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July 15, 2023

Ann Carlson
Acting Administrator
National Highway Traffic Safety Administration
U.S. Department of Transportation
1200 New Jersey Ave., SE
Washington, DC 20590

RE: Docket ID NHTSA-2023-0012 Side Underride Guards

Dear Ms. Carlson:

The National Waste & Recycling Association (NWRA) appreciates the opportunity to provide comments on the National Highway Transportation Safety Administration (NHTSA) Side Underride Guards (Docket ID NHTSA-2023-0012).

NWRA is a trade association that represents private-sector waste and recycling companies in the United States, including the first, fifth, and tenth largest commercial fleets, as well as manufacturers and service providers who do business with those companies. NWRA's members operate in all 50 states and the District of Columbia. NWRA provides leadership, education, safety expertise, research, and advocacy to promote North American waste and recycling industries, serve as their voice, and create a climate where members prosper and provide safe, economically sustainable, and environmentally sound services.

NWRA members are interested in the safe operation of vehicles and appreciate the ability to comment on this proposed rule. The association reached out to its members for a better understanding of how the proposed rule would affect frontline drivers and operations. The answers represent a cross-section of the NWRA safety committee of large national, regional, and local companies.

NWRA members had comments on the following questions:

6. In estimating costs, the agency did not include the cost and weight of strengthening the beams, frame rails, and floor of the trailer to accommodate side underride guards. NHTSA seeks information on changes that would be required and the additional costs resulting from these changes.

NWRA members are concerned about the added costs resulting from damaged and broken underride guard systems for trailers that must operate at transfer stations with below-grade loading pits or when traversing unpaved roadways at landfills where they come up directly next to the working face. These rough environments inevitably cause damage to the side underride guards, incurring continual replacement costs. Trailers involved in the waste and recycling industry may need a solution that would enable the side underride guard to be moved to accommodate transfer station and landfill operations.

8. NHTSA did not take into consideration the practicability and feasibility of side underride guards on trailer and semitrailer operations. Could side underride guards scrape or snag on the road surface when the vehicle travels over humped surfaces such as a highway-rail crossing, or when the vehicle enters a steep loading dock ramp? Could this interaction of side underride guards with the ground disable movement of the trailer and significantly damage the side underride guards, thereby requiring their replacement? We seek information on the effects of side underride guards on trailer and semitrailer operations.

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NWRA appreciates the opportunity to comment on the Side Underride Guards ANPRM and we look forward to continuing to work with your office on this matter. Should you have any questions, please call Kirk Sander at ksander@wasterecycling.org or 202-364-3750.

Very truly yours,



Darrell K. Smith, PhD
President & CEO