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VIA ELECTRONIC FILING

U.S. Department of Transportation
1200 New Jersey Avenue, SE
West Building, Room W12-140
Washington, DC -000120590

**RE: Ensuring American Leadership in Automated Vehicle Technologies:
Automated Vehicles 4.0 (Docket No. DOT-OST-2019-0179)**

To Whom It May Concern:

The U.S. Chamber Technology Engagement Center (“C_TEC”)¹ respectfully submits these comments to the Department of Transportation (“DOT”) and the National Science & Technology Council (“NSTC”) in response to the request for comment in the above-referenced proceeding (“AV 4.0”). C_TEC endorses the whole-of-government approach taken by this proceeding to facilitate the safe testing, development, and deployment of automated vehicles. Also, C_TEC appreciates the Administration’s continuation of the policies and approach contained in “Preparing for the Future of Transportation: Automated Vehicles 3.0” (“AV 3.0”).²

I. The Benefits of Automated Vehicles

Automated vehicles are expected to bring numerous benefits to American consumers, workers, and the public at large. First, and most critically, automated vehicles will significantly improve the safety of America’s transportation system through reducing the 36,560 annual traffic fatalities in the U.S. Automating the driving functions of a vehicle would help address this issue considering the vast majority of accidents, 94%, are primarily due to human error.³ Second, the introduction of automated vehicles will enhance mobility for seniors and Americans with disabilities. A 2017 study estimated that automated vehicles will empower two million individuals with disabilities to find employment and save \$19 billion annually in missed medical

¹ C_TEC was launched to advance technology’s role in strengthening business by leveraging tech innovations that drive economic growth in the United States. C_TEC promotes policies that foster innovation and creativity and sponsors research to inform policymakers and the public.

² See U.S. Department of Transportation, Preparing for the Future of Transportation: Automated Vehicles 3.0 (January 8, 2020), available at <https://www.transportation.gov/sites/dot.gov/files/docs/policy-initiatives/automated-vehicles/320711/preparing-future-transportation-automated-vehicle-30.pdf> (“AV 3.0”).

³ See Congressional Research Service, Issues in Autonomous Vehicle Testing and Deployment (February 11, 2020), available at https://www.everycrsreport.com/files/20200211_R45985_c6710a4ca9cb75b190169406df765cd31ea39426.pdf

appointments.⁴ Finally, the U.S. will see significant economic benefits from automated vehicle deployment. A study from 2018 found that by 2050, the annual societal and economic benefits of automated vehicles are projected to total \$796 billion through fewer accidents, reduced congestion, and time savings.⁵

II. Support U.S. Government Automated Vehicle Policy Principles

In AV 3.0, DOT outlined a series of policy principles that guides their approach to automated vehicles.⁶ C_TEC supports these principles, in particular the principles on prioritizing safety, remaining technology neutral, modernizing regulations, and encouraging a consistent regulatory and operational environment. In fact, these principles mirror C_TEC's "Automated Vehicle Policy Principles," reflecting a common industry approach from a diverse set of sectors that includes original equipment manufacturers, suppliers, developers, trucking, ridesharing, insurance, and dealers.⁷

C_TEC is pleased to see that AV 4.0 adopts AV 3.0's automated vehicles policy principles and also supports the inclusion of a broader set of principles that reflects a whole of government approach. In particular, C_TEC supports the emphasis on the facilitation of coordinated efforts across different jurisdictions, within the federal government, and internationally.⁸ According to the National Conference of State Legislatures, twenty-nine states have enacted legislation regulating automated vehicles in areas including vehicle testing, automated trucking, and operation on public roads.⁹ While C_TEC believes that state and local governments play an important role in automated vehicle regulation, it is critical that the federal government exercise leadership to support coordination, collaboration, and information sharing between different jurisdictions.

In addition, as noted in AV 4.0, twenty-six federal entities have a role in the testing, development, and deployment of automated vehicles. While DOT retains most of the critical authorities relating to automated vehicles, particularly rulemaking, C_TEC believes that the federal government, through NSTC, must ensure proper coordination within the federal government to prevent duplication and conflicting activities that may ultimately hinder U.S. leadership in automated vehicles and cause confusion for industry.

⁴ See Ruderman Family Foundation, *Self-Driving Cars: The Impact on People with Disabilities* (January 2017), available at https://rudermanfoundation.org/wp-content/uploads/2017/08/Self-Driving-Cars-The-Impact-on-People-with-Disabilities_FINAL.pdf

⁵ See *Securing America's Energy Future, America's Workforce and the Self-Driving Future: Realizing Productivity Gains and Spurring Economic Growth* (June 2018), available at https://avworkforce.secureenergy.org/wp-content/uploads/2018/06/Americas-Workforce-and-the-Self-Driving-Future_Realizing-Productivity-Gains-and-Spurring-Economic-Growth.pdf.

⁶ See AV 3.0 at iv.

⁷ See U.S. Chamber Technology Engagement Center, *Automated Vehicle Policy Principles* (August 2, 2019), available at https://www.uschamber.com/sites/default/files/av_policy_principles.pdf.

⁸ See U.S. Department of Transportation, *Ensuring American Leadership in Automated Vehicle Technologies: Automated Vehicles 4.0* (January 8, 2020), available at <https://www.transportation.gov/sites/dot.gov/files/2020-02/EnsuringAmericanLeadershipAVTech4.pdf> ("AV 4.0").

⁹ See National Conference of State Legislatures, *Autonomous Vehicles: Self-Driving Vehicles Enacted Legislation* (February 18, 2020), available at <https://www.ncsl.org/research/transportation/autonomous-vehicles-self-driving-vehicles-enacted-legislation.aspx>.

III. Protect American Innovation

C_TEC is pleased to see an emphasis in AV 4.0 on the protection of intellectual property, and the inclusion of the principle “Protect American Innovation and Creativity.”¹⁰ The protection of intellectual property for emerging technologies, including automated vehicle technologies, is essential to maintaining U.S. global competitiveness. The 2020 U.S. Chamber International Intellectual Property Index identified a number of intellectual property challenges U.S. companies face such as forced technology transfer and ineffectual intellectual property enforcement.¹¹ We will continue to support U.S. government efforts through entities such as the Office of the U.S. Intellectual Property Enforcement Coordinator, Department of Justice, and the U.S. Patent and Trademark Office to protect intellectual property and ensure continued innovation in the U.S.

IV. Prioritize Rulemakings to Advance Automated Vehicles

AV 4.0 correctly notes that modernizing motor vehicle standards and eliminating outdated regulations is necessary to further the deployment of automated vehicles in the United States. C_TEC is encouraged by National Highway Traffic Safety Administration’s (“NHTSA”) recent notice of proposed rulemaking (“NPRM”) to update several crashworthiness federal motor vehicle safety standards to accommodate automated vehicle technologies.¹² C_TEC recommends that DOT and its key modal agencies continue to undertake regulatory activity to remove regulatory barriers to safe automated vehicle deployment. In addition, the Administration, DOT, and its modal agencies should regularly engage with industry stakeholders on identifying other opportunities to facilitate innovation.

V. Conclusion

C_TEC again appreciates the opportunity to provide comments to AV 4.0 and applauds DOT, NSTC, and the Administration for their leadership on advancing automated vehicle technology. We recommend that the Administration continue its efforts to ensure policy coordination across different jurisdictions, protect intellectual property, and undertake regulatory actions to remove barriers to the testing, development, and deployment of automated vehicles. C_TEC stands ready to collaborate with the Administration on ensuring continued innovation and sensible automated vehicle policy.

Sincerely,



Matt Furlow
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¹⁰ See AV 4.0 at 5.

¹¹ See U.S. Chamber of Commerce, U.S. Chamber Intellectual Property Index, Eighth Edition (February 5, 2020), available at https://www.uschamber.com/sites/default/files/023881_gipc_ip_index_2020_fullreport_final.pdf.

¹² Occupant Protection for Automated Driving Systems, 85 Fed. Reg. 17,624 (March 30, 2020).