

May 4, 2018

Dear Senator:

As representatives of a diverse group of safety, public health, bicyclists, pedestrians, smart growth, consumer and environmental groups, law enforcement and first responders, disability communities and families affected by motor vehicle crashes, we write urging you to support sensible and needed safety and consumer improvements to legislation pending in the U.S. Senate, S. 1885, the AV START Act. This bill, which addresses the development and deployment of autonomous vehicle (AV) technology or driverless cars, lacks critical public safeguards.

Just this year, at least two people have been killed in crashes involving driving automation systems – including a pedestrian walking a bicycle. The National Transportation Safety Board (NTSB) is investigating those crashes. As the findings from those investigations are likely to have a direct bearing on the AV START Act, we ask that it not move forward until those investigations are complete. While we are hopeful that in the future driverless cars may result in significant reductions in motor vehicle crashes, deaths and injuries, we are very concerned that provisions in the bill put others sharing the road with AVs at unnecessary and unacceptable risk.

We urge you to adopt reasonable and responsible improvements including:

- Requirements for safety standards such as a “vision test” for driverless technologies, cybersecurity and electronics system protections, and distracted driving requirements when a human needs to take back control of a vehicle from a computer;
- Adequate data collection and consumer information;
- Crash analysis data recording that includes parameters designed to aid investigators such as NTSB and the National Highway Traffic Safety Administration (NHTSA);
- Reducing the size and scope of exemptions from federal safety standards;
- Ensuring access for all disability communities, including wheelchair users;
- Subjecting Level 2 vehicles to all safety critical provisions, without blocking state protections for these vehicles;
- Eliminating a section that would allow manufacturers to unilaterally “turn off” vehicle systems;
- Removing provisions that prohibit states and localities from protecting their citizens by regulating the AV system even when it is functioning as the driver of the vehicle; and,
- Providing the U.S. Department of Transportation (DOT) and NHTSA with sufficient resources and authorities.

These changes would protect innovation and technological progress from consumer fears of self-driving technology that have only grown after the recent fatalities. And, they would ensure that AVs are developed and deployed in a way that provides proper government oversight and industry accountability while prioritizing public safety.

Concern about AV safety and support for improvements is widespread. For instance, a CARAVAN public opinion poll released earlier this year found that 64 percent of respondents expressed concern about sharing the roads with driverless cars and 73 percent of respondents

support the U.S. DOT developing safety standards for new features related to the operation of driverless cars. These sentiments have been echoed by numerous editorials and opinion pieces including:

- *The New York Times* (3/31/18): “the technology that powers these vehicles could introduce new risks that few people appreciate or understand”;
- *Automotive News* (3/26/18): “If it takes time to figure how to develop and test vehicles responsibly without posing an undue risk to the public, that's time well spent”; and,
- *Los Angeles Times* (3/23/18): “So far, there's no comprehensive data on how driverless cars are performing on tests or whether the vehicles are ready for commercial use. There are no federal rules governing the deployment and performance of autonomous technology. There are no standardized tests the cars are required to pass before using public roads.”

Moreover, recent reports have suggested the bill could be attached to unrelated legislation moving through the Senate. The AV START Act will set AV policy for decades to come and should not bypass the regular legislative process. It is essential that the legislation be given the opportunity for discussion, debate and transparent consideration before the Senate votes. Considering predictions by numerous auto and tech industry executives that it will likely be many years until AVs are rolled out, it would be prudent to be deliberate in legislating our Nation’s AV policy and not rush through the AV START Act.

The Senate stands poised at a critical juncture in surface transportation policy. We urge you to allow for the completion of NTSB’s expert analysis of the recent crashes and their subsequent recommendations before any further legislative action is taken. It is crucial that necessary and commonsense safety improvements to ensure the safe development and deployment of AVs for all roads users are included in this legislation.

Thank you for your consideration.

Sincerely,

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Bill Nesper, Executive Director  
The League of American Bicyclists

Christopher Michetti, MD, President  
American Trauma Society

Dominick Stokes, Vice President for Legislative Affairs  
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