



News Release

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FOR IMMEDIATE RELEASE

**BENDIX SUPPORTS INTENT OF NHTSA AND FMCSA PROPOSED RULING
REQUIRING AUTOMATIC EMERGENCY BRAKING ON HEAVY VEHICLES**

*Company's Response to NPRM Applauds the Agencies' Move to Mandate AEB
While Pointing Out Reservations and Sharing Recommendations to Address Them*

AVON, Ohio – Oct. 23, 2023 – Bendix Commercial Vehicle Systems LLC (Bendix) endorses the recent action taken by the National Highway Traffic Safety Administration (NHTSA) and the Federal Motor Carrier Safety Administration (FMCSA) to improve highway safety.

The agencies published a Notice of Proposed Rulemaking (NPRM) on July 6 that would require automatic emergency braking (AEB) systems on heavy vehicles – those with a gross vehicle weight rating greater than 4,536 kilograms (10,000 pounds). The notice also proposes to amend FMVSS No. 136 to require nearly all heavy vehicles to have an electronic stability control (ESC) system that meets the equipment requirements, general system operational capability requirements, and malfunction detection requirements of FMVSS No. 136.

In September, Bendix submitted a complete response to the agencies regarding the company's position on the NPRM. The company shared its belief that the mandate is a good step while identifying points of concern and offering recommendations to address them.

"Bendix supports helping to make roads safer for all drivers and passengers," said Fred Andersky, Bendix director of government and industry affairs. "Technologies such as AEB and ESC help accomplish this goal. The Heavy Vehicle AEB mandate is a step in the right direction to help advance this goal. However, we have reservations – which we addressed in our

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comments – regarding single-unit truck implementation and timing, along with training/education, maintenance, and performance testing. That said, Bendix supports the intent of NHTSA and FMCSA and looks forward to working with the agencies to address our areas of concern with the NPRM.”

As described in the NPRM, an AEB system uses multiple sensor technologies and sub-systems that work together to sense when the vehicle is in a crash-imminent situation and automatically applies the vehicle brakes if the driver has not done so, or automatically applies more braking force to supplement the driver’s applied braking.

Crash Mitigation, Not Crash Avoidance

Bendix is the North American leader in the development and manufacture of active safety, air management, and braking system technologies for commercial vehicles, including advanced driver assistance systems (ADAS) that deliver stability control and collision mitigation. The company offers a range of recommendations in its detailed response to the NPRM. Most importantly, it suggests that NHTSA and FMCSA keep their perspective on collision mitigation and not expect a crash avoidance approach, in keeping with the technology available today and for the foreseeable future.

“The driver is still an integral part of the safety equation and remains in control of the vehicle at all times,” Andersky said. “Safety technologies such as stability control and collision mitigation complement safe driving practices and are not intended to enable or encourage aggressive driving. No technology replaces a safe driver practicing safe driving habits, and comprehensive driver training. All safety systems have limitations. Education and awareness – including ready access to the Operator’s Manual prior to getting behind the wheel – are vital in ensuring that drivers understand what the systems can and cannot do in specific situations they may encounter on the road.”

According to its NPRM response, Bendix is concerned the agencies are advocating a rulemaking requiring systems to deliver crash avoidance in every testing scenario. “While we appreciate the intent, at this time, we see it as aspirational and not yet achievable,” Andersky said. “Therefore, Bendix proposes a testing approach that recognizes mitigation as the result and speed reduction as the requirement.”

To that end, Bendix believes it’s essential to consider a more detailed approach to the certification test, including specific speeds for testing.

Vocational Truck Considerations

Bendix supports the agencies' need to ensure that most commercial vehicles are equipped with stability control and AEB. At the same time, the company advocates a greater understanding of the vocational – or single-unit – truck market to help ensure collision mitigation systems are operational for those applications that can use the technology appropriately.

“As the agencies noted in the NPRM, others – for example, alterers and body builders – not just OEMs, are involved in the final assembly of a vocational vehicle,” Andersky said. “This creates much more complexity due to the number of variations possible with single-unit trucks, such as ambulances, dump trucks, fire trucks, utility vehicles, and tow trucks. Complexity means exceptions, time, and the need for more guidance.”

With those considerations as a backdrop, Bendix recommends that NHTSA and FMCSA consider implementing one of two approaches. One is mandating the technology only on Class 7 and 8 tractors and motorcoaches and considering a separate rulemaking for single-unit trucks. The other is defining and providing permanent exemptions for those applications where a system is not feasible with the current technology – examples include snowplows, car carriers, vacuum trucks, front-discharge cement mixers, front-loading refuse trucks, and city buses with bike racks.

Matters of Education and Maintenance

In its response to the NPRM, Bendix also stresses the importance of driver education and proper maintenance practices.

“We urge the agencies to ensure that fleets provide drivers with sufficient education and training about the collision mitigation systems on fleet vehicles,” Andersky said. “This instruction should include classroom and on-the-road training to ensure understanding of the system operation, its capabilities and limits, potential driver overrides and the effect of overrides on system performance, repercussions for tampering with the system, data collected, and what the system does not do to support the driver.”

Additionally, Bendix suggests that the agencies consider adding information on collision mitigation technologies, along with stability control, as part of the CDL standard test approach.

In terms of maintenance, Bendix emphasizes that all components used for repairs must deliver the same level of performance as original equipment and must be installed according to the manufacturer's recommended service procedures.

Additionally, Bendix's response includes recommendations on topics including testing on actual vehicles, HMI (human-machine interface) considerations, malfunctions vs. performance

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degradation due to environmental conditions, implementation timing, and others. Regarding retrofitting, Bendix agrees with the agencies that vehicles should not be retrofitted with the technologies.

“The AEB mandate is another step in helping to equip commercial vehicles with the technologies that can help to make our highways safer for everyone,” Andersky said. “We look forward to working with NHTSA and FMCSA to deliver a final rule that provides the broadest coverage.”

About Bendix Commercial Vehicle Systems LLC

Bendix Commercial Vehicle Systems, a member of Knorr-Bremse, develops and supplies leading-edge active safety technologies, energy management solutions, and air brake charging and control systems and components under the Bendix® brand name for medium- and heavy-duty trucks, tractors, trailers, buses, and other commercial vehicles throughout North America. An industry pioneer, employing more than 4,400 people, Bendix – and its wholly owned subsidiary, R.H. Sheppard Co., Inc. – is driven to deliver the best solutions for improved vehicle safety, performance, and overall operating cost. Contact us at 1-800-AIR-BRAKE (1-800-247-2725) or visit [bendix.com](https://www.bendix.com). Stay connected and informed through Bendix expert podcasts, blog posts, videos, and other resources at [knowledge-dock.com](https://www.knowledge-dock.com). Follow Bendix on Twitter at twitter.com/Bendix_CVS. Log on and learn from the Bendix experts at [brake-school.com](https://www.brake-school.com). And to learn more about career opportunities at Bendix, visit [bendix.com/careers](https://www.bendix.com/careers).

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