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December 5, 2018

Ms. Heidi Renate King
Deputy Administrator
National Highway Traffic Safety Administration
U.S. Department of Transportation (DOT)
1200 New Jersey Avenue S.E.
Washington, DC 20590

Re: Docket No. NHTSA-2018-0092

Dear Deputy Administrator King:

Metro is pleased to provide comments on the National Highway Traffic Safety Administration's "Pilot Program for Collaborative Research on Motor Vehicles With High or Full Driving Automation" Advanced Notice of Proposed Rulemaking (Docket Number NHTSA-2018-0092), issued in Washington, D.C. on October 10, 2018.

Metro is the regional government and the federally-designated metropolitan planning organization (MPO) for the Portland, OR metropolitan area. Metro's partners in the Portland region include 24 cities, 3 counties, and multiple transit agencies and human service transportation providers.

Metro and other MPOs have a critical role to play in planning for autonomous vehicles, which by their very nature will cross city and county boundaries, but will likely be concentrated within urban areas. The majority of the U.S. now lives in metropolitan areas, and as AVs arrive MPOs will be responsible for coordinating plans and projects to maximize the benefits of AVs on issues like safety, congestion, air quality, and transportation equity. Metro has already taken significant steps in this direction. Our latest Regional Transportation Plan is the first in the U.S. to include a strategy focused on AVs and other emerging technologies. Both Metro and the principal city in our region, the city of Portland have launched programs to test how AVs and other emerging technologies can benefit our region.

We appreciate the opportunity to provide these comments and look forward to continued opportunities to collaborate with NHTSA on this issue. If you would like to discuss the issues raised in this letter, please contact Eliot Rose, Metro's Technology Strategist, at 503-797-1825 or eliot.rose@oregonmetro.gov.

Sincerely,

Elissa Gertler
Planning and Development Director

Any entity that tests an AV on public roads should be required to share data with public agencies. Our streets are public property, and the public should have oversight of any AV tests that occur on our streets. Travelers have the right to know when and where AV tests are occurring so that they can be aware of any potentially unsafe conditions that tests may cause. Public agencies need data on how test vehicles are performing so that they can identify and correct any unsafe conditions that tests are causing in the short term and address challenges and opportunities over the long term. In addition, the improvements that will unlock the potential of AVs, including dedicated roadway space, connected vehicle infrastructure, curbside management systems, and data exchanges that provide information on road closures and incidents, will need to be implemented by public agencies. In order to build a system that leverages the potential of AVs, public agencies will need to understand the benefits, challenges, and operating patterns of AVs. In Section 4, Data and Reporting, NHTSA acknowledges that data sharing is an important component of a pilot program, but does not specify that entities that conduct testing will be required to share data. Data sharing with public agencies is a key component of a responsible testing program and should be required.

The best way to share data from AV tests while protecting privacy and confidential business information is to create a centralized system to manage and share AV data. It is possible to create a system that is capable of sharing data from AV tests at an appropriate level of detail with NHTSA and other transportation agencies while still protecting privacy and competitive information. Federal data products like the National Household Travel Survey, Census Transportation Planning Package, and Fatality Analysis Reporting System all provide critical information from sensitive datasets to public agencies while aggregating data and removing personally identifiable information to protect privacy. Efforts like NACTO's SharedStreets project have already begun to develop standards for sharing data from AVs and other emerging technologies. NHTSA should coordinate with these efforts and work with other federal agencies to help develop a system that is capable of sharing data from AV tests in a way that is consistent, protected, and secure.

Collecting data on AV travel patterns is critical to understanding AV safety. We encourage NHTSA to conduct tests that produce information on how safely AVs operate in different contexts or compare the relative safety of different AV technologies. In order to conduct thorough evaluations of this sort, NHTSA will need to collect not only data on safety-related incidents (e.g., collisions, near misses), but also statistics on use that enable it to understand the relative frequency of these incidents and the context in which they occur. This could include geographic data on test routes driven aggregated to street segments, or cross-tabulations of total miles driven by time of day, road classification, and speed. In addition to providing important contextual information to help NHTSA evaluate AV tests, collecting data on AV travel patterns could help inform how AV data can be shared more broadly to inform transportation planning and management.

Require state, regional and local agency consent and coordination for pilot tests. We appreciate that NHTSA acknowledges the authority that state and local governments have with respect to how vehicles operate, and anticipates that state and local governments will continue to exercise this authority with respect to AVs. In recognition of this authority, any entity proposing to test AVs should be required to obtain input and consent from the relevant state and local authorities, as well as the relevant regional agencies. Regional agencies have a critical role to play in planning and designing the transportation system for AV trips that cross city boundaries, and also provide important planning support for smaller cities that might not otherwise have the capacity to engage with pilot tests. This requirement will also help ensure that pilot tests inform ongoing state, regional and local efforts to develop AV policies.