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Docket Management Facility  
U.S. Department of Transportation  
Room W12-140  
1200 New Jersey Avenue, SE  
Washington, DC 20590-0001

**RE: Docket Number FMCSA-2018-0037**

**Request for Comments Concerning Federal Motor Safety Regulations (FMCSRs) Which  
May Be a Barrier to the Safe Testing and Deployment of Automated Driving Systems-  
Equipped Commercial Motor Vehicles on Public Roads**

To Whom It May Concern:

The Travelers Companies, Inc. appreciates the opportunity to comment on the modifications that may be needed to the existing Federal Motor Carrier Safety Regulations to address the introduction of automated driving systems (ADS) in the marketplace for commercial vehicles.

ADSs are a growing presence on American roadways and with them come several novel policy questions and challenges. The big picture question, of course, is how to address ADSs in a comprehensive manner that spurs innovation, increases public safety and peace of mind, and protects American drivers and consumers in the event of accidents and other unforeseen circumstances. Travelers supports sensible regulations that encourage the safe adoption of ADS technology in this space.

By way of background, Travelers is the leading U.S. provider of property and casualty insurance for auto, home and business. We have approximately 30,000 employees in our U.S. operations and a few select international markets. Throughout its 160-year history, Travelers has been a true innovator in the

insurance industry—adapting over the decades to changes in risks, technologies, consumer behaviors, and legal and regulatory requirements.

Travelers believes that the long-standing vehicle accident liability regimes already in place can serve well in an ADS context. These regimes bring a high level of predictability and fairness to the process of apportioning liability.

#### *Inspection, Repair, and Maintenance*

With respect to inspection and maintenance, we recommend the development of a pre-deployment and road inspection protocol for autonomous systems. The inspectors conducting these checks should receive specific training regarding ADS systems and key components of the system to identify and check to ensure the proper functioning of the ADS system.

#### *Distracted Driving and Driver Monitoring*

With respect to Level 3 and Distraction, the issue of engaging in secondary manual and visual tasks (such as using handheld electronic devices) during Level 3 automation is complex and may introduce unintended risks. It requires balancing the need for a driver to be able to respond to a hazard with sustaining a basic level of mental engagement that is enough to ensure the driver does not become mentally disengaged, or possibly fall asleep, while the ADS system is operating the vehicle. Over time, the driver will likely over rely on the Level 3 automation and not provide the adequate attention to resume manual control if required, especially in emergency situation. For these reasons we have seen several recommendations that manufacturers skip Level 3 in favor of moving right to Levels 4 and 5 which we believe is sensible. Additionally, the Trucking Fatigue meter recommendation seems impractical as it samples driver engagement, and Level 3 requires minimal driver engagement. The Virginia Tech Transportation Institute has used post-hoc camera analysis of blink rates and blood pressure to identify fatigue, but we are not aware of such technology being deployed in real-time and therefore, its effectiveness is unknown.

#### *Medical Qualifications*

Likewise, loosening medical qualifications seems counter-intuitive for Level 3 operators because substantial mental and physical engagement is required to operate vehicles at that level. Since medical certifications are required for all Commercial Drivers License (CDL) drivers, whether part-time, local or long-distance, the potential reduction in miles driven shouldn't result in any change to existing medical requirements at Level 3.

*Hours of Service for Drivers*

With respect to hours of service, we believe changes are likely going to be necessary under a Level 4 or 5 automation scenario since drivers will turn over control of the vehicle while using “sleeper berth” time or another option. We do not recommend making any changes for hours of service for Level 3 operation in light of the relatively higher level of driver engagement that will still be required.

*Commercial Driver’s License (CDL) Endorsements*

Lastly, regarding CDL Endorsements, we agree that a driver should have endorsements appropriate to ADS-type vehicles, particularly to the extent that specialized knowledge of the technology in use may be required. Currently, there appears to be a loophole in the FMCSR which allows companies to bypass the road test requirements. This loophole should be closed for semi-autonomous vehicles.

We look forward to being a resource for FMCSA and other DOT offices as these policies are further developed. To that end, we encourage FMCSA to involve insurance industry representatives, including Travelers, in future discussions, particularly those surrounding data and cybersecurity standards and liability regime developments, and utilize our unique expertise as decisions—in these areas and others—are made.

Sincerely,

A handwritten signature in dark ink, appearing to read "Glenn Westrick", with a long horizontal flourish extending to the right.

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Senior Vice President, Government Relations  
The Travelers Companies, Inc.