



National Association of City Transportation Officials

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Linda Bailey
Executive Director

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July 19, 2018

The Honorable Mitch McConnell
Senate Majority Leader
S-230 United States Capitol
Washington, DC 20510

The Honorable Chuck Schumer
Senate Minority Leader
S-221 United States Capitol
Washington, DC 20510

The Honorable John Thune
Chairman
Committee on Commerce, Science and Transportation
United States Senate
512 Dirksen Senate Building
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science and Transportation
United States Senate
716 Hart Senate Office Building
Washington, DC 20510

Dear Leader McConnell, Leader Schumer, Chairman Thune, and Ranking Member Nelson,

On behalf of the National Association of City Transportation Officials, we express our opposition for S.1885, known as the AV START Act. While the bill makes important strides in specifying what manufacturers and designers should be considering in regards to roadway safety, issues of preemption, safety standards, and data sharing remain unaddressed.

Our organization’s concerns with the AV START Act are in the following areas:

- AV START broadly preempts state and local regulations.** AV START undermines states’ and cities’ current role in regulating driving operations behavior without providing an alternative. Without the ability to write legislation or regulation that addresses virtually any aspect of autonomous vehicles, states and cities will be hard-pressed to address emerging traffic safety issues, congestion, increased emissions and air pollution, or mobility issues in their communities. Most importantly, the legislation takes away state and local jurisdiction over safe traffic operations and replaces it with a national carte blanche for experimentation on public roadways, putting real people in the place of crash dummies.

2. **This bill fails to hold autonomous vehicles to current vehicle safety standards, even in the well-tested arena of crashworthiness, or define a credible path to future standards.** By allowing autonomous vehicle companies to self-certify the safety of their own vehicles without an independent reviewer, this legislation opens the possibility of allowing tech companies to deploy thousands of vehicles and software that do not meet externally defined safety standards.

3. **AV START contains no data-sharing requirements, missing an opportunity to dramatically improve state and city traffic safety and management by requiring anonymized data-sharing between public and private partners.** NACTO strongly recommends that data on safety, vehicle movement, and operations be reported and submitted in an aggregated and anonymized format through a third-party intermediary platform. A provision making this data freely accessible to local governments while ensuring consumer privacy and safeguarding competitive concerns is missing from this legislation.

The AV START Act revokes transportation leaders' authority to manage traffic on city streets and lacks defined safety standards and data-sharing requirements. Without these key provisions, automated vehicles cannot realistically operate safely in multi-modal city contexts. While the concerns raised above remain unaddressed, NACTO stands firmly opposed to this bill.

Sincerely,

A handwritten signature in black ink, appearing to read 'Linda Bailey', with a stylized flourish at the end.

Linda Bailey
Executive Director
National Association of City Transportation Officials