



December 10, 2018

Docket Management Facility
U.S. Department of Transportation (DOT)
1200 New Jersey Avenue SE
West Building Room W12-140
Washington, DC 20590-0001

Re: Docket No. NHTSA-2018-0092

Dear Docket Clerk:

Thank you for the opportunity to provide comments on the National Highway Traffic Safety Administration ('NHTSA') Advance notice of proposed rulemaking ('ANPRM') regarding a *Pilot Program for Collaborative Research on Motor Vehicles with High or Full Driving Automation* published October 10, 2018 at 83 FR 50872.

The Capital Metropolitan Transportation Authority ('Capital Metro') is Austin's regional public transportation provider. Capital Metro was created in 1985 and works every day to give residents, commuters and visitors the best possible transit options available to match their busy everyday lives.

Capital Metro is very supportive of the proactive approach NHTSA is taking by proposing a national pilot program which would allow the Agency to "facilitate, monitor, and learn from the testing and development of the emerging advanced vehicle safety technologies and to assure the safety of those activities."

Following review of the NHTSA ANPRM, Capital Metro offers the following general comments regarding a national Pilot Program for Collaborative Research on Motor Vehicles with High or Full Driving Automation:

- **Vehicle Type** - As outlined on page 50877 of the ANPRM. Light-duty vehicles are defined in 40 CFR 86.1803-01 as a "passenger car or passenger car derivative capable of seating 12 passengers or less." Many, autonomous shuttles, such as those manufactured by EasyMile(EZ10) and Navya Autonom, carry up to 15 passengers and are subject to FMVSS. **Capital Metro recommends that NHTSA expands the pilot program beyond light-duty vehicles** to include these other vehicles subject to FMVSS.

- **Collaboration of Federal, State, and local governments** - In a public demonstration or pilot there will be several different stakeholders. A transit agency operating a pilot program would, for instance, collaborate with municipal governments that own the right-of-way and operate the traffic system as well as with a state Department of Transportation which may enforce additional rules and statutes related to ADS. In a potential pilot program, Capital Metro recommends that NHTSA collect information on best practices and, when applicable, offer guidance on how stakeholders collaborate to ensure their projects are successful.
- **Operating Administration Collaboration** - It is important that ADS-related efforts and programs within the US Department of Transportation (USDOT) complement one another and do not create additional barriers to entry. Capital Metro is encouraged by efforts to create a department-wide strategy through AV 3.0 (<https://www.transportation.gov/av/3>) and recommends that NHTSA work closely with the other Operating Administrations, including the Federal Transit Administration (FTA), in the development of its pilot program.

In addition, Capital Metro offers the following responses to the questions posed in the ANPRM:

1. **What potential factors should be considered in designing the structure of a pilot program that would enable the Agency to facilitate, monitor and learn from on-road research through the safe testing and eventual deployment of vehicles with high and full driving automation and associated equipment?**
 - In order to facilitate on-road research through safe testing and deployment of ADS, NHTSA should offer technical assistance in developing plans, proposals, and projects as well as assistance in the development and implementation of technology.
 - Capital Metro recommends that NHTSA monitor several factors for transit pilot projects, including, but not limited to: ridership; evaluation and feedback by participants (including transit agencies, municipalities, and riders); performance metrics such as speed and reliability; and safety data.
2. **How long should the program last? What number of vehicles should be involved? Should NHTSA encourage the conducting of research programs in multiple locations with different weather conditions, topographical features, traffic densities, etc.?**
 - NHTSA should consider diverse locations and seek pilot projects that last at least 6 months.
3. **What specific difficulties should be addressed in designing a national vehicle pilot program for vehicles with high and full driving automation either through the exemption request process relevant for FMVSS or more broadly related to other areas of NHTSA and/or other authorities.**
 - Many autonomous vehicles are manufactured outside the country and require importation. Current guidance requires that importers of vehicles “retain possession” of vehicles, thereby requiring that importers operate vehicles for demonstration and testing programs. Capital Metro and many other transit

agencies already contract their operations, and this requirement poses a barrier to testing.

7. **What types of performance measures should be considered to ensure safety while allowing for innovation of emerging technology in vehicles with high and full driving automation participating in a pilot program?**
 - NHTSA should collect data regarding accidents/incidents as well as near-miss data.
9. **What type and amount of data should participants be expected to share with NHTSA and/or with the public for the safe testing of vehicles with high and full driving automation and how frequently should the sharing occur?**
 - Capital Metro recommends that all non-proprietary data be shared with NHTSA.
13. **Which of the following matters should NHTSA consider requiring parties that wish to participate in the pilot program to address in their applications?**
 - NHTSA should consider all the listed items as part of its application process.
15. **What value would there be in NHTSA's obtaining one or more of the following potential categories of data from the participants in the pilot program? Are there other categories of data that should be considered? How should these categories of data be defined?**
 - NHTSA should consider collection of all the categories of data listed.
17. **Could a single pilot program make use of multiple statutory sources of exemptions or would different pilot programs be needed, one program for each source of exemption?**
 - Capital Metro encourages NHTSA to develop a single pilot program which can make use of multiple statutory sources of exemptions.

Please feel free to contact me at 512-389-7403 or randy.clarke@capmetro.org if you have questions or need additional information.

Sincerely,



Randy Clarke
President & CEO