

ATSIP

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ASSOCIATION OF TRANSPORTATION
SAFETY INFORMATION PROFESSIONALS

Procedures for the Maintenance of ANSI D16.1 Manual on the Classification of Motor Vehicle Traffic Crashes

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SAFETY INFORMATION PROFESSIONALS

Table of Contents

1.0 Background.....	3
2.0 Purpose.....	3
3.0 Organization.....	3
3.1 Secretariat.....	4
3.2 Standards Review Committee.....	4
3.3.1 Consensus Body Size and Membership.....	5
3.3.2 Interest Categories.....	5
3.3.3 Selection of the Consensus Body.....	6
4.0 Interactions.....	6
4.1 Consensus Body and Standards Review Committee Participation.....	6
4.2 Minutes.....	6
4.3 Discussion Board.....	7
5.0 Essential Requirements for Due Process.....	7
5.1 Openness.....	7
5.2 Lack of Dominance.....	7
5.3 Balance.....	8
5.4 Coordination and Collaboration.....	8
5.5 Notification of Standards Development and Coordination.....	8
5.5.1 Project Initiation Notification System (PINS).....	8
5.5.2 PINS Exception.....	9
5.5.3 Comments Citing Duplication or Conflict With Existing Standards.....	9
5.5.4 PINS Deliberation Report.....	9
5.5.5 Public Review and Comment—Amendments.....	10
5.5.6 Substantive Change.....	11
5.6 Consideration of Comments and Objections.....	11
5.7 Evidence of Consensus and Consensus Body Vote.....	11
5.7.1 Approved Actions.....	12
5.7.2 Voting Procedures.....	12
5.7.3 Voting Rights.....	13
5.7.4 Voting Time Period.....	13
5.7.5 Reporting Votes.....	13

5.8 Appeals.....	13
5.8.1 Opportunity to Appeal and Response by ATSIP.....	14
5.8.2 Appeals Panel and Hearing.....	14
5.8.3 Decision	15
5.8.4 Further Appeal.....	15
5.9 Written Procedures.....	15
6.0 Submittal of Standard	15
7.1 Patent Policy	16
7.2 Commercial Terms and Conditions Policy.....	16
7.3 Records Retention Policy.....	16
7.4 Metric Policy.....	16
7.5 Interpretations Policy	16
7.6 Antitrust Policy	17
8.1 Consideration of International Standards.....	17
8.2 Maintenance of Standards.....	17
8.3 Withdrawal of Standards.....	17
8.4 Discontinuance of a Standards Project	17
8.5 Compliance With ISO and IEC Standards.....	17
8.6 Revisions to Procedures.....	17
8.7 Copyright	18

1.0 Background

Law enforcement, vital statistics, and other government agencies, vehicle manufacturers, medical personnel, and legislative bodies have vested interests and legal responsibility related to the incidence and reporting of motor vehicle crashes and the resulting damage, injuries, fatalities, and personal and societal costs. As a result, for decades, data regarding motor vehicle crashes have been shared among these various agencies and entities in an effort to determine means by which to mitigate and eventually eliminate crashes nationwide.

Crash data has been analyzed in order to identify driver demographics and risky behavior, types of roadway configurations where crashes are most likely to occur, effects of emergency medical intervention most successful in saving lives, and vehicle types that may be over-represented in crashes. These analyses have provided data used successfully in education, engineering, EMS, and enforcement efforts to reduce both the number and severity of crashes that occur.

Data about crashes originate in all 50 States plus the District of Columbia and the U.S. Territories. It is captured by thousands of law enforcement agencies, and their officers and employees. The analytical potential of these crash reports lies in their ability to be aggregated for research and reporting, which is dependent upon standardization and uniformity of reporting and data capture across States and agencies.

The effectiveness of crash countermeasures is directly dependent upon reliable and accurate traffic records data.

2.0 Purpose

The purpose of this policy and procedure manual for development of national standards, then, is to guide the Association of Transportation Safety Information Professionals (ATSIP) in the development of consensus-based standards that promote uniformity amongst all crash data collectors and agencies, and thereby promote and improve traffic safety nationwide. The effort to promulgate standards that may be used by agencies and their employees throughout the country will be the result of the collaboration of a national forum, which signifies to all parties who are materially impacted by the standard that it is the desire and intent of ATSIP to produce standards that promote enhanced traffic safety for all roadway users.

3.0 Organization

The Association of Transportation Safety Information Professionals (ATSIP) is a non-profit organization whose mission is to provide a forum for communicating traffic records improvement strategies among all interested disciplines, organizations, and governments and to use its combined expertise to recommend strategies, standards, policies, and programs. ATSIP's goal is to improve the quality of traffic records—to make them timely, accurate, consistent, complete, accessible and integrated—and to encourage their use to select, implement, and evaluate safety programs and policies through the United States and the world.

ATSIP's organization consists of an executive board and professional members. Its activities are supported by governments, academic and professional associations, and private sector partners.

Membership is open to any person with an interest in traffic safety who has experience with data or is actively involved in the design, development, maintenance, and/or operation of transportation safety information systems or in their administration and use. This includes traffic safety data collectors, users, managers, and analysts. ATSIP is governed by its board.

3.1 Secretariat

On behalf of ATSIP, the project director for the development of Crash Classification Standards will act as the Secretariat with assistance from the Assistant Project Director.

Duties of the Secretariat will include:

- a. Selection, contracting, and organization of the Consensus Body,
- b. Ensure compliance with these procedures,
- c. Apply for ANSI accreditation,
- d. Assist ATSIP with maintenance of accreditation in accordance with *ANSI Essential Requirements*,
- e. Be responsible for approval of the Crash Classification standard,
- f. Submit proposed standards as approved by the Consensus Body and supporting documentation to ANSI for review and approval as American National Standards,
- g. Advise and assist ATSIP with adherence to periodic maintenance of standards, and
- h. Fulfill administrative responsibilities related to maintenance of records and rosters of the Consensus Body and other reviewers.

3.2 Standards Review Committee

ATSIP will assign a four-member subcommittee to conduct an annual review of the Crash Classification standards to ensure their continued relevance. The Committee shall consist of two board members and two members from the general ATSIP membership, including one data collector, one data user, one database manager, and one data analyst or researcher. The ATSIP Board may appoint additional members to reflect the interests of all directly or materially affected parties, and/or including subject matter experts. No specific interest group (data users, managers, collectors, or analysts) shall hold more than one-third of the Committee's membership.

3.3 Consensus Body

The Secretariat, with approval of the ATSIP Board, shall select a Consensus Body with a minimum of 25 members.

The duties of the Consensus Body are:

- a. Propose new standards as required by legislative change, vehicle-type additions or revisions, technological advancements, or analytical needs.
- b. Review the proposal of new standards or revisions to current standards.
- c. Vote on approval of the American National Standards.
- d. Act on other matters requiring action as provided in these procedures.

3.3.1 Consensus Body Size and Membership

Membership on the Consensus Body and voting representation shall not be conditioned upon ATSIP membership and shall not be conditioned on membership in any affiliated group, nor be unreasonably restricted based on technical qualifications or other such requirements. The membership shall represent the broad interests of transportation safety data and decision-making.

The Consensus body shall consist of at least twenty-five members, at least four of whom shall be crash data collectors, four shall be crash database managers, four shall be data analysts or researchers, and four shall be data users. The United States Department of Transportation shall be represented by at least one member each from the National Highway Traffic Safety Administration, the Federal Motor Carrier Safety Administration, and the Federal Highway Administration. The Governors Highway Safety Administration shall likewise be represented by one member. Participants from diverse interest categories will be sought with the objective of achieving balance.

The Consensus Body shall not be dominated by any single interest category, individual, or organization. Dominance means a position or exercise of dominant authority, leadership, or influence based on superior leverage, strength, or representation to the exclusion of fair and equitable consideration of other viewpoints.

No single interest category shall constitute more than one-third of the membership of the Consensus Body.

3.3.2 Interest Categories

Members of the Consensus Body will be classified into the following interest categories.

Data Collector: This category includes law enforcement agency members who, by virtue of their professional responsibilities, collect data and investigate crashes based on the relevant statutory guidelines of their jurisdictions.

Data Manager: This category includes those persons who are responsible for the aggregation of data within their State or Territory and who manage the repository of crash reports with oversight of data integrity and quality, including aspects of uniformity, timeliness, completeness, accuracy, and accessibility.

Data User: Data users are those who use crash data in the performance of their professional responsibilities, including development of educational programs and/or traffic safety legislation that relate(s) to prevention of risky or illegal driver behavior; development of enforcement programs to improve traffic safety for roadway users, including pedestrians and bicyclists, determination of engineering applications to mitigate or prevent crashes or determine hazardous locations within a jurisdiction; or development of medical interventions that best provide for safety and survival of those injured in crashes.

Data Analyst/Researcher: Analysts and Researchers are involved in a variety of aspects of traffic safety from costs to prevention to traffic calming. Use of crash data in aggregate is to promote traffic safety at every level and to determine optimal approaches and programs to

address issues that contribute to crash causation, severity, and incidence. This research may include vehicle design, roadway configuration, driver behavior, seatbelt or other occupant protection use, and motorcycle/bicycle/pedestrian safety, to cite examples.

Federal Government Agency Representation: Representatives of Federal agencies provide insight into the national interests of interstate travel and commercial vehicles, highway construction and maintenance, and data collection that affords effective and efficient data-driven decision-making related to traffic safety issues. These are representatives with a broader overview of traffic safety who operate from a perspective devoid of hyper-focus on local- and State-specific problems and concerns.

General Interest: The Consensus Body will seek input from those within the transportation safety community who have a direct or material interest in the development of standards and who are not specifically assigned one of the other interest categories.

3.3.3 Selection of the Consensus Body

In selection of members to the Consensus Body, consideration shall be given to the need for balance, the prevention of potential dominance of a single interest group, the need for active and engaged participation by members of each interest category, the members' qualifications, and their ability to participate.

4.0 Interactions

The meetings of ATSIP committees, including the Standards Review Committee, are open to all parties who have a direct and material interest. The purpose of the Standards Review Committee is to conduct committee business. Attendance may be limited due to practical considerations, such as teleconference capacity and/or meeting room size.

The Consensus Body will conduct its interactions via a discussion board authorized and overseen by ATSIP. Posting of proposed standards and requests for suggested revisions or new data elements will be handled by ATSIP through its website and shared as broadly as possible through linked websites to interested parties. An annual on-site meeting at the Traffic Records Forum will be held and available through teleconference facility if possible.

A simple majority of the members of the Consensus Body or Standards Review Committee shall constitute a quorum. If a quorum is not present, actions may be taken subject to confirmation by letter ballot.

4.1 Consensus Body and Standards Review Committee Participation

Members of the Consensus Body and Standards Review Committee shall participate in meetings or discussion board interactions. Failure to participate in voting of either group in person or by mail ballot may result in dismissal from the group.

4.2 Minutes

Minutes will be kept of all Consensus Body and Standards Committee meetings. Minutes will include the following information: the date, time, and place of the meeting; an affirmative

statement that notice was given; identification of the members who were present to constitute a quorum; and a record of what occurred during the meeting, discussion points, and actions taken. Complete motions will be recorded along with the vote totals. Minutes will be distributed within 30 days of the meeting date.

4.3 Discussion Board

Complete records of all discussion board interactions will be kept, including names of those who participated, and any voting conducted through this board, including an affirmative statement that notice was given as to the dates of votes to be taken on the discussion board, including that a quorum participated, and a record of each participant's vote.

5.0 Essential Requirements for Due Process

Due process requires that any person (organization, company, government agency, individual, etc.) with a direct and material interest has a right to participate by:

- a. Expressing position and providing the basis therefor,
- b. Having that position considered, and
- c. Having the right to appeal.

Due process allows for equity and ensures that all relevant input is taken into consideration. The following constitute the minimum acceptable due process requirements for the development of consensus:

5.1 Openness

Participation shall be open to all parties who are directly and materially affected by the activity in question. There shall be no undue financial barriers to participation.

Timely and adequate notice of any action to create, revise, reaffirm, or withdraw a standard and the establishment of a new consensus body shall be provided to all known directly and materially affected interests. Notice should include a meaningful and clear description of the purpose of the proposed activity and shall identify a readily available source for further information. In addition, the name, affiliation, and interest category of each member of the consensus body shall be made available to interested parties upon request. The affiliation of a consensus body member refers to the entity that the consensus body member represents, which may or may not be that person's employer. If the consensus body member is serving in an individual capacity, then the name of the individual, their sponsors (if any), and interest category shall be made available upon request. Contact information is not required.

5.2 Lack of Dominance

The standards development process shall not be dominated by any single interest category, individual, or organization due to superior leverage, strength, or representation to the exclusion of fair and equitable consideration of other viewpoints.

5.3 Balance

The national standards development process shall have a balance of interests. Participants from diverse interest categories shall be sought with this objective of achieving balance.

5.4 Coordination and Collaboration

Good faith efforts shall be made to resolve potential conflicts between and among those elements of previous national standards and candidate American National Standards.

5.5 Notification of Standards Development and Coordination

Timely and adequate notice of standards development activity, including formation of a consensus body or consensus body meeting, shall be announced in media suitable to demonstrate that a meaningful opportunity for participation by all directly and materially affected parties in a fair and equitable manner was provided. The Secretariat shall develop and maintain a list of stakeholders consisting of organizations, companies, government agencies, standards developers, and individuals known to be or who have indicated that they are directly and materially affected by the standard.

Prior to the notification of standards development, the Secretariat shall survey its list of stakeholders in writing via electronic means about the process for ensuring evidence of consensus in the development of its standards and shall include the title, designation, scope, description, purpose, and intended use of the standard. Notification of standards activity shall also be announced in suitable media as appropriate to demonstrate provision of opportunity to participate by all who are directly or materially affected. Electronic communication is the preferred method of communication.

Request for a new standard or reconsideration or revision of an existing standard may be made in writing to the Secretariat for consideration. The Secretariat shall ensure the consensus body is aware of and considers each addition or revision to the standard. Revisions to the standard shall be made in compliance with the *Essential Requirements of the American National Standards Institute*.

5.5.1 Project Initiation Notification System (PINS)

At the initiation of a project to develop or revise an American National Standard, notification by ATSIP shall be transmitted to ANSI using the Project Initiation Notification System (PINS) form (or equivalent) for announcement in *Standards Action*. Comments received related to a PINS announcement shall be handled in accordance with these procedures.

A statement shall be submitted and published as part of the PINS announcement that shall include:

- a. An explanation of the need for the project,
- b. Identification of the stakeholders (e.g., collector, user, manager, analyst) likely to be directly impacted by the standard, and
- c. The interest categories that will or are expected to comprise the consensus body.

If response from stakeholders changes substantively as the standard is developed, a new and revised PINS shall be submitted and published.

If a developer receives a written request for additional information or for the opportunity to discuss the proposal from a directly and materially interested outside party or current consensus body member during the 30-day PINS comment period, the ASD shall respond in writing within 30 days of the comment deadline.

5.5.2 PINS Exception

A PINS is not required for revisions of a national standard if it is kept under continuous maintenance and meets the following conditions:

- a. Is registered as such on the ANSI website,
- b. Has a notice in the standard that the standard is always open for comment and includes instructions on how to submit comments, and
- c. Has information on the developer's website that the standard is under continuous maintenance and includes information on how to submit comments. A PINS is not required in connection with the decision to maintain an ANS under the stabilized maintenance options or at the initiation of a project to reaffirm or withdraw an ANS.

5.5.3 Comments Citing Duplication or Conflict With Existing Standards

Procedures for responding to written comments received within the comment deadline that purport a standard duplicates or conflicts with an existing standard previously or concurrently announced in *Standards Action* shall be deliberated according to the *ANSI Essential Requirements* clause 2.5 and shall include deliberation of representatives from the relevant interest categories within 90 days from the comment deadline. Deliberation shall:

- a. Be conducted before the developer submits a proposed standard for public review;
- b. Be organized by the developer and the commenter, and if it cannot be conducted within the 90-day period and the developer can demonstrate a good faith effort has been made, the developer will be excused from compliance with this requirement; and
- c. Provide relevant stakeholders with the opportunity to discuss whether there is a compelling need for the proposed standards project.

5.5.4 PINS Deliberation Report

The outcome of the deliberations shall be conveyed in writing within 30 days after the conclusion of the deliberation of the developer to the commenter and to ANSI. After submission of the deliberation report, ATSIP may continue with submission of the proposed standard for public review. Any additional deliberations shall be carried out within 30 days of each deliberation. Agreed-upon actions from the deliberations shall be carried out within 90 days following the deliberation. Deliberation reports shall be submitted with the BSR-9 submittal to the ANSI Board of Standards Review (BSR).

5.5.5 Public Review and Comment—Amendments

Requests for a new standard and reaffirmation or reconsideration of an existing standard may be made in writing to the Standards Review Committee for consideration. The Standards Review Committee is responsible for identifying and considering new standards, revisions to the standards, or reaffirming standards as applicable. Such revisions shall be made in compliance with the *Essential Requirements* of ANSI. The Standards Review Committee will meet to consider any recommended changes to the standard.

The Standards Review Committee will submit recommended changes on standards to the ATSIP Board for a preliminary decision. Once a preliminary decision is made by the ATSIP Board to adopt or change the standard, the preliminary standard and its amendments shall be circulated to the following with a request for written comments:

- a. Members of the Consensus Voting Body, and
- b. Any and all materially affected groups that have been identified using suitable media, as appropriate.

The first written comment period shall be between 30 and 60 days, no more or less. Following the comment period, the standard and any amendment shall be given prompt consideration by the ATSIP Board and revised if necessary. The ATSIP Board may choose to have the Standards Review Committee reconsider and make recommendations on any remaining issues. Revisions will only be made to the parts of the document for which comments were received. The recommendations will be sent back to the ATSIP Board for another preliminary decision.

The ATSIP Board will again circulate any proposed modifications for a second written comment period of 30–60 days. Upon receipt of any additional comments, the ATSIP Board will again give prompt consideration and revision if necessary. Such comments will be limited to only those items changed. This consensus process cycle may be continued additional times.

After final approval by the ATSIP Board and completion of the procedural requirements contained in clause 5.6, all members of the Consensus Voting Body shall be notified in writing of any amendments to the proposed standards and asked to vote. Votes may be received by letter, fax, or electronic submission and are due within 60 days. All members of the Consensus Body shall have the opportunity to vote.

Once approved by a two-thirds majority of the Consensus Voting Body, the amended standards shall take effect immediately or at such later date as may be included in the vote to approve the amended standard.

Proposals for new American National Standards and proposals to revise, reaffirm, or withdraw approval of existing American National Standards shall be transmitted to ANSI using the BSR-8 form, or its equivalent, for listing in *Standards Action* in order to provide an opportunity for public comment. The comment period shall be one of the following:

- a. A minimum of 30 days if the full text of the revision can be published in *Standards Action*; or

- b. A minimum of 45 days if the document is available in an electronic format, deliverable within 1 day of a request, and the source (URL or e-mail address) from which it can be obtained is provided to ANSI for announcement in *Standards Action*; or
- c. A minimum of 60 days if neither option (a) or (b) above is applicable.

5.5.6 Substantive Change

A substantive change to the proposed standard is one that directly and materially affects the use of the standard. Examples of substantive changes are:

- a. Changing “shall” to “should” or “should” to “shall”;
- b. Addition, deletion, or revision or any requirement; or
- c. Addition of mandatory compliance with referenced standards.

5.6 Consideration of Comments and Objections

When a ballot has been closed, the Chair of the Consensus Body shall determine whether the expressed views and objections shall be considered by correspondence or at a webinar or meeting. If a meeting or webinar is chosen, all expressed views and objections will be documented in writing.

Prompt consideration shall be given to the written views and objections of all participants, including those commenting on the PINS announcement or public comment listing in *Standards Action*.

An effort to resolve all expressed objections accompanied by comments related to the proposal under consideration shall be made, and each such objector shall be advised in writing (including electronic transmissions) of the disposition of the objection and the reason(s) therefor. If resolution is not achieved, each such objector shall be informed in writing that an appeals process exists within ATSIP’s Policy and Procedure for National Standards Development.

When the process is completed in accordance with these written procedures, ATSIP may consider any comments received subsequent to the closing of the public review and comment period or shall consider them in the same manner as a new proposal. Timely comments that are not related to the proposal under consideration shall be documented and considered in the same manner as submittal of a new proposal. The submitter of the comments shall be so notified.

Each unresolved objection and attempt at resolution and any substantive change made in a proposed American National Standard shall be reported to the Consensus Body to afford all members of the Consensus Body an opportunity to respond, reaffirm, or change their vote. Any substantive change to a standard shall undergo public review.

5.7 Evidence of Consensus and Consensus Body Vote

Evidence of consensus in accordance with these requirements and the accredited procedures of ATSIP shall be documented. Consensus is demonstrated in part by a vote of the Consensus Body.

5.7.1 Approved Actions

Approvals of new standards and substantive changes to, reaffirmations, interpretations, and withdrawals of all standards shall be considered approved when a majority of the Consensus Body casts a vote (including abstentions), and at least two-thirds of those voting (not counting abstentions) approve the action.

5.7.2 Voting Procedures

All documentation associated with American National Standards will undergo the letter ballot process. Letter ballots are to be defined as ballots sent via public mail system; ballots sent by special delivery and/or private courier services; or ballots sent electronically, such as by e-mail or via a secure website. Substantive changes to and interpretations of all standards shall be approved by letter ballot of the Consensus Body. The vote of the Consensus Body shall be conducted and reported according to these policies and procedures. Votes for the approval of a document or a portion of a document that is a candidate for American National Standards may be obtained by letter, fax, recorded at a meeting, or by electronic means. All members of the Consensus Voting Body shall have the opportunity to vote. If a vote is taken at a meeting or webinar, members who are absent may vote before or after the meeting but may not vote by proxy.

- a. ATSIP and/or the Chair of the Consensus Body can only change the vote of a Consensus Body member when instructed to do so by the voter. The request to change the vote must be submitted in writing. ATSIP shall not consider absence of a vote an abstention or an affirmative vote. All negative votes that are not changed at the voter's request will be recorded and reported to the ANSI Board of Standards Review as unresolved negative votes.
- b. ATSIP and the Consensus Body Chair shall record and consider all negative votes accompanied by any comments related to any potential conflict or duplication of the draft standard with an existing American National Standard as well as negative votes accompanied by comments related to procedure or philosophy. Such comments will not be dismissed because they do not offer alternative language to that which was proposed or a specific remedy to the negative vote.
- c. ATSIP and the Consensus Body Chair are not required to consider negative votes accompanied by comments not related to the proposal, nor negative votes without comments.

ATSIP shall indicate conspicuously on the letter ballot that negative votes may be accompanied by comments related to the proposal and that votes unaccompanied by such comments will be recorded as "negative without comments" without further notice to the voter. Comments not related to the proposal submitted with a negative vote shall be documented and considered in the same manner as submittal of a new proposal. If clear instruction is provided on the ballot and a negative vote without comments related to the proposal is received, the vote may be counted as a "negative without comment" for the purposes of establishing a quorum and reporting to ANSI.

It is unnecessary to:

- a. solicit comments from the negative voters, or
- b. conduct a recirculation ballot of the negative vote.

It is necessary to report the negative votes without comments as “negative without comment” when making the final submittal to the ANSI Board of Standards Review.

ATSIP shall maintain records of evidence of any change of an original vote.

Each member of the Consensus Body should vote as one of the following positions or an equivalent.

- a. Affirmative
- b. Affirmative with comment
- c. Negative with reasons (the reason for a negative vote shall be given and shall include specific wording or actions that would resolve the objection)
- d. Abstain

5.7.3 Voting Rights

Each committee or consensus body member shall cast his or her vote. Proxies are not permitted.

5.7.4 Voting Time Period

The Consensus Body shall have a minimum of 30 days but no longer than 60 days to vote on proposed standards.

5.7.5 Reporting Votes

The report of each vote on ATSIP American National Standards shall be reported on all submittals to ANSI, the Standards Review Committee of ATSIP, and the ATSIP Board as follows.

- a. Number of members
- b. Number of members voting affirmatively
- c. Number of members voting negatively with reasons
- d. Number of members voting negatively without reasons
- e. Number of members abstaining
- f. Number of members not returning ballots

5.8 Appeals

Appeals shall be addressed promptly, and a decision made expeditiously. Appeals procedures shall provide for participation of all parties concerned without imposing an undue burden on them. Consideration of appeals shall be fair and unbiased and shall fully address the concerns addressed.

Parties who have directly and materially affected interests and who have been or will be adversely affected by any procedural action or inaction by ATSIP regarding the development of a proposed American National Standard or the revision, reaffirmation, or withdrawal of an existing American National Standard have the right to appeal. The burden of proof to show

adverse effect shall be on the appellant. Appeals of actions must be made within 30 days after the date of notification of action or at any time with respect to inaction. Appeals shall be directed to the ATSIP Board, who shall forward it to the body responsible for action or inaction.

5.8.1 Opportunity to Appeal and Response by ATSIP

The ATSIP Board shall accept any appeals directly related to the development or revision of the Standard from any directly or materially affected person. All appeals shall be submitted in writing to the ATSIP Board within 30 days after the date of notification of action or any time with respect to inaction. A Standards Appeals Committee shall be established by the ATSIP Board to review the appeal. The Appeals Committee may consult with the Consensus Body if necessary. The Appeals Committee shall make a recommendation to the ATSIP Board, who will decide whether the appeal has merit and if any action will be taken as a result.

Individuals who believe they have been affected by an action or inaction of the Standards Review Committee, Consensus Body, or Secretariat shall have the right to appeal. The appellant shall file a written complaint with the ATSIP Board within 30 days after the date of notification of action or at any time with respect to inaction. The written complaint shall state the nature of the objection(s), including any adverse effects, the section(s) of the Standard at issue, actions or inactions at issue, and the specific action(s) that would satisfy the appellant's concerns.

The ATSIP Board shall respond in writing within 60 days after receipt of the complaint, specifically addressing each allegation in the complaint to the extent possible. The ATSIP Board shall attempt to resolve the complaint informally.

5.8.2 Appeals Panel and Hearing

If the ATSIP Board or the Standard's Secretariat is unable to informally resolve the complaint, the Board shall appoint an appeals panel to hold a hearing on a date agreeable to all participants with at least 15 business days' notice. The appeals panel shall consist of three individuals who have not been directly involved in the dispute and who will not be materially affected by a decision made in the dispute. At least two members of the appeals panel shall be acceptable to the complainant and at least two members shall be acceptable to the ATSIP board.

Should the parties to the appeal not be able to agree on an appeals panel within a reasonable amount of time, both the appellant and the respondent shall each select one panel members who has not been directly involved in the matter in dispute and who will not be materially or directly affected by any decision made or to be made in the dispute, and the third member shall be selected by the appointed panel members.

The complainant has the responsibility to demonstrate improper actions or inactions, the adverse effects therefrom, and the efficacy of the requested remedial action. The ATSIP Secretariat has the responsibility to demonstrate the Standards Review Committee, Consensus Body, or Secretariat took all actions in question in compliance with these procedures and that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments and members of the appeals panel may address questions to each party.

Robert's Rules of Order (latest edition) shall apply to questions of parliamentary procedure for the hearing.

If the complainant cannot fulfill its burden of proof, then the complainant's claim is dismissed. If the complainant fulfills its burden of proof, then the burden of proof is shifted to the respondent. If the respondent is unable to fulfill its burden of proof, then the complainant prevails. If both the complainant and the respondent are able to fulfill their burdens of proof, a decision will be made based on an application of all the criteria.

5.8.3 Decision

The appeals panel shall render its decision in writing within 30 days, stating its findings with reasons therefor. The ATSIP Secretariat shall notify the complainant of the decision of the appeals panel, which shall be binding and final. Consideration may be given to the following determinations, among others, in formulating a decision:

- a. Upholding the complaint of the appellant, remanding action to the Consensus Body with a specific statement of the issues and facts regarding which a fair and equitable action was not taken.
- b. Upholding the determination of the Consensus Body with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's complaints.
- c. Determining that new and substantive evidence has been discovered and remanding the decision to the Consensus Body for further consideration.

5.8.4 Further Appeal

Further appeal by a complainant shall be made directly to ANSI, but only if the above process has been followed to its conclusion. If the complainant gives notice to the ATSIP Secretariat that a further appeal to ANSI is intended, all relevant materials, including the decision made by the appeals panel set forth above, shall be submitted to ANSI by the ATSIP Secretariat.

5.9 Written Procedures

Written procedures shall govern the methods used for standards development and shall be available to any interested person.

6.0 Submittal of Standard

Upon completion of the procedures for voting, for disposition of views and objections, and for appeals, the proposed standard may be submitted to ANSI by the Standards Developer for approval. The Standards Developer shall provide the following or evidence thereof:

- a. Title and designation of the proposed American National Standard.
- b. Indication of the type of action requested (that is, approval of a new American National Standard or reaffirmation, revision, or withdrawal of an existing American National Standard).
- c. A declaration that applicable procedures were followed.

- d. A declaration that the proposed standard is within the scope of the previously registered standard's activity.
- e. A declaration that conflicts with another American National Standard have been addressed in accordance with these procedures.
- f. A roster of the consensus body that indicates the vote of each member, including abstentions and unreturned ballots, if applicable; the interest category of each member; and a summary thereof.
- g. A declaration that all appeal actions related to the approval of the proposed standard have been completed.
- h. A declaration that the criteria contained in the ANSI patent policy have been met, if applicable.
- i. Identification of all unresolved negative views and objections with names of the objector(s) and a report of attempts toward resolution.

7.1 Patent Policy

ATSIP has adopted the Patent Policy as described in the *ANSI Essential Requirements*.

7.2 Commercial Terms and Conditions Policy

ATSIP has adopted the Commercial Terms and Conditions Policy as described in the *ANSI Essential Requirements*. ATSIP is not involved in commercial endeavors.

7.3 Records Retention Policy

ATSIP will retain records for one complete standards cycle or until the standard is revised. Records regarding withdrawn standards will be retained for at least 5 years from the date of withdrawal.

Records will be maintained by the ATSIP Secretary and filed on the premises of the Secretariat in an organized, identifiable, secured, and accessible format. Records shall include, but not be limited to, committee membership applications; rosters; minutes; actions on the development, reaffirmation, and withdrawal of a standard; ballots and ballot reports; appeals and appeal resolutions; announcement and notification of standards activities; and general correspondence.

7.4 Metric Policy

The international System of Units (SI) is the preferred units of measurement in American National Standards. ATSIP will present all measures both in SI and US units in its published American National Standards.

7.5 Interpretations Policy

Requests for interpretations of standards shall be submitted in writing to the Secretariat. All requests for interpretations shall include the date of the request, name and contact information of the party requesting the interpretation, as well as a description of the request for interpretation, the specific section of the standard to be interpreted, the requestor's understanding of the section, and any other questions or specific information relevant to the request.

The Secretariat shall forward the request for interpretation to the Consensus Body. Proposed interpretations can be prepared by any Consensus Body member with particular expertise on the subject in question. All proposed interpretations shall be prepared in writing and shall be submitted to the Secretariat for a letter ballot of the Consensus Body. Interpretations will be approved in accordance with the letter ballot process described in the Voting Procedures Section 5.7.2.

Notification of approved interpretations will be sent in writing to the requester.

7.6 Antitrust Policy

ATSIP shall comply with the ANSI Antitrust policy as applicable in *ANSI Essential Requirements*.

8.1 Consideration of International Standards

ATSIP shall consider applicable international standards if available and appropriate.

8.2 Maintenance of Standards

ATSIP shall follow the ANSI requirements for periodic maintenance of a standard in the latest edition of the *ANSI Essential Requirements*.

8.3 Withdrawal of Standards

If ATSIP wishes to withdraw its approval of a National Standard, it may do so without a vote of the relevant Consensus Body. If the standard is withdrawn, ATSIP shall immediately notify ANSI, and the standard shall be withdrawn as an ANS and announced in *Standards Action*.

8.4 Discontinuance of a Standards Project

ATSIP may abandon the processing of a proposed new or revised American National Standard or any portion thereof if it has followed its accredited procedures. A written justification for such an action shall be made available upon receipt of any written request received by ATSIP within 60 days of the date of the final action. ATSIP will notify ANSI immediately of discontinuance of a standards project for announcement in *Standards Action*.

8.5 Compliance With ISO and IEC Standards

When appropriate, ATSIP will comply with procedures outlined in the *ANSI Essential Requirements* with respect to the national adoption of ISO and IEC standards as American National Standards.

8.6 Revisions to Procedures

These operating procedures are maintained by ATSIP. Proposed revisions to these procedures may be submitted in writing by any ATSIP committee member to the Executive Committee of the ATSIP Board for review along with a supporting rationale for the proposed change. The Executive Committee will present the proposed revisions and considerations. ATSIP may reject a proposed procedural revision as appropriate to the ATSIP Board for review and consideration.

ATSIP may reject a proposed procedural revision. Approved revised procedures are then submitted to ANSI for public comment and ANSI review and approval.

8.7 Copyright

In order for the ATSIP Secretariat to disseminate the work of its committees, it is necessary that each contributor grant ATSIP the rights necessary to adapt, copy, and publicly distribute any contribution or submittal made to an ATSIP Committee. All ATSIP standards are copyrighted by ATSIP. Except as expressly permitted by ATSIP, no standard or other ATSIP deliverable, or any portion thereof, may be reproduced or distributed in any form without the prior written permission of ATSIP. The following copyright notice shall be included in all standards or other ATSIP deliverables: “Copyright © ATSIP (date of publication). All Rights Reserved.”