



**NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION  
U.S. DEPARTMENT OF TRANSPORTATION  
DOCKET NO. NHTSA-2019-0016  
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**Notice of Requests for Comments:**

**General Motors, LLC; Receipt of Petition for Temporary Exemption  
From Various Requirements of the Safety Standards  
for an All-Electric Vehicle With an Automated Driving System**

**And**

**Nuro, Inc.; Receipt of Petition for Temporary Exemption  
for an Electric Vehicle With an Automated Driving System**

**SUBMITTED BY:**

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The American Trucking Associations, Inc. (ATA)<sup>1</sup> provides these comments in response to the National Highway Traffic Safety Administration's (NHTSA) Requests for Comment on petitions from General Motors<sup>2</sup> and Nuro<sup>3</sup> for temporary exemptions from various requirements of the Safety Standards for vehicles with an automated driving system (ADS).

As the national representative of the trucking industry, ATA has a strong interest in highway safety for all motorists and vulnerable road users. Highways are the motor carriers' and drivers'

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<sup>1</sup> ATA is a united federation of motor carrier and allied members, state trucking associations, and national trucking conferences and councils created to promote and protect the interests of the trucking industry. Directly and through its affiliated organizations, ATA represents more than 40,000 industry stakeholders in the United States encompassing every type and class of motor carrier operation.

<sup>2</sup> 84 Fed. Reg. 10182 (March 19, 2019)

<sup>3</sup> 84 Fed. Reg. 10172 (March 19, 2019)

workplace. Employing more than 7.5 million people and moving 10.8 billion tons of freight annually,<sup>4</sup> trucking is the industry most responsible for moving America's economy. The trucking industry moves 70.2 percent of our nation's domestic freight and is a critical player in the safety of our nation's roadways, spending approximately \$10 billion per year on safety training, technology, equipment, and management.

ATA supports the development of automated vehicle (AV) technology for all vehicle types. ATA shares the Department of Transportation's (DOT) perspective that the integration of automation across the transportation system holds great potential for improving safety, enhancing mobility and facilitating the movement of freight as expressed in the "Letter from the Secretary" which opens *Preparing for the Future of Transportation: Automated Vehicles 3.0* (AV 3.0). We commend the Department for taking actions to prepare for this future that include releasing AV 3.0; initiating rulemaking actions across several agencies to remove regulatory barriers to ADS; engagement with stakeholders in listening sessions and workshops, and seeking public input on the Department's plans for conducting the Congressionally-required study on the impact of AV technologies on the workforce.

ATA appreciates NHTSA's thoughtful consideration of these petitions for temporary exemptions and the agency's outreach for public input through the subject Federal Register notices. While ATA does not at this time have comments on the specifics of these two petition requests, we offer the following general comments.

ATA believes that demonstrations of AVs will provide data to establish safety and other benefits of ADS technology. In NHTSA's Advance Notice of Proposed Rulemaking (ANPRM) for a *Pilot Program for Collaborative Research on Motor Vehicles with High or Full Driving Automation*, the agency stated that, "To aid in determining how best to foster the safe development and implementation of ADS vehicle technologies on our Nation's roadways, NHTSA believes it is prudent to facilitate the conducting of research and gathering of data about these new and developing technologies in their various iterations and configurations."<sup>5</sup> ATA agrees and believes that the appropriate granting of temporary exemptions is another means outside of a formal NHTSA pilot program for gathering data that will facilitate the further development of ADS and other safety systems.

The temporary exemption process provides a means under existing authority<sup>6</sup> to deploy new technologies intended to provide an equivalent or higher level of safety than current regulations support or incorporate. NHTSA regulations for *Temporary Exemption from Motor Vehicle Safety Standards*<sup>7</sup> establish requirements for information required to be submitted by the petitioner that is used by NHTSA in evaluating the exemption request. Additionally, NHTSA has authority to set terms on the temporary exemption that the agency considers appropriate.<sup>8</sup> In considering what information NHTSA should require of the applicant to evaluate the petition and what terms the agency chooses to set in granting the temporary exemption, NHTSA must balance obtaining the safety-related information needed to assess the petition and evaluate the technology with the need to respect confidential

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<sup>4</sup> ATA, American Trucking Trends 2018.

<sup>5</sup> 83 Fed. Reg. 50874 (October 10, 2018)

<sup>6</sup> 49 U.S.C. 30113

<sup>7</sup> 49 CFR part 555

<sup>8</sup> 49 U.S.C. 30113(b)

business information and not require an unnecessarily burdensome amount of information. The data and information required by NHTSA and which NHTSA makes public should be sufficient for evaluating and monitoring the safety and performance of the technology without creating a disincentive for companies that might wish to use exemptions to further develop and improve automated vehicle technology. Furthermore, NHTSA should consider that there are different types and implementations of ADS technologies being used by ADS developers and that the technology is evolving rapidly, therefore the information required of the petitioner and the appropriate terms attached to the exemption will likely not be the same for every temporary exemption and may change over time.

As regulators and lawmakers work to revise or remove outdated safety related laws, regulations, and guidance to accommodate ADS in the transportation system, the exemption process provides a flexible and controlled means to deploy new technologies and generate real-world data that can inform future decisions. Combining this data with DOT, industry research, and data generated from pilot tests and demonstrations should help to speed up the time consuming and resource intensive rulemaking process for modifying existing regulations and/or establishing new regulations to apply to ADS.

ATA believes that the deployment of AV technology for all vehicle types has the potential for improving safety, the environment, reducing congestion, and saving fuel. The temporary exemption process is an important tool to help speed the development and deployment of new safety technology and gather the data needed to more quickly make any regulatory changes necessary to allow for widespread deployment.

Thank you for consideration of these comments. If you have any questions, please contact Ross Froat at (703) 838-7980 or [rfroat@trucking.org](mailto:rfroat@trucking.org).