March 20, 2018

Heidi King
Deputy Administrator, National Highway Traffic Safety Administration
U.S. Department of Transportation (USDOT)
1200 New Jersey Ave SE
Washington, DC 20003


Dear Deputy Administrator King,

Thank you for the opportunity to provide comments to the January 18, 2018 Notice Removing Regulatory Barriers for Vehicles With Automated Driving Systems. The Intelligent Transportation Society of America (ITS America) believes that continued National Highway Traffic Safety Administration (NHTSA) support for research and guidance is important. The association commends NHTSA for reaching out to industry to understand where there are regulatory barriers in the existing Federal Motor Vehicle Safety Standards (FMVSS) to the testing, compliance certification and compliance verification of motor vehicles with Automated Driving Systems (ADSs) and certain unconventional interior designs.

ITS America is an association of public and private organizations that are focused on advanced vehicle technology, smart cities, and new models for mobility. Our members include automakers, telecomm, traditional IT and emerging tech, and consumer apps and industrial electronics. We also include public agencies and non-profits, such as road, transit and other transportation infrastructure operators and the research community focused on bringing new technology from the lab to our roads, cars, buses and trucks. Our objective is to grow our economy and improve our quality of life through innovative technologies that enhance the mobility, safety, security, privacy, sustainability and accessibility of our transportation system in the next decade.

ITS America’s key priorities for 2018 have been to establish the foundation for the deployment of automated and connected vehicles. Public confidence in the safety of the technology must be first achieved and then expanded in order for the technology to succeed commercially. We have been active in educating key stakeholders on issues in reference to the AV START Act (S 1885) and the SELF-DRIVE Act (HR 3388).

NHTSA’s notice speculates that “…manufacturers design vehicles with ADSs not only lack manual driving controls, but also have unconventional, flexible seating, i.e., seats that slide and/or rotate, then under the Agency’s line of interpretations involving vehicle systems that have multiple modes, there may be testing or even compliance difficulties. Similar problems might be encountered by vehicles with ADSs equipped with retractable manual driving controls….the absence of manual driving controls, and thus of a human driver, poses potential barriers to testing, compliance certification and compliance verification.”

ITS America agrees with NHTSA that further research and analysis should be conducted to look at how current FMVSS may (or may not) pose a significant barrier to ADS. Long standing member Virginia Tech Transportation Institute is conducting a study for NHTSA examining technical translations to existing Federal Motor Vehicle Safety Standards and related testing procedure approaches for emerging innovative and non-traditional vehicle designs. ITS America will encourage the auto and tech industry, as well as other research institution members to provide feedback to this work.

We agree with NHTSA that unconventional seating and flexible seating systems are worth investigating. In particular we see opportunities to revisit passenger seating arrangements that might support people with disabilities. Docking, ingress/egress, seating and occupant protection are obviously important to consider for transit/paratransit vehicles, but they may be relevant in the future for driverless light vehicles that carry passengers for hire.
In our comments to NHTSA on their policy “Automated Driving Systems 2.0” (ADS. 2.0) [NHTSA-2017-0822], we recommended that USDOT should also consider research or principles addressing the safety of human-machine interfaces, in particular how drivers or passengers might handle transitions from automated driving to conventional driver or driverless degraded operations, since these will impact traffic safety. This applies not only to automated personally owned vehicles, but also bus and other systems that provide passenger transit services that are made available to the public.

ITS America encourages NHTSA to establish a dialogue with the research community and standards bodies to address some of the uncertainties posed by development of unconventional vehicle designs. ITS America is encouraged by NHTSA’ work, and commits to helping our members work with the agency and others to create the foundation for the deployment of this new life-saving technology.

Sincerely,

/s/ Steven Bayless

Steven H. Bayless
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Intelligent Transportation Society of America