

July 6th, 2018

Dear Senator:

We are writing to strongly urge you to oppose efforts to attach the pending AV START Act (S. 1885) to the Federal Aviation Administration (FAA) Reauthorization Act (S. 1405), which is expected to be considered on the Senate Floor soon after the upcoming recess. Giving the AV START Act a “ride” on the FAA bill would be ironic at best and lethal at worst.

The safety deregulation built into the AV START Act and the precise and thorough way aviation handles autonomous systems is a study in stark contrast. The FAA has rigorous protocols for ensuring the safety of automation in the air, and examples of the success of effective standards and oversight of automated systems fly over our heads every single day.

Conversely, the AV START Act, in its current form, shockingly exempts potentially millions of these self-driving vehicles from meeting existing safety regulations. The failures of this experimental technology have been tragically demonstrated in a number of crashes which have resulted in at least three deaths. The National Transportation Safety Board (NTSB) has several open investigations which will produce findings likely to have a direct bearing on the AV START Act. The bill should not be advanced, especially as a rider on the FAA bill, until those investigations are complete and critically-needed changes are made to ensure safety.

The AV START Act will likely set policy on driverless cars for decades to come. As such, comprehensive safeguards, sufficient government oversight and industry accountability are essential. The bill, in its current form, fails to provide these minimal safety protections. The reasonable improvements outlined below will address known and foreseeable problems with driverless car technology. Moreover, they will help to bolster public trust in this nascent technology which has already shown to be deficient. We ask for your support for the following commonsense improvements:

- Limit the size and scope of exemptions from federal safety standards;
- Require minimum performance standards such as a “vision test” for driverless technologies, cybersecurity and electronics system protections, and distracted driving requirements when a human needs to take back control of a vehicle from a computer;
- Provide for adequate data collection and consumer information;
- Compel all AVs to capture comprehensive crash data in a format that will aid investigators such as the NTSB and the National Highway Traffic Safety Administration (NHTSA);
- Ensure access and safety for members of all disability communities which have differing needs;
- Subject Level 2 (partially-automated) vehicles to all safety critical provisions;
- Prohibit manufacturers from unilaterally “turning off” vehicle systems such as the steering wheel and gas pedal which is not allowed under current law;
- Maintain the right of states and localities to protect their citizens by regulating the AV system in absence of federal regulations; and,
- Provide NHTSA with sufficient resources and authorities.

Some critics of these changes claim they would stifle innovation or hamper technological progress. But what they will actually do is provide essential protections for AV occupants as well as everyone sharing the roads with them for many years to come. Our diverse group of safety, public health, bicyclists, pedestrians, smart growth, consumer and environmental groups, law enforcement and first responders, disability communities and families affected by motor vehicle crashes support these sensible improvements that must be made before the bill moves forward.

It would be egregious to push the AV START Act through by tacking it onto a must-pass bill. Doing so would circumvent the regular legislative process and cut it off from full debate, discussion, transparent consideration, and the offering of amendments. The artificial urgency to advance this bill is disconnected from the reality that AVs are still potentially decades away. In fact, just last week Bill Ford Jr., Executive Chairman of Ford Motor Company, said *“There’s been a lot of over-promising and I think a lot of misinformation that’s been out there. It’s really important that we get it right, rather than get it quickly.”*

Yet, industry interests seeking to sell - not just test - unproven systems continue to perpetuate this false premise. We urge you to allow the NTSB to finish their recommendations so that you can benefit from their expertise to help inform you in your decision-making process and insist on the adoption of the urgently-needed safety requirements in the bill.

Thank you for your consideration.

Sincerely,

Catherine Chase, President  
Advocates for Highway and Auto Safety

Kate Kraft, Executive Director  
America Walks

Tom C. Roberts, P.E., F.NSPE, President  
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Georges C. Benjamin, MD, Executive Director  
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