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Assistant Vice President  
Personal Lines Policy

July 29, 2019

Michael Huntley  
Division Chief, Vehicle and Roadside Operations  
Office of Carrier, Driver and Vehicle Safety  
Federal Motor Carrier Safety Administration  
1200 New Jersey Avenue SE  
Washington, DC 20590-0001

Re: Docket No. FMCSA–2018–0037: Safe Integration of Automated Driving Systems-Equipped Commercial Motor Vehicles

Dear Mr. Huntley,

Automobile insurers consistently advocate for highway safety improvements, and the American Property Casualty Insurers Association (APCIA) believes that the introduction of advanced vehicle technology represents one of our greatest opportunities to improve highway safety. APCIA also believes that, in order to for the potential of the technology to be realized, any changes to the Federal Motor Carrier Safety Regulations (FMCSR's) should be rare, limited to the highest levels of automation, and maintain the current level of safety.

APCIA is composed of over 1,200 member companies and 330 insurance groups, whom together write 70 percent of the commercial auto insurance in the United States. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. APCIA members represent insurers of all sizes, structures, and regions, which protect families, communities, and businesses in the U.S. and across the globe.

The FMCSA seeks input from stake holders regarding how the FMCSR's may need to change to accommodate the use of commercial motor vehicles (CMV's) with automated driving systems (ADS) or individuals monitoring or taking control of vehicles remotely. While more specific recommendations are best left to other stakeholders, we agree with FMCSA that when CMVs are being operated remotely, or ADS operations are being monitored by an individual, that driver related rules for issues such as training, hours of services, or medical qualifications, should apply to those individuals. The training required for individuals should ensure that that they have a thorough understanding of the capabilities and proper use of the ADS systems they are operating.

The same would be true for the rules pertaining to vehicles themselves such as vehicle inspection, repair, and maintenance requirements. Any exceptions to those rules should be minimal, and only be made if the current level of safety is maintained.

APCIA has long advocated for improvement of distracted driving laws and enforcement of those laws at the state level and believes that the current prohibitions on distracted driving (specifically the use of portable electronic devices) should apply to individuals monitoring operation of or taking control of CMV regardless of if they do so from within the vehicle or remotely.

The FMCSA also asks about cybersecurity, shared information and protection of confidential business information. APCIA agrees that ADS equipped vehicles need to be secure from cyber-attack, and that the intellectual property of technology developers need to be protected. However, as the driving function becomes more automated, insurers will need to have reasonable access to information to identify a vehicle equipped with an ADS, using common terminology. Insurers will also need access to vehicle data on a

reasonable basis to determine if the ADS was engaged or not, and how the vehicle was being operated at the time of an accident to determine liability and handle claims following an accident.

APCIA considers cybersecurity, and protection of intellectual property to be of critical concern, but such concerns should be balanced with the need to enhance safety by allowing insurers to support ADS innovation through new insurance products, pricing and service with access to necessary information and data.

APCIA looks forward to working with the FMCSA and other stakeholders to support innovation in technology and realizing the technologies potential to improve the operation and safety of commercial motor vehicles. Please contact me if you have any questions about these comments, or if we can be of any assistance as FMCSA moves forward on this issue.

Sincerely

A handwritten signature in black ink, appearing to read "Robt C Passmore", with a stylized, cursive script.

Robert C. Passmore