



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY

May 20, 2024

The Honorable Gary Peters, Chair
The Honorable Todd Young, Ranking Member
Committee on Commerce, Science and Transportation
Subcommittee on Surface Transportation, Maritime, Freight and Ports
United States Senate
Washington, D.C. 20510

Dear Chairman Peters and Ranking Member Young:

Thank you for holding tomorrow's hearing, "Examining the Roadway Safety Crisis and Highlighting Community Solutions." With deaths and injuries on our Nation's roads at historically high levels, we urge the Subcommittee to advance proven solutions to enhance public safety. Advocates for Highway and Auto Safety (Advocates) respectfully requests this letter be included in the hearing record.

Motor Vehicle Crashes are a Devastating and Costly Public Health Crisis

The carnage and expense borne from crashes on our roadways are at historic highs. On average, 116 people were killed every day on roads in the U.S. in 2022, totaling just over 42,500 fatalities.¹ An additional 2.38 million people were injured.² This represents a 29 percent increase in deaths in just a decade.³ Early projections for 2023 traffic fatalities remain at a similar level.⁴

In addition to vehicle occupants, other road users experienced upturns in deaths. Approximately 7,522 pedestrians and 1,105 bicyclists were killed in 2022, representing a one percent and 13 percent increase respectively, from 2021.⁵ In 2022, 6,218 motorcyclists were killed, accounting for 15 percent of all traffic fatalities.⁶ This is the highest number of motorcyclists killed since at least 1975.⁷

¹ Overview of Motor Vehicle Traffic Crashes in 2022, NHTSA, Apr. 2024, DOT HS 813 560. (Overview 2022).

² Overview 2022.

³ Traffic Safety Facts 2021: A Compilation of Motor Vehicle Crash Data, NHTSA, Dec. 2023, DOT HS 813 527, (Annual Report 2021); and Overview 2022; [comparing 2013 to 2022].

⁴ Traffic Safety Facts: Crash Stats, Early Estimate of Motor Vehicle Traffic Fatalities in 2023, NHTSA, Apr. 2024, DOT HS 813 561.

⁵ Overview 2022.

⁶ NHTSA, Motorcycle Safety, Overview, available at: <https://www.nhtsa.gov/road-safety/motorcycles#:~:text=Overview,killed%20since%20at%20least%201975>.

⁷ *Id.*

Conservatively, the annual economic cost of motor vehicle crashes is approximately \$340 billion (2019 dollars).⁸ This means that every person living in the U.S. essentially pays an annual “crash tax” of over \$1,000. Moreover, the total value of societal harm from motor vehicle crashes in 2019 was nearly \$1.4 trillion.⁹

Federal Safety Standards Have Saved Hundreds of Thousands of Lives

The National Highway Traffic Safety Administration (NHTSA) has estimated that between 1960 and 2012, over 600,000 lives have been saved by motor vehicle safety technologies.¹⁰ Advocates always has enthusiastically championed rulemaking for innovative vehicle safety technologies shown to prevent injuries and deaths because it is effective. In 1991, Advocates led the coalition that supported enactment of the bipartisan Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991¹¹ which included a mandate for front seat airbags as standard equipment. As a result, by 1997, every new car sold in the United States was equipped with this technology and the lives saved have been significant. Airbags have saved an estimated 50,457 lives from 1987 to 2017, according to NHTSA.¹²

Advocates continued to support proven lifesaving technologies as standard equipment in all vehicles in other federal legislation and regulatory proposals. These efforts include: tire pressure monitoring systems;¹³ rear outboard 3-point safety belts;¹⁴ electronic stability control;¹⁵ rear safety belt reminder systems;¹⁶ brake transmission interlocks;¹⁷ safety belts on motorcoaches;¹⁸ rear-view cameras;¹⁹ safer power window switches;²⁰ advanced driver assistance systems (ADAS);²¹ impaired driving prevention technology;²² enhanced vehicle hood and bumpers to better protect vulnerable road users;²³ systems to address the issue of unattended children in vehicles;²⁴ and, advanced head lamps.²⁵

⁸ The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, Dec. 2022, DOT HS 813 403. (Economic and Societal Impact 2019).

⁹ Economic and Societal Impact 2019.

¹⁰ Lives Saved by Vehicle Safety Technologies and Associated Federal Motor Vehicle Safety Standards, 1960 to 2012, DOT HS 812 069 (NHTSA, 2015); See also, NHTSA AV Policy, Executive Summary, p. 5 endnote 1.

¹¹ Pub. L. 102-240 (Dec. 18, 1991). Statistics are from the U.S. Department of Transportation unless otherwise noted.

¹² Traffic Safety Facts 2018, A Compilation of Motor Vehicle Crash Data, DOT HS 812 981, NHTSA (Nov. 2020).

¹³ Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Pub. L. 106-414 (Nov. 1, 2000).

¹⁴ Anton’s Law, Pub. L. 107-318 (Dec. 4, 2002).

¹⁵ Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59 (Aug. 10, 2005).

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ Moving Ahead for Progress in the 21st Century (MAP-21) Act, Pub. L. 112-141 (Jan. 3, 2012).

¹⁹ Cameron Gulbransen Kids Transportation Safety Act of 2007, Pub. L. 110-189 (Feb. 28, 2008).

²⁰ *Id.*

²¹ Infrastructure Investment and Jobs Act, Pub. L. 117-58 (Nov. 15, 2021).

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

Requiring proven safety technologies as standard equipment in vehicles also promotes traffic safety equity for new car buyers, the next generation of used car buyers, other vehicle occupants and road users outside the vehicle when the rulemaking includes them, as it should when applicable. Rulemaking accelerates fleet penetration and amplifies the safety benefits of the technology while curbing its cost due to economies of scale.

Advocates also publishes an annual [Roadmap to Safety](#) report. This comprehensive tool provides a guide for communities, state legislatures, governors, Congress, and the U.S. Department of Transportation (DOT) on how to reverse the trend of skyrocketing deaths and injuries on U.S. roads.

The Infrastructure Investment and Jobs Act (IIJA) Must be Implemented with Expediency and Thoroughness

Commonsense solutions were advanced by the Committee on Commerce, Science, and Transportation during the consideration of the Infrastructure Investment and Jobs Act (IIJA).²⁶ These include provisions and robust appropriation levels to advance the Safe System Approach (SSA) and Complete Streets which undertake a holistic method to improve safety for all in the roadway environment. Vehicle safety technology and roadway infrastructure improvements designed to upgrade safety have great potential to complement each other and collaboratively save lives. For example, the IIJA authorizes safety upgrades to the Highway Safety Improvement Program (HSIP) which will help to protect vulnerable road users, such as infrastructure features that calm traffic and reduce vehicle speeds, separate road users to minimize conflicts, and deter dangerous driving. It also includes provisions requiring automatic emergency braking (AEB) for passenger motor vehicles and large trucks.²⁷ According to the Insurance Institute for Highway Safety (IIHS), AEB has the capability to reduce car front-to-rear crashes with injuries by 56 percent and large truck front-to-rear crashes by 41 percent.²⁸ NHTSA estimates that requiring AEB on light vehicles will save at least 362 lives and mitigate 24,321 non-fatal injuries annually.²⁹ In addition to curbing the physical and emotional toll on families, the ripple effect of crash reductions is wide-ranging and results in less damage to infrastructure, less congestion caused by crashes, less crash related costs, and less expenditure of first responder and health care resources, among others.

While Advocates lauds NHTSA for recently issuing a Final Rule that requires passenger vehicles be equipped with an AEB system that detects pedestrians, the agency must promptly complete the rulemaking requiring AEB on heavy vehicles as well as other required rules to save lives and meet the deadlines set by Congress.³⁰ These include rulemakings involving advanced impaired driving technology; systems to address the issue of unattended children in vehicles leading to pediatric heatstroke; technology to curb driver distraction and automation complacency; lane departure warning and lane keeping assist systems; adaptive driving beam headlamps; upgrades to hoods and bumpers to better protect vulnerable road user safety; updates to the New Car

²⁶ Pub. L. 117-58 (2021).

²⁷ Pub. L. 117-58, § 24208 (2021).

²⁸ IIHS, Real World Benefits of Crash Avoidance Technologies (Dec. 2020).

²⁹ 89 FR 39686, 39687 (May 9, 2024).

³⁰ 89 FR 39686 (May 9, 2024).

Assessment Program (NCAP); seat belts for limousine passengers; strengthening seatback safety standards; and, automatic shutoff and keyless ignition systems. Additionally, numerous safety rulemakings mandated by Congress in laws preceding the IIJA are exceedingly overdue.³¹ Advocates looks forward to working with the Subcommittee and the U.S. DOT to optimize safety outcomes in a robust, expeditious and equitable manner.

Additional Safety Solutions Must be Advanced

Several bills introduced in this Congress would help address the unacceptable death and injury toll on our Nation's roads and should be enacted without delay. These include: Booster Seat Safety Act (H.R. 607); Complete Streets Act (S. 3670/ H.R. 7082); DOT Victim and Survivor Advocate Act; End DWI Act (H.R. 8213); Mail Traffic Deaths Reporting Act (HR 7527); Pedestrian Hazard, Awareness and Safety Expansion (PHASE) Act (HR 6111); Save Our Pedestrians Act of 2024 (H.R. 7191); School Bus Safety Act (S. 2746); Shielding All Federal Employees and Consumers from Actionable Recall Situations (SAFE CARS) Act (H.R. 799); Used Car Safety Recall and Repair Act (S. 4053); and, She Develops Regulations In Vehicle Equality and Safety (She DRIVES) Act.

There are additional actions that Congress can take to address the public safety crisis on our Nation's roads. These include directing NHTSA to require promising vehicle safety technologies including blind spot detection (BSD), intelligent speed assistance (ISA) and rear AEB with cross traffic alert on all new vehicles. Moreover, AEB systems that can detect and respond to vulnerable road users such as bicyclists can help to mitigate and prevent additional crashes. The IIJA permitted federal funding for automated enforcement (speed and red-light cameras) in work and school zones.³² Congress should continue to encourage the use of this technology to address dangerous driving behaviors. Further, drugged impaired driving poses a significant threat to roadway users. Establishing roadside testing technology, accelerating research to determine a causal link and a standard for cannabis impaired driving, and substantial funding for law enforcement training can all help to address this deeply concerning and growing issue.

Unfortunately, several misguided measures introduced in this Congress would harm public safety and thus, should not become law. These include: No Kill Switches in Cars Act (HR 6563); the MOVE Act (HR 7496); Safer Highways and Increased Performance for Interstate Trucking (SHIP IT) Act (H.R. 471); Ceasing Age-Based (CAB) Trucking Restrictions Act (H.R. 267); Deregulating Restrictions on Interstate Vehicles and Eighteen Wheelers (DRIVE) Act (H.R. 3039); Licensing Individual Commercial Exam-takers Now Safely and Efficiently (LICENSE) Act (S. 1649/ H.R. 3013); and, Safe Routes Act of 2023 (S. 1818 /H.R. 2493).

Experimental Autonomous Driving Technology Remains Unproven

In stark contrast to the effectiveness of federal standards and proven safety technology, cars equipped with automated driving system (ADS) technology, which includes autonomous vehicles (AV) and is unregulated, have been involved in numerous serious and deadly crashes.

³¹ See Attachment A.

³² Pub. L. 117-58, § 24102 (2021).

Many of these incidents have been subject to investigation by the National Transportation Safety Board (NTSB) and NHTSA. Recently, NHTSA has announced investigations of Tesla's Autopilot System, Ford's Blue Cruise and the autonomous vehicle operations of Waymo and Zoox.³³ Furthermore, according to data collected by NHTSA's Standing General Order (SGO) 2021-1 requiring manufacturers to report certain crashes involving vehicles equipped with automated driving systems (ADS) or SAE Level 2 ADAS, approximately 598 crashes have involved ADS and 1,444 have involved ADAS. These include 33 crashes resulting in a fatality.³⁴

In addition, several San Francisco transportation agencies submitted comments to the California Public Utilities Commission last year detailing numerous dangerous incidents involving AVs operating in the city.³⁵ These events include:

- Interfering with emergency response operations including 18 incidents documented by the San Francisco Fire Department in which AVs put firefighters and the public at risk.
- Making planned and unplanned stops in travel lanes that have interfered with transit service and blocked traffic.
- Intrusions into construction zones where City employees were working.
- Obstructions caused by AVs having to interpret and respond to human traffic control officers.
- Erratic driving.³⁶

What San Francisco has been experiencing must not be replicated across the Nation by continuing to allow for the proliferation of AVs that do not comply with any federal safety regulations setting minimum performance standards for the driverless technology and related systems. Many promises have been touted about AVs bringing reductions in motor vehicle crashes and resultant deaths and injuries, lowering traffic congestion and vehicle emissions, expanding mobility and accessibility, improving efficiency, and creating more equitable transportation options and opportunities. However, as Transportation Secretary Buttigieg and others within the auto industry have acknowledged, these outcomes are far from certain.³⁷ Last week, Secretary Buttigieg also noted that AVs need to be held to a higher standard, "The standard should be, don't just be as good as a human driver. Be much, much better."³⁸

³³ Tom Krisher, *US probes whether Tesla Autopilot recall did enough to make sure drivers pay attention*, AP Apr. 26, 2024). Natalie Neysa Alund, Mike Snider, *Feds open preliminary investigation into Ford's hands-free driving tech BlueCruise*, USA Today (Apr, 29, 2024); Peter Valdes-Dapena, *Waymo and Zoox are under federal investigation as self-driving cars allegedly behave erratically*, CNN (May, 14, 2024).

³⁴ Totals by severity.

³⁵ San Francisco Comments to the Draft Resolution Approving Authorization for Waymo Autonomous Vehicle Passenger Service Phase I Driverless Deployment Program, R.12-12-011 (May 31, 2023). Available at: <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://sfstandard.com/wp-content/uploads/2023/06/SF-Comments-on-Waymo.pdf>.

³⁶ *Id.* at pgs. 9-11.

³⁷ Nilay Patel and Andrew J. Hawkins, *Pete Buttigieg is Racing to Keep Up with Self Driving Cars*. The Verge (Jan. 6, 2022); Rebecca Fannin, *Where the billions spent on autonomous vehicles by U.S. and Chinese giants is heading*, CNBC (May 23, 2022).

³⁸ Keith Laing, *Bloomberg News*, "Pete Buttigieg Says Robotaxis Must Become Safer Drivers Than Humans," May 16, 2024.

Supporters of AVs often assert that these vehicles will improve roadway safety by inaccurately stating that 94 percent of crashes are due to human error pointing to a report from NHTSA as support for this misleading claim. However, the agency stated in the same document with this statistic that “[a]lthough the critical reason is an important part of the description of events leading up to the crash, **it is not intended to be interpreted as the cause of the crash nor as the assignment of the fault to the driver, vehicle, or environment** (*emphasis added*).”³⁹ In addition, NTSB Chair Jennifer Homendy has declared that using the statistic in such a manner is “dangerous” and “[a]t the same time it relieves everybody else of responsibility they have for improving safety, including DOT.”⁴⁰ Proponents of AVs also have made the claim that these vehicles will prevent 90 percent of crash fatalities.⁴¹ Yet, there is no credible research cited supporting such an assertion.

In sharp contrast to what is happening in the U.S., other countries are taking a more calculated, careful, and cautious approach to the development of AVs.⁴² Often-repeated claims about the U.S. “falling behind” other countries in the “race” for AVs are simply not true nor supported by research. For example:

- China continues to require permits or restricts operations of AVs on its roads to only those areas approved by the authorities.⁴³
- Germany continues to require permits, approvals, and limits areas of operation for AVs.⁴⁴
- In Japan, the introduction of Level 4 vehicles is controlled and limited to specific areas, operations, and oversight.⁴⁵
- The latest United Nations Economic Commission for Europe (UNECE) regulations limit operations to restrict risks and oversee approval through testing and other requirements.⁴⁶

In sum, no country is selling fully automated vehicles for unfettered use to the public and by many accounts, none will be for a significant amount of time.⁴⁷ According to the most recent KPMG analysis, the U.S. ranks fourth in the world for AV readiness, while China stands at number twenty. In sum, the U.S. is not lagging other countries in allowing AVs to go to market,

³⁹ Singh, S. (2015, February). Critical reasons for crashes investigated in the National Motor Vehicle Crash Causation Survey. (Traffic Safety Facts Crash Stats. Report No. DOT HS 812 115). Washington, DC: National Highway Traffic Safety Administration.

⁴⁰ Hope Yen and Tom Krisher, NTSB chief to fed agency: Stop using misleading statistics, Associated Press (Jan. 18, 2022).

⁴¹ Iyad Rahwan and Azim Shariff, Self-Driving Cars Could Save Many Lives. But Mental Roadblocks Stand in the Way. Wall Street Journal (Apr. 6, 2021).

⁴² Autonomous vehicles: cross jurisdictional regulatory perspectives update, Oct. 7, 2022.

⁴³ China drafts rules on use of self-driving vehicles for public transport; Aug. 8, 2022, Reuters; and Baidue bags China’s first fully driverless robotaxi licenses, Aug. 7, 2022, Reuters. Real driverless cars are now legal in Shenzhen, China’s tech hub, Jul. 25, 2022, TechCrunch+.

⁴⁴ Germany completes legal framework for autonomous driving | Federal Cabinet approves new ordinance, Apr. 2022, Malterer, M.

⁴⁵ Japan to open roads to autonomous vehicles in 2023, Nov. 28, 2022, Wessling, B., The RobotReport.

⁴⁶ New rules to improve road safety and enable fully driverless vehicles in the EU, Jul. 6, 2022, UNECE.

⁴⁷ Lawrence Ulrich, Driverless Still a Long Way From Humanless, N.Y. Times (Jun. 20, 2019); Level 5 possible but “way in the future”, says VW-Ford AV boss, Motoring (Jun. 29, 2019).

but we are behind in establishing comprehensive regulations to ensure public safety will not be jeopardized or diminished.

Considering the current inadequate performance of partial automation and fully autonomous technologies, it is unsurprising that the public has significant concerns. In February 2023, Advocates commissioned a public opinion poll which found that 83 percent of respondents were concerned with sharing the road with driverless cars. This number increased to 86 percent of respondents regarding driverless trucks.⁴⁸ Yet, 64 percent of respondents indicated that their concerns would be addressed if the vehicles were required to meet minimum government standards.⁴⁹

Autonomous Driving Technology Policy: Protecting Public Safety Must be First and Foremost

Currently, AVs are being tested throughout the country, and companies are collecting data on their performance every day. AVs used solely for testing do not have to comply with current FMVSS, including those that provide occupant protection.⁵⁰ Additionally, companies already can apply for exemptions from FMVSS.⁵¹

Any federal legislation that is advanced by Congress likely will set AV policy for decades to come and must include minimum standards to improve safety on our Nation's roads before these vehicles are sold in the marketplace. In the meantime, it is essential that NHTSA continues to collect and evaluate the data obtained through the SGO involving these technologies, as well as improve the reporting requirements in the SGO as enumerated in letters from members of Congress to the U.S. DOT.⁵²

Additionally, state and local regulatory action on AVs, even though the federal government has not taken regulatory action, must not be prohibited. As the incidents noted above in San Francisco demonstrate, fundamental and commonsense safeguards must be instituted for testing on public roads including the establishment of independent institutional review boards to certify the safety of the protocols and procedures for testing of AVs on public roads.

To identify a people-and-safety-first path forward on AVs, Advocates and numerous stakeholders developed the "[AV Tenets](#)," These sound and sensible policy positions should be a foundational part of any national AV policy. The AV Tenets are based on expert analysis, real-world experience, and public opinion. They have four main categories including: 1) prioritizing safety of all road users; 2) guaranteeing accessibility and equity; 3) preserving consumer and worker rights; and, 4) ensuring local control and sustainable transportation. They are supported by a coalition of more than 65 organizations representing consumers, public health and safety experts, pedestrians, bicyclists, disability rights activists, emergency responders, law

⁴⁸ ENGINE'S CARAVAN SURVEY, Public Concern About Driverless Cars and Trucks (Feb. 2023).

⁴⁹ *Id.*

⁵⁰ 49 USC 30112(b)(10).

⁵¹ 49 CFR 555.

⁵² Letter from Reps. Schakowsky, Castor and Trahan to NHTSA Acting Administrator Ann Carlson (Feb. 28, 2023); Letter from Reps. Mullin, Eshoo, Pelosi, Diaz Barragán, Lee, DeSaulnier, Carson, Doggett, Peters and Carbajal to NHTSA Deputy Administrator Sophie Shulman (Apr. 11, 2024).

enforcement, labor and others. Requiring that AVs meet minimum performance standards, including for cyber security, and that operations are subject to adequate oversight, including a comprehensive database accessible by vehicle identification number (VIN) with basic safety information, are fundamental prerequisites and will save lives and boost consumer confidence in this burgeoning technology.

Conclusion

Thank you for your consideration of these critically important issues. All levels of government can and must do more to protect all road users by implementing the proven solutions afforded by a Safe Systems Approach. Conversely, any legislation to erode current safety protections must be rejected. As always, we are ready and willing to be of assistance to you in furtherance of our shared goal of improving safety.

Sincerely,

A handwritten signature in black ink, appearing to read "Catherine Chase", with a long horizontal flourish extending to the right.

Catherine Chase, President

cc: Members of the U.S. Senate Committee on Commerce, Science, and Transportation



OVERDUE & AT-RISK SAFETY REGULATIONS

Statutory deadlines to issue final rules are in red.

All dates provided by agency for rulemaking actions are per the Fall 2023 Semi-Annual Regulatory Agenda and February 2024 Significant Rulemaking Report.

National Highway Traffic Safety Administration (NHTSA)

- **Rear Seat Belt Reminders (DUE – October 1, 2015)**
 - Advocates and Public Citizen filed Petition for Rulemaking on November 21, 2007.
 - NHTSA issued Request for Comments on Petition on June 29, 2010.
 - Mandated in MAP-21 (Sec. 31503).
 - Final Rule to be issued 3 years from date of enactment – October 1, 2015.
 - NHTSA granted Petition and issued ANPRM on September 27, 2019.
 - NHTSA issued NPRM on September 7, 2023.

- **Improved Child LATCH Restraint System (DUE – October 1, 2015)**
 - Mandated in MAP-21 (Sec. 31502).
 - Final Rule to be issued 3 years from date of enactment – October 1, 2015.
 - NHTSA issued NPRM on January 23, 2015.
 - NHTSA estimated that a Final Rule would be issued in December 2023.

- **Crash Avoidance Technologies on Vehicle Label (DUE – December 4, 2016)**
 - Mandated in FAST Act (Sec. 24322).
 - Congressional deadline for issuance of Final Rule – December 4, 2016.
 - NHTSA estimated that a NPRM will be issued in 2023.

- **Motorcoach Anti-Ejection Countermeasures (DUE – October 1, 2014)**
 - Mandated in MAP-21 (Sec. 32703(b)(2)).
 - Congressional deadline for issuance of Final Rule – October 1, 2014.
 - Final Rule requiring seat belts on intercity buses issued in November 2013.
 - NPRM issued regarding emergency exits, window retention and release and glazing for portals on May 6, 2016.
 - NHTSA estimates that a Final Rule will be issued in June 2024.

- **Notification of Vehicle Safety Recalls Via E-mail (DUE – August 29, 2016)**
 - Mandated in FAST Act (Sec. 24104).
 - Congressional deadline for issuance of Final Rule – August 29, 2016.
 - NHTSA issued NPRM on September 1, 2016.
 - NHTSA estimated that a Supplemental NPRM would be issued in April 2024.

- **Corporate Responsibility For NHTSA Reports (DUE – December 4, 2016)**
 - Mandated in FAST Act (Sec. 24112).
 - NHTSA estimated that a NPRM would be issued in November 2023.

- **Retention of Safety Records by Manufacturers (DUE – June 4, 2017)**
 - Mandated in FAST Act (Sec. 24403).
 - Congressional deadline for issuance of Final Rule – June 4, 2017.
 - NHTSA issued NPRM on May 15, 2019.
 - NHTSA estimated that a Supplemental NPRM would be issued in December 2023.

Joint NHTSA/FMCSA Rulemakings

- **Heavy Vehicle Speed Limiters**
 - Grant of Petition for Rulemaking – Mar. 18, 2011.
 - NPRM was issued on August 26, 2016.
 - FMCSA issued Supplemental ANPRM on May 4, 2022
 - FMCSA estimates that Supplemental NPRM will be issued in May 2024.

Federal Motor Carrier Safety Administration (FMCSA)

- **New Entrant Assurance Process Proficiency Exam (DUE – April 1, 2014)**
 - Congress originally sought action in § 210 of the 1999 MCSIA.
 - FMCSA published an ANPRM in 2009.
 - MAP-21 (Sec. 32101(b)) requires a final rule be issued in 18 months – by April 1, 2014.
 - FMCSA estimates that Supplemental ANPRM will be issued in July 2024.

Rulemakings Withdrawn

- **Mandatory Event Data Recorder Requirements**
 - NHTSA initiated rulemaking on Feb. 22, 2011.
 - NPRM issued on Dec. 13, 2012.
 - Rulemaking withdrawn February 8, 2019.
- **State Inspection of Passenger Carrying Vehicles**
 - Mandated in MAP-21 (Sec. 32710).
 - Requires FMCSA complete rulemaking to consider requiring states to annually inspect passenger carrying vehicles.
 - ANPRM published in April 2016.
 - Rulemaking withdrawn May 1, 2017.
 - RFC on withdrawal issued on May 10, 2022.
- **Evaluation of Drivers for Obstructive Sleep Apnea (OSA)**
 - FMCSA was considering regulatory actions that address the safety risks associated with drivers afflicted with non-treated OSA.
 - ANPRM was issued on March 10, 2016.
 - Rulemaking withdrawn August 8, 2017.