

GAO Highlights

Highlights of [GAO-22-104635](#), a report to congressional requesters

Why GAO Did This Study

According to NHTSA estimates, 38,824 people died in motor vehicle crashes in 2020 on U.S. roads and highways, with even more projected to have died in 2021. NHTSA is responsible for overseeing the safety of motor vehicles on U.S. roads.

GAO was asked to examine NHTSA's processes for developing statutorily required, or "mandated," rulemakings and reports. In this report, GAO examined: (1) the number of rulemakings and reports mandated by MAP-21 and the FAST Act that NHTSA completed, and factors that affected its completion of selected mandates; and (2) the extent to which NHTSA followed leading project schedule management practices when developing mandated rulemakings and reports, among other objectives.

GAO analyzed publicly available information on regulations under development, including [Reginfo.gov](#); reviewed relevant agency procedures; summarized literature issued in the past 10 years on factors affecting rulemaking; and interviewed NHTSA officials, six regulatory experts, and nine transportation stakeholders. GAO also selected for review five mandated rulemakings and four mandated reports to provide additional insights on factors affecting mandate completion.

What GAO Recommends

GAO is making four recommendations, including that NHTSA update its procedures on rulemaking and developing reports to Congress to require the use of leading project schedule management practices. NHTSA concurred with the recommendations.

View [GAO-22-104635](#). For more information, contact Elizabeth Repko at (202) 512-2834 or repkoe@gao.gov.

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TRAFFIC SAFETY

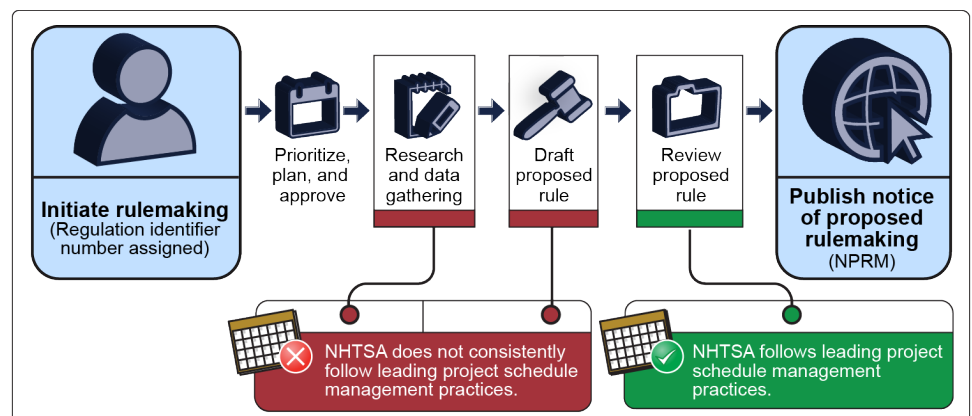
Implementing Leading Practices Could Improve Management of Mandated Rulemakings and Reports

What GAO Found

The National Highway Traffic Safety Administration (NHTSA) was mandated to complete numerous rulemakings and reports to address safety and related issues by both the 2012 Moving Ahead for Progress in the 21st Century Act (MAP-21) and the 2015 Fixing America's Surface Transportation Act (FAST Act). As of April 11, 2022, NHTSA completed all 19 reports and 6 of the 22 rulemakings required by these Acts that GAO identified. Agency officials and regulatory experts GAO interviewed cited administration priorities, issue complexity, and resource availability as factors affecting NHTSA's completion of rulemakings and reports.

NHTSA has not consistently followed leading project schedule management practices when developing mandated rulemakings and reports. These practices, which include establishing milestones and sequencing activities, can help manage project timeframes and reduce delays. While these practices should be applied to all stages of a project, NHTSA only consistently followed them for the review stage of its rulemaking and report processes, where NHTSA's procedures specify that it do so. (See fig.) For example, NHTSA followed leading project schedule management practices for the review of a proposed rule on tire pressure standards, but not for the activities, such as securing and managing a research contract, needed to draft that proposed rule. Regulatory experts have noted that these time-consuming stages of the rulemaking process are important, as they influence the contents of rules.

National Highway Traffic Safety Administration's (NHTSA) Use of Leading Project Schedule Management Practices in Its Rulemaking Process



Source: GAO analysis of NHTSA information. | [GAO-22-104635](#)

Similarly, for each mandated report to Congress, NHTSA followed leading project schedule management practices when reviewing draft reports, but not for the tasks needed to draft each report prior to review. While NHTSA has completed all of the reports mandated by MAP-21 and the FAST Act, it issued nearly all of these reports after their statutory deadlines, delaying information to Congress on topics such as traffic safety that are critical to congressional oversight.