Products Liability Law Daily Wrap Up, NOTICES—REPORTS AND STUDIES—NHTSA seeks comments on state electronic data collection grant program, (May 19, 2022)

Products Liability Law Daily Wrap Up

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By WK Editorial Staff

The goal of the program is to modernize state data collection systems and enable full electronic transfer of motor vehicle crash data to the agency.

The National Highway Traffic Safety Administration (NHTSA) is requesting comments from all interested parties, including state crash data owners, highway safety offices, law enforcement, and other stakeholders, to assist the agency in developing and implementing a new discretionary grant program to increase the number of states, U.S. territories, and Indian tribes electronically transferring their motor vehicle crash data to NHTSA. Comments are due by May 31, 2022 (*NHTSA Notice*, 87 FR 25565, April 29, 2022).

Background. As part of NHTSA's ongoing effort to obtain crash data in a more timely, accurate, and efficient manner, the agency implemented a streamlined process for collecting crash data in an electronic format known as electronic data transfer (EDT). The existing EDT protocol obtains crash data using police accident reports, supplemental crash reports, and crash images from participating state crash systems through electronic data transfer processes, services, and functions. However, only 19 states participate in the existing EDT protocol, and data obtained through these processes vary in completeness from state to state.

State electronic data collection program. The Bipartisan Infrastructure Law (BIL), enacted as part of the Infrastructure Investment and Jobs Act, establishes a new program called the state electronic data collection program. Specifically, the BIL mandates that NHTSA provide grants to states to upgrade and standardize their state crash data systems to enable electronic data collection, intrastate data sharing, and electronic data transfers to NHTSA to increase the accuracy, timeliness, and accessibility of the data, including data relating to fatalities involving vulnerable road users. Ultimately, the grants will support an increased capacity of the NHTSA data systems, including the Fatality Analysis Reporting System (FARS), the Crash Reporting Sampling System (CRSS), and the Crash Investigation Sampling System (CISS), and make state crash data accessible to the public.

NHTSA's vision of the state electronic data collection program is to support states that create centralized crash data systems to transfer uniform crash data to NHTSA. The uniformity of the crash data will align to the Model Minimum Uniform Crash Criteria (MMUCC) Guideline. States currently submitting electronic data to NHTSA will be eligible for the state electronic data collection grants to modernize their systems and standardize their data consistent with this new program. NHTSA further envisions that states participating in the program will have crash data collected electronically in the field by all law enforcement agencies and jurisdictions using a uniform, efficient approach (e.g., question or scenario-based software) that is consistent with the MMUCC Guideline and the statewide database's validation rules. The program will require that crash data are validated at the point records are added to the central state crash repository.

Request for information. NHTSA is interested in information that would help develop and implement a successful state electronic data collection program. This includes information about states' existing capacity to collect, store, and transfer crash data from the state level to NHTSA; interest in moving to an electronic data collection framework; making state crash data accessible to the public; identifying potential barriers; describing the infrastructural needs to transition to an electronic data transfer protocol; and adoption of electronic crash

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reporting by law enforcement agencies. The information will support the development and implementation of the program by taking into consideration the states' experiences and operational capacity.

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