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**VIA ELECTRONIC FILING**

U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
West Building, Room W12-140  
Washington, DC 20590-0001

**RE: Automated Vehicles Comprehensive Plan (Docket No. DOT-OST-2021-0005)**

To Whom It May Concern:

The U.S. Chamber Technology Engagement Center (“C\_TEC”)<sup>1</sup> respectfully submits these comments to the Department of Transportation (“DOT”) in response to the request for comment in the above-referenced proceeding (“Comprehensive Plan”). Broadly, C\_TEC endorses the approach taken by the Comprehensive Plan to facilitate the safe testing and deployment of automated vehicles. C\_TEC strongly encourages DOT to build from the Comprehensive Plan when developing any future strategic plans, policy guidance, and related initiatives.

**I. The Benefits of Automated Vehicle Technology**

Automated vehicles (“AVs”) are expected to bring numerous benefits to American consumers, workers, and the public at large. First, and most importantly, automated vehicles will significantly improve the safety of America’s transportation system through reducing the 36,096 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.<sup>2</sup> 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

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<sup>1</sup> 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.

<sup>2</sup> 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](https://www.everycrsreport.com/files/20200211_R45985_c6710a4ca9cb75b190169406df765cd31ea39426.pdf)

million individuals with disabilities to find employment and save \$19 billion annually in missed medical appointments.<sup>3</sup>

Third, the introduction of AV technology will bring significant environmental benefits as well. The University of Michigan estimated that efficiencies derived from AVs may reduce greenhouse gas emissions by up to 9%.<sup>4</sup> Another study from automated trucking company TuSimple and the University of San Diego found that automated trucks could reduce fuel use by 10% and consequently reduce overall emissions.<sup>5</sup> Finally, the U.S. will see significant economic benefits from AV deployment. A study from 2018 found that by 2050, the annual societal and economic benefits of AVs are projected to total \$796 billion through fewer accidents, reduced congestion, and time savings.<sup>6</sup> Also, the adoption of automated commercial vehicles will lower long-haul trucking costs for manufacturers by 30%.<sup>7</sup>

## **II. Importance of a Comprehensive Strategy**

For decades, the United States has been a leader in motor vehicle technology and is home to a large and diverse set of companies involved in the safe development, testing, and deployment of motor vehicles. However, American leadership is no longer assured as other jurisdictions seek to supplant our global leadership in areas including artificial intelligence, 5G, and automated vehicle technology.

To meet this challenge, it is essential that DOT and the Biden Administration take action to ensure U.S. leadership in emerging technologies and automated vehicles. C\_TEC believes that DOT can make substantial contributions to maintaining U.S. global leadership in this important technology. Last October, C\_TEC released a comprehensive proposal on the future of transportation that includes a number of policy recommendations to advance U.S. global leadership as well as ensure the safe development, testing, and deployment of automated vehicles.<sup>8</sup>

## **III. U.S. Government Automated Vehicle Technology Principles**

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<sup>3</sup> 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](https://rudermanfoundation.org/wp-content/uploads/2017/08/Self-Driving-Cars-The-Impact-on-People-with-Disabilities_FINAL.pdf)

<sup>4</sup> See University of Michigan, *Maximizing the environmental benefits of autonomous vehicles*, (Feb. 2018) Available at <https://news.umich.edu/maximizing-the-environmental-benefits-of-autonomous-vehicles/>.

<sup>5</sup> See University of California San Diego and TuSimple. Available at <https://www.sae.org/news/2019/12/tusimple-autonomous-trucks-cut-fuel>.

<sup>6</sup> 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](https://avworkforce.secureenergy.org/wp-content/uploads/2018/06/Americas-Workforce-and-the-Self-Driving-Future_Realizing-Productivity-Gains-and-Spurring-Economic-Growth.pdf).

<sup>7</sup> See Steer Group, *Economic Impacts of Autonomous Delivery Services in the United States*, (Sept. 2020). Available at [https://www.steergroup.com/sites/default/files/2020-09/200910\\_%20Nuro\\_Final\\_Report\\_Public.pdf](https://www.steergroup.com/sites/default/files/2020-09/200910_%20Nuro_Final_Report_Public.pdf).

<sup>8</sup> See U.S. Chamber of Commerce, *America's Next Tech Upgrade: Building the Foundation for the Future of Transportation* (Oct. 2020). Available at [https://americaninnovators.com/wpcontent/uploads/2020/10/CTEC\\_TechUpgrade\\_Transportation.pdf](https://americaninnovators.com/wpcontent/uploads/2020/10/CTEC_TechUpgrade_Transportation.pdf).

The Comprehensive Plan outlines ten principles that seeks to guide the federal government's objectives towards furthering automated vehicle technology. C\_TEC supports all ten of the principles contained in the Comprehensive Plan and urges DOT to maintain and build upon these principles in future DOT automated vehicle activities. Specifically, the following principles are particularly important to the business community to ensure the safe development, testing, and deployment of automated vehicle technology:

- *Prioritize Safety:* C\_TEC believes that our first and foremost collective goal must be safety. The safe development, testing, and deployment of automated vehicle technology is essential to fostering public trust in the technology and reducing the number traffic fatalities. To ensure the safety promise of automated vehicles, C\_TEC encourages DOT to actively and regularly engage with the private sector to collaborate on AV safety.
- *Enhance Mobility and Accessibility:* One of the key benefits of automated vehicle technology are the significant mobility and accessibility benefits to Americans with disabilities, seniors, and low-income individuals. C\_TEC encourages DOT to continue its existing efforts to achieve this goal, such as the Inclusive Design Challenge, and work with the private sector to identify other opportunities to bolster mobility and accessibility of AV technology.
- *Remain Technology Neutral:* Technology neutrality is a key pillar of enabling a competitive marketplace for diverse approaches to automated vehicle technology and different business models. All federal government regulations, programs, and other policies pertaining to automated vehicle technology should remain technology-neutral, and DOT should also support and advocate for legislative approaches that encourages technology-neutrality.
- *Protect American Innovation and Creativity:* The protection of intellectual property for emerging technologies, including AV 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.<sup>9</sup> DOT, in partnership with other federal entities, should continue to make the protection of intellectual property a priority.
- *Modernize Regulations:* AV technology introduces unconventional and innovative motor vehicle designs that may be incompatible with existing federal motor vehicle regulations. Updating motor vehicle regulations and strengthening the existing exemption process to accommodate automated vehicles are thus necessary and should be prioritized by DOT if the U.S. will be able to reap the benefits of this technology. Moreover, modernizing regulations will ensure a consistent regulatory approach across the country and ensure that a patchwork of state and local laws does not hinder AV deployment.

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<sup>9</sup> 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](https://www.uschamber.com/sites/default/files/023881_gipc_ip_index_2020_fullreport_final.pdf).

- *Promote Consistent Standards and Policies:* Historically, the usage of voluntary consensus standards have been critical to the growth of many emerging technologies. The development of standards ensures that all stakeholders are at the table and provides consistency across governments. C\_TEC encourages DOT to reiterate the importance of voluntary consensus standards to spur the safe development, testing, and deployment of automated vehicle technology.

#### **IV. Department of Transportation’s Automated Vehicle Goals**

The Comprehensive Plan outlines three high-level goals to effectively integrate automated vehicle technology into our transportation system: Promote Collaboration and Transparency, Modernize the Regulatory Environment, and Prepare the Transportation System. C\_TEC strongly supports all three goals and encourages DOT to continue to prioritize these goals moving forward, including through supporting key programs and policy tools to further these goals.

##### **i. Promote Collaboration and Transparency**

The Comprehensive Plan includes “Promote Collaboration and Transparency” as a goal and outlines a series of objectives pertaining to stakeholder engagement, guidance to industry, and information sharing. C\_TEC agrees with the overall goal and the three specified objectives.

The safe testing and deployment of automated vehicles will require significant collaboration between DOT and other federal agencies, state and local governments, the private sector, and other relevant stakeholders. Collaboration, enabled by DOT, allows stakeholders to share perspectives and best practices, and ultimately promotes trusts in automated vehicles. DOT should continue to pursue existing initiatives as well as identify new opportunities to facilitate collaboration on automated vehicle technology issues among stakeholders.

In addition to collaboration, C\_TEC believes it is critical that DOT prioritize transparency, and maintain and build on existing policies and initiatives that enable transparency. Transparency, like collaboration, engenders public trust in automated vehicle technology, which is important for the widespread deployment of automated vehicles. Historically, and as outlined in the Comprehensive Plan, DOT has utilized several effective tools to facilitate transparency. One critical tool has been the National Highway Traffic Safety Administration’s (“NHTSA”) Voluntary Safety Self-Assessments (“VSSA”).<sup>10</sup> Over 25 AV developers have submitted VSSAs to NHTSA, which have provided essential and valuable information to the public and DOT on how developers are addressing safety concerns arising from AVs. The flexibility provided by VSSAs, complemented by existing regulatory mechanisms, provides significant transparency into the activities of developers without compromising safety.

Another notable tool is the NHTSA’s recently established Automated Vehicle Transparency and Engagement for Safe Testing (“AV TEST”) Initiative, which provides high quality information to state and local governments and the general public on the testing of

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<sup>10</sup> See National Highway Traffic Safety Administration, Voluntary Safety Self-Assessment, available at <https://www.nhtsa.gov/automated-driving-systems/voluntary-safety-self-assessment>.

automated vehicles nationwide. The transparency presented by the AV TEST Initiative strengthens public awareness surrounding on-road testing and increases visibility into how automated vehicle technology is tested.

ii. Modernize the Regulatory Environment

Automated vehicle technology is novel and still emerging, and federal regulations will need to be modernized to accommodate these advances. C\_TEC supports the Comprehensive Plan's approach and identification of three sub-goals to further this objective. U.S. global leadership in automated vehicle technology will depend on ensuring a regulatory approach that encourages innovation, promotes flexibility, and prioritizes safety.

First, Goal 2A, "Streamline Paths to Deployment" identifies exemptions and waivers as key tools that can be used to facilitate the safe deployment of AVs. In particular, C\_TEC encourages both NHTSA and the Federal Motor Carrier Safety Administration ("FMCSA") to continue to recognize the importance of existing exemption authorities and leverage the exemption process to gather data to inform future regulatory actions. Moreover, FMCSA and NHTSA should collaborate with the private sector to identify opportunities to streamline the exemption process through administrative and legislative solutions.

Second, C\_TEC strongly supports Goal 2B of the Comprehensive Plan, which focuses on modernizing Federal Motor Vehicle Safety Standards and Federal Motor Carrier Safety Regulations. While NHTSA and FMCSA have taken several important steps to advance regulations for automated vehicle technology, such as occupant protection safety standards, policymakers must build from those measures to move this life-saving technology forward. These measures should include, when appropriate, issuing notices of proposed rulemaking, conducting regular and ongoing consultations with stakeholders, and developing a long-term regulatory roadmap that identifies key regulatory barriers and timeline to modernize these barriers.

Third, and finally, C\_TEC agrees with Goal 2C, which emphasizes the safety oversight of automated vehicle technology. NHTSA and FMCSA should continue to leverage its existing oversight and enforcement authorities to ensure the safe deployment of automated vehicle technology. Moreover, regulators should continue to engage and support the development of voluntary consensus standards as well as support NHTSA's ongoing advanced notice of proposed rulemaking on the "Framework for Automated Driving System Safety."<sup>11</sup>

iii. Prepare the Transportation System

The final goal of the Comprehensive Plan is to prepare the transportation system for the widespread introduction of automated vehicles. C\_TEC recognizes that automated vehicle technology will be transformational and will likely bring new opportunities and challenges to America's transportation system. C\_TEC supports DOT continuing a number of different activities to support this goal including providing robust research and development funding on automated vehicle technology and the impacts of the technology on our transportation system

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<sup>11</sup> Framework for Automated Driving System Safety, 85 Fed. Reg. 78,058 (December 3, 2020).

and communities. Also, we support pilot programs and demonstrations that encourage the safe and inclusive testing and deployment of automated vehicles. Finally, DOT should collaborate with industry on any future initiatives or programs to achieve this goal.

## **V. Conclusion**

C\_TEC applauds DOT for creating the Comprehensive Plan and supports the goals and principles contained therein. We encourage DOT to continue with the approach taken by this Comprehensive Plan and ensure that the United States is at forefront of the safe development, testing and deployment of automated vehicle technology. C\_TEC stands ready to collaborate with DOT and this Administration on ensuring continued innovation and sensible automated vehicle policy.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Furlow', with a long horizontal flourish extending to the right.

Matt Furlow  
Policy Director  
Chamber Technology Engagement Center