, we helped develop this legislation to prevent domestic violence survivors from being harassed or abused through connected vehicle services. This legislation fills an important gap in existing law to address the unique characteristics of motor vehicles in comparison to something like a cell phone. Vehicles are often shared, and if the abuser owns the vehicle, this presents unique legal challenges from the automaker perspective in responding to a request from a survivor to remove an abuser's access to the vehicle's location. This legislation would help address those challenges and make it easier for companies to respond to requests from survivors.

   Mr. Bozzella, from the industry's perspective, how would this bill help manufacturers respond more quickly and effectively when these threats arise?

   See response above