



Commercial Vehicle Safety Alliance

Improving uniformity in commercial motor vehicle safety and enforcement

December 17, 2018

The Honorable Heidi King
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590-9898

RE: Petition for Rulemaking – Require Commercial Motor Vehicles to be Manufactured to Wirelessly Broadcast a Universal Electronic Vehicle Identifier

Dear Deputy Administrator King,

The Commercial Vehicle Safety Alliance (CVSA) petitions the National Highway Traffic Safety Administration (NHTSA) to publish an advance notice of proposed rulemaking (ANPRM) in regards to amending the Federal Motor Vehicle Safety Standards (FMVSS) found in Title 49 Code of Federal Regulations (C.F.R.) Part 571 to explore the benefits and feasibility of establishing a new FMVSS requirement for the remote electronic identification of heavy-duty vehicles, truck tractors, buses and semi-trailers being operated in the United States and to inform the original equipment manufacturers (OEMs) and facilitate the early voluntary adoption of such technology.

CVSA is a nonprofit association comprised of local, state, provincial, territorial and federal commercial motor vehicle safety officials and industry representatives. The Alliance aims to achieve uniformity, compatibility and reciprocity of commercial motor vehicle inspections and enforcement by certified inspectors dedicated to driver and vehicle safety. Our mission is to improve commercial motor vehicle safety and uniformity throughout Canada, Mexico and the United States, by providing guidance and education to enforcement, industry and policy makers.

Request

CVSA petitions NHTSA to initiate an ANPRM in order to facilitate a discussion among stakeholders regarding the advantages and associated benefits of amending the FMVSS to require all heavy-duty vehicles, truck tractors, buses and semi-trailers to be manufactured with the capability for quick remote identification of a commercial motor vehicle for inspection and enforcement purposes. There are a number of technology options through which this could be achieved. For example, the electronic identifier could be communicated through the proposed dedicated 5.9 GHz spectrum, or other related communication platforms, surrounding the advancement of automated driving systems (ADS) in conjunction with automated and connected commercial motor vehicles as part of the basic safety message. This immediate electronic identification of a commercial motor vehicle will aid in establishing the vehicle to enforcement (V2E) connectivity necessary for the wireless inspection of an

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automated or connected commercial motor vehicle without impeding commerce by stopping and delaying automated or connected commercial motor vehicles and advance the vision and guiding principles outlined in Preparing for the Future of Transportation: Automated Vehicles 3.0 (AV 3.0). Publishing an ANPRM would initiate much needed discussion on this crucial step forward in commercial motor vehicle safety technology.

Justification

The federal government entrusts the states with the responsibility of enforcing the Federal Motor Carrier Safety Regulations (FMCSRs) and the Hazardous Materials Regulations (HMRs) through the Motor Carrier Safety Assistance Program (MCSAP). The states use funds through the MCSAP to conduct enforcement activities, targeting vehicles, drivers and motor carriers that present a safety risk to the driving public. According to FMCSA, the agency regulates 524,058 motor carriers, 5.9 million commercial drivers and 12.1 million commercial motor vehicles. Given the size of the industry, the states do not have the resources to inspect every vehicle, driver and motor carrier operating on our roadways on a regular basis. In order to maximize resources, the states use a combination of methods to identify vehicles, drivers and motor carriers for intervention and enforcement.

Currently, inspectors use screening technology programs and tools, as well as inspection selection procedures and inspector observation to identify inspection targets to be examined during a roadside inspection. Third party screening technologies that are currently in use help to increase the number of vehicles, drivers and motor carriers that enforcement community comes into contact with; however, some of these technologies are used voluntarily and others are deployed with varying degrees of effectiveness. Since technologies exist today that would allow automated roadside identification of nearly all commercial motor vehicles, if this proposed concept were universally deployed, this would revolutionize the way commercial motor vehicle roadside monitoring, inspection and enforcement are conducted. It would improve the effectiveness of enforcement programs while reducing costs, for both enforcement and industry, all while improving safety. In order to move forward with full deployment, however, enforcement must have a universal mechanism for electronically identifying all commercial motor vehicles. We believe this can be accomplished with minimal cost and disruption, and we believe the safety and economic benefits will be substantial for the enforcement community, motor carrier industry and driving public.

While many questions still exist surrounding this concept, establishing a universal electronic vehicle identifier requirement for all commercial motor vehicles will have tremendous benefit. Jurisdictions will save time and see improved efficiencies as inspectors are able to more accurately target vehicles, drivers and motor carriers in need of an intervention while allowing safe, compliant vehicles to deliver their freight more quickly and efficiently.

Most importantly, establishing a universal electronic vehicle identifier requirement for all commercial motor vehicles would benefit the public by improving safety, taking unsafe vehicles, drivers and motor carriers off the roadways. As industry continues to grow and more and more people take to the roads, it is imperative that we leverage technology where possible to improve the efficacy of our enforcement programs.

It is important to note that establishing a universal vehicle identifier requirement within the FMVSS creates no additional regulatory burden for the motor carrier. Further, for the regulated motor carrier industry, there are no credible privacy concerns. The universal vehicle identifier, potentially tied to the vehicle identification number (VIN), would transmit only information that is already required to be displayed or made available by regulation. All this requirement would do is change how that information is presented to the enforcement community.

Further, the need for a universal vehicle identifier becomes more critical as the industry moves forward to implement driver assistive truck platooning and increasingly advanced driver assistance systems and partially or fully automated driving systems, which will require new methods and levels of safety checks. NHTSA's vehicle to vehicle (V2V) and vehicle to infrastructure communications (V2I), which we understand is planned for medium and heavy vehicles, is an ideal platform upon which to achieve this electronic identification and for our vehicle to enforcement (V2E) initiative to become a reality. As driver assistive technologies evolve in commercial vehicle use, the proper identification and monitoring of these commercial motor vehicles becomes increasingly necessary. No matter the method, this proposed requirement would enable efficient identification and inspection/screening of vehicle systems to help ensure safe operation of commercial motor vehicles, including those being operated with or without a human operator on board.

CVSA works to closely monitor, evaluate and identify potentially unsafe transportation processes and procedures as well as to help facilitate and implement best practices for enhancing safety on our highways. Commercial motor vehicle safety continues to be a challenge and we need the involvement of all affected parties to help us better understand these issues and put into place practical solutions. We appreciate the agency's commitment to safety and stakeholder involvement.

If you have further questions or comments, please do not hesitate to contact me by phone at 301-830-6149 or by email at collinm@cvsa.org.

Respectfully,



Collin B. Mooney, MPA, CAE
Executive Director
Commercial Vehicle Safety Alliance

CC: The Honorable Raymond P. Martinez, Administrator, Federal Motor Carrier Safety Administration