



Transportation Safety Equipment Institute

July 29, 2019

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

Re: Removing Regulatory Barriers for Vehicles with Automated Driving Systems, Advanced Notice of Proposed Rulemaking [Docket No. NHTSA-2019-0036]; 84 Fed. Reg. 24433 (May 28, 2019)

Dear Deputy Administrator King:

This comment is submitted on behalf of the Transportation Safety Equipment Institute (TSEI), a trade association representing manufacturers of vehicular safety equipment, including lighting, reflective devices, and emergency products. TSEI welcomes the opportunity to provide this comment with respect to the National Highway Traffic Safety Administration's (NHTSA's) Advanced Notice of Proposed Rulemaking (ANPRM) on Removing Regulatory Barriers for Vehicles with Automated Driving Systems, Advanced Notice of Proposed Rulemaking (Docket No. NHTSA-2019-0036). 84 Fed. Reg. 24433 (May 28, 2019).

TSEI appreciates the opportunity to comment on the near- and long-term challenges of testing and verifying compliance with the existing crash avoidance (100-series) Federal motor vehicle safety standards (FMVSSs) for automated driving system-dedicated vehicles (ADS-DV) that lack traditional manual controls necessary for a human driver to maneuver the vehicle and other features intended to facilitate the operation of a vehicle by a human driver. TSEI encourages NHTSA to continuing following the self-certification process. TSEI also agrees with NHTSA that standards within the 100-series FMVSS that do not require manual controls, that do not specify how the Agency will use manual controls, or that do not use a definition that assumes human control of the vehicle should remain in place.

Further, we believe that many of the challenges related to testing and verifying compliance of ADS-DVs are unique enough that NHTSA should define ADS-DVs as a distinct vehicle type. This would permit NHTSA to address the unique challenges posed by ADS-DVs with corresponding regulations, while keeping current regulations for vehicles that maintain traditional manual controls. TSEI believes this approach best balances the need to maintain current safety standards for vehicles with traditional controls against the unique needs of ADS-DVs. For the foreseeable future, ADS-DVs will operate on roads with vehicles operated by human drivers (SAE Levels of automation 0 through 4) and standards geared towards vehicles with traditional controls will remain an important aspect of vehicle safety. With respect to vehicle conspicuity, TSEI believes that the Agency should not make changes to the current requirements and they should also apply to the new vehicle class for ADS-DVs.

TSEI appreciates NHTSA's review of current regulations seeking to remove regulatory barriers to adopting ADS and ADS-DV. Vehicle automation is moving ahead rapidly, and jurisdictions around the world are working to develop the laws and regulations needed to address the unique aspects of these technologies. TSEI encourages NHTSA to harmonize the regulations it develops with the requirements of other jurisdictions. One area in particular that TSEI believes offers a straightforward way to increase harmonization of existing lighting regulations is to adopt a regulation similar to Canada's lighting regulations. The Canadian regulations generally mirror the FMVSS, but Canada recently amended its regulations to alternatively permit lighting that conforms to the relevant United Nations regulations. TSEI believes that NHTSA could adopt a similar approach with respect to lighting and, potentially, to future regulations aimed at ADS-DVs.

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TSEI appreciates the opportunity to comment on the ANPRM. We would be pleased to discuss our comments further with Agency staff.

Sincerely,

A handwritten signature in blue ink, appearing to read 'BP', enclosed within a large, loopy blue oval.

Bart P. Terburg, Ph.D.
President, TSEI