



July 26, 2019

The Honorable Raymond Martinez  
U.S. Department of Transportation  
1200 New Jersey Ave, S.E.  
West Building, Ground Floor  
Room W12-140  
Washington, D.C. 20590-0001

**Re: Docket No. FMCSA-2018-0037 (Safe Integration of Automated Driving Systems-Equipped Commercial Motor Vehicles); Advanced Notice of Proposed Rulemaking (ANPRM).**

Administrator Martinez,

The Commercial Vehicle Training Association<sup>1</sup> appreciates the opportunity to comment on Safe Integration of Automated Driving Systems-Equipped Commercial Motor Vehicles ANPRM. We commend the FMCSA for identifying and asking many of the relevant questions in this ANPRM. We hope our comments are useful in creating the forthcoming NPRM.

The following is our response to the following questions (1.3, 2.1, and 2.2, 2.6, 6, and 7). These questions ask:

- *Should FMCSA consider amending or augmenting the definition of “driver” and/or “operator” provided in 49 C.F.R. § 390.5 or define a term such as “ADS driver” to reduce the potential for misinterpretation of the requirements?*
- *Should a CDL endorsement be required of individuals operating an ADS-equipped CMV?*
- *If so, what should be covered in the knowledge and/or skills test associated with an ADS endorsement?*
- *Is there any reason why a dedicated or stand-by remote operator should not be subject to existing driver qualifications?*
- *Should FMCSA revise Drug & Alcohol Testing?*
- *What qualification should be required of the individual performing the pre-trip inspection?*

CVTA believes the FMCSA should require anyone who is driving, monitoring, or otherwise responsible for the operation and overall safety of the commercial vehicle (and its cargo), while in transit, to hold a commercial driver's license along with an Automated Driving System (ADS) endorsement. Whether an “ADS driver” is separately defined, or whether the concept of an ADS endorsement is incorporated into the definition of a “driver” or “operator” (as amended), CVTA believes that anyone operating the CMV should hold a commercial driver's license and ADS endorsement. Whether the person is actually driving or merely monitoring systems as an “operator,” highway safety requires that a person is capable of assuming control over the CMV in

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<sup>1</sup> The Commercial Vehicle Training Association (CVTA) is the largest association representing commercial truck driver training programs in the United States. CVTA members represent over 220 training providers in 42 states who collectively train over 50,000 commercial drivers annually.

the event of a malfunction. Whether operating within in its Operational Design Domain (ODD) or not, a driver remains critical to ensuring overall safety. For the same reason the FAA requires pilots to be licensed, we too feel that the FMCSA should require the same of CMV drivers/operators. This means they are licensed with an ADS endorsement, whether they are physically present in the cab of the vehicle or a remote operator.

The knowledge and/or skills test needed for the ADS should be consistent with the Entry-Level Driver Training regulation and ADS endorsement. However, we recognize that as technology changes so must the level of training. However, the core elements of training need to be instilled in drivers. We believe that outlining what should be covered in an ADS endorsement is premature at this time. We do believe (and have recommended to Congress when it was considering legislation on this topic) that the FMCSA should create an advisory group similar to the Entry-Level Driver Training Advisory Committee (ELDTAC). The FMCSA needs a group that represents the diversity of industry stakeholders to provide insight, work through problems, and ultimately make recommendations to the FMCSA. Such a group should be assembled to outline what would be needed for an endorsement to serve as a future Notice of Proposed Rulemaking.

In addition to meeting current CDL licensing requirements, CVTA also believes any driver/operator, or anyone conducting a pre-trip or post-trip should also be able to comply with existing drug & alcohol requirements. We similarly feel that anyone conducting a pre-trip will need to understand whether the sensors or cameras are properly operating. Moreover, the operator will have to have enough general knowledge to determine whether the vehicle is in proper working condition to operate.

Thank you for allowing us to share our views.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Lefevre", with a stylized, cursive script.

Don Lefevre,  
President