



May 4, 2026

U.S. Department of Transportation
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

Submitted via *regulations.gov*

**Comments of Consumer Reports to the
National Highway Traffic Safety Administration on the
Agency Information Collection Activities; Notice and Request for Comment;
Incident Reporting for Automated Driving Systems (ADS) and Level 2 Advanced Driver
Assistance Systems (ADAS)
Docket No. NHTSA-2026-0529**

Consumer Reports (CR), the independent, nonprofit, and nonpartisan member organization,¹ welcomes the opportunity to comment on the National Highway Traffic Safety Administration's (NHTSA) notice and request for comments regarding the extension and modification of the information collection for Standing General Order (SGO) 2021-01. CR has spent 90 years using rigorous research, independent testing, and evidence-based advocacy to advance safer vehicles. As automated driving systems (ADS) and Level 2 advanced driver assistance systems (ADAS) continue to evolve, robust oversight relying on mandatory incident reporting remains essential to the agency's safety mandate.

Consumer Reports supports NHTSA's proposal to extend the SGO information collection for an additional three years. The data collected through this order provides NHTSA with timely information necessary to identify potential safety-related defects and hazards in technologies that are rapidly evolving. Strong oversight by NHTSA is critical to ensuring that manufacturers meet their obligations to prevent or address unreasonable risks to motor vehicle safety. Consumer expectations are also clear on this. In a January 2026 nationally representative Consumer Reports survey, 89% of Americans said AV companies should be required to report to regulators when their self-driving vehicles are involved in collisions or other incidents that jeopardize safety.²

¹ Founded in 1936, Consumer Reports (CR) is an independent, nonprofit, and nonpartisan organization that works with consumers to create a fair and just marketplace. Known for its rigorous testing and ratings of products, CR advocates for laws and company practices that put consumers first. CR is dedicated to amplifying the voices of consumers to promote safety, digital rights, financial fairness, and sustainability. The organization surveys millions of Americans every year, reports extensively on challenges and opportunities for today's consumers, and provides ad-free content and tools to five million members across the United States.

² Consumer Reports, nationally representative American Experiences Survey of 2,228 U.S. adults (Jan. 2026) (online at: article.images.consumerreports.org/image/upload/v1771361148/prod/content/dam/surveys/Consumer_Reports_AES_January_2026.pdf).

While CR supports the extension of the information collection activities underlying the SGO, we remain concerned that the SGO program, in its current form, allows for redaction of potentially critical incident details. Under the June 2025 Third Amended SGO, reporting entities may claim confidential business information protections for three specific fields: the automation feature version, the operational design domain (ODD) status, and the narrative description of the crash.

Narrative description of crashes, for instance, can be a valuable source of information for safety researchers and the public for understanding how a crash occurred, but NHTSA allows manufacturers to manually bracket and redact this information. While CR recognizes that certain proprietary technical specifications or data points that constitute trade secrets may warrant protection, the details of a crash on a public road should carry a heavy presumption of transparency and rarely, if ever, be considered confidential.

Additionally, a significant weakness in the current SGO is reliance on the definition of “Notice.” Currently, a manufacturer’s duty to report is triggered only when it receives notice of facts sufficient to meet reporting criteria. This, in effect, creates a situation where manufacturers may claim they are not required to report incidents because they do not “collect” telematics or receive notice from the vehicle.

However, many of these same manufacturers will still access and utilize vehicle usage data for internal development and performance monitoring. For example, in its investigation of two fatal crashes involving the Ford BlueCruise system (HIR-26-02), the National Transportation Safety Board (NTSB) found that although the manufacturer maintained active telematics programs for internal system evaluation, these programs were “never intended to serve L2 SGO requirements” and were not designed to transmit crash-related data. Consequently, Ford only learned of a fatal San Antonio crash two weeks after the incident from a social media post, and learned of a fatal Philadelphia crash one month after the incident when contacted by NTSB investigators.³ NHTSA should consider improving the SGO to clarify that if a manufacturer has the technical capability to receive data or monitor the performance of its vehicles, then it has a duty to identify and report incidents.

The Standing General Order is a vital tool for NHTSA as it carries out its mandate to reduce traffic injuries and deaths. CR urges the agency to extend the information collection undergirding the SGO while also considering steps necessary to improve the transparency of the SGO program and ensure no safety-critical incident goes unreported simply because of how a manufacturer chooses to access its vehicle data. We look forward to continuing to work with NHTSA to ensure that advances in automated vehicle technologies and consumer safety go hand in hand.

Respectfully submitted,

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³ National Transportation Safety Board, Highway Investigation Report HIR-26-02 (Mar. 31, 2026) (online at: www.nts.gov/investigations/AccidentReports/Reports/HIR2602.pdf).