COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
HARRISBURG, PENNSYLVANIA 17120

OFFICE OF
SECRETARY OF TRANSPORTATION

August 19, 2019

Ms. Heidi Renate King
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue S.E.
Washington, DC 20590

RE: Docket Number NHTSA-2019-0036

Dear Deputy Administrator King:

The Pennsylvania Department of Transportation (PennDOT) welcomes the opportunity to provide comments on the questions posed by the National Highway Traffic Safety Administration's Advance Notice of Proposed Rulemaking (ANPRM) on the Removing Regulatory Barriers for Vehicles with Automated Driving Systems.

Enclosed you will find PennDOT's responses to the questions posted in Docket Number NHTSA-2019-0036.

If you have any questions regarding this submission, please feel free to contact Mark Kopko, Special Advisor for Transformational Technology at 717.783.1903 or markopko@pa.gov.

Sincerely,

Leslie S. Richards, Secretary
Pennsylvania Department of Transportation

Enclosure

1. What are the possible advantages and disadvantages of each approach?

As a standalone approach, the Technical Documentation approach introduces too much risk since there is no validation a vehicle works as designed or equipment is not faulty. Additionally, the Surrogate Vehicle approach introduces too much risk because the vehicle being tested is not completely representative of the vehicle manufactured for consumer use.

4. If only one of these approaches can be used to enforce a particular FMVSS requirement, what factors should be considered in selecting that approach? What policy or other considerations should guide the agency in choosing one alternative approach versus another for determining the compliance of a particular vehicle or item of equipment?

The agency should be guided in choosing one alternative approach over another (to determine vehicle or equipment compliance) by using criteria such as Safety, Consistency and Effectiveness to benchmark the approach against. For example: Does the approach yield the highest degree of confidence in demonstrating the safety of the vehicle/equipment? To what degree are the manufacturers able to provide consistent and dependable results with the approach? How effective is the approach overall in demonstrating compliance in comparison to other approaches?

5. With respect to any single approach or combination of approaches, could it be ensured that the compliance of all makes and models across the industry is measured by the same yard stick, i.e., that all vehicles are held to the same standard of performance, in meeting the same FMVSS requirement?

As much as possible, the same measure should be used for consistency across all makes and models; however, it may be necessary to change approaches or methods as Operational Design Domains differ.

7. Should NHTSA consider an approach to establish new definitions that apply only to ADS-DVs without traditional manual controls?

Yes.

34. How can the documentation-focused approach ensure compliance with FMVSS, considering it neither verifies that the vehicles on the road match the documentation nor confirms that the vehicles on the road comply with the FMVSSs?

Reliance on documentation only does not ensure vehicle safety. Too much risk is introduced without testing the vehicle and ensuring its features and equipment function as designed.

35. If technical documentation were acceptable for compliance verification, how would the manufacturer assure the agency that the documentation accurately represents the ADS-DV and that the system is safe?

Reliance on documentation only does not ensure vehicle safety. Further validation is needed.