

At this point in time, ADS have NO history or safety record on the roads. They should be made to ESTABLISH their OWN safety data before being allowed to run any less strict than current safety requirements regulating current CMVs and drivers. In fact, with NO history or safety record the requirements for ADS vehicles AND drivers should be MORE stringent than current CMVs and drivers. Perhaps in FIVE years you can revisit all of these same questions to see if the answers have changed. At THAT time, the rules can be adjusted accordingly.

As to answers to your specific questions, I will include them in my narrative herein. Currently drivers have restrictions on the number of hours they are allowed to drive a CMV, due to safety concerns. These safety concerns will NOT go away because a CMV has ADS technology. The FMSCRS apply to human drivers and should always apply to human drivers. At the point where NO driver, either in the CMV OR remote, is needed, then HOS and other FMSCRS relating to humans will not apply. Until that day happens, any human, in ANY position of control of the CMV should still be required to follow any and all regulations that have been put in place due to safety: HOS, drug testing, medical testing, etc. If these are removed for any reason, it will just prove to the public and other CMV operators that these regulations were not really about safety in the first place. These statements should continue to be the enforced standard.

1. Based on FMCSA's preliminary assessment of its safety requirements and the potential of ADS-equipped vehicles, the Agency presently believes individuals responsible for taking control of an ADS-equipped vehicle on a public road should be subject to the current physical qualification standards.
2. If a human is present and responsible for the safe operation of the CMV, current restrictions against distraction should remain in effect.
3. The Agency believes, preliminarily, that the basic approach for applying the HOS rules should continue to be used; that is, any time a human is at the controls of an ADS-equipped CMV, either in the driver's seat or operating it remotely, the time should be recorded as on-duty, driving. Any time the human is working without having the responsibility for taking control of the ADS-equipped vehicle (because it is operating in a fully autonomous mode within its intended ODD) should be considered on-duty, not driving. For scenarios in which the human is in a sleeper-berth on a vehicle controlled by ADS technology, the human may record his/her duty status in the same manner as a team driver with hours off-duty in the passenger seat or sleeper-berth time.
4. FMCSA MUST consider revising its rules to ensure that (1) any human exercising control of an ADS-equipped vehicle must continue to comply with all the rules under Part 392, and (2) a CMV under the control of a Level 4 or Level 5 ADS must satisfy the operational rules
5. FMCSA MUST require that the ADS be capable of identifying highway-rail grade crossings and stopping the CMV prior to crossing railroad tracks to avoid collisions with trains, or going onto a highway-rail grade crossing without having sufficient space to travel completely through the crossing without stopping
6. For scenarios in which the control of the ADS-equipped CMV alternates, or may alternate, between a human and the technology, FMCSA MUST require that both the human operator and ADS comply with the applicable operational rules

Monitoring HOS on remote drivers will be trickier, because they would have the ability to step away from the controls, and no one knows it. SO, the logging device (ELD) needs to be attached to the controls for the remote truck, and only allow the "driver/monitor" a short distance(2 feet) from the controls. We all know that things can happen on the roads in the blink of an eye. If the remote driver were to step away from the controls to use the restroom or get a snack, he/she could come back to a catastrophic tragedy.

Regarding inspections, yearly, daily, and by DOT: The requirements that are currently set forth, have been posted in the name of safety. ANY deviation, or relaxing of these requirements will be met with the harsh outrage from drivers that have had to abide by them for years. IF any changes would be made, they should be made stricter for ADS trucks to ensure that the developers of this technology understand and consistently monitor their vehicles at LEAST as well as current CMV drivers do. These trucks will eventually have the ability to drive 24 hours a day down the roadways. Currently most trucks are driven less than half that time. The more time spent traveling, the more damage and wear and tear that can happen to a vehicle. Therefore the minimal pretrip inspections could only happen in percentage half as much as they currently do. Requiring a pretrip inspection every 12 hours would be the equivalent of what is required now. Every CMV on the roadway is subject to random inspections. Yet ADS are not unless there is problems that are likely to adversely impact safety. How do you KNOW, if you don't inspect them? They can have a wheel seal out, a brake out of adjustment, or a brake or headlight out. These items are automatic out of service for a driver. Why not for ADS? Are those items not critical for safety?

ADS should indeed identify themselves on the roads, to DOT AND to the general public. They should also have highly visible monitoring systems to let ANYONE know that they are operating properly, or not.

Cybersecurity issues: These concerns have been brought up to FMCSA, DOT, Homeland Security, Congress and others regarding the ELDs that drivers are mandated to have in their trucks. Drivers' concerns have generally been laughed off. My stance is for the FMCSA to take the SAME LEVEL of concern about cybersecurity with ADS as they do with the ELD. NONE. If it works for us, it should work just fine for them.

Voluntary Consensus Standards: I am laughing at this one guys. FMCSA is the regulatory body, responsible for SAFETY, but you are allowing others to make the rules? Seriously? Again, we have seen how this works for the ELDs. FMCSA needs to set the standards and enforce that any ADS vehicles meet or exceed these standards. I have been told that there is already a division in FMCSA that deals with ADS. STOP spending \$100M giving grants for this technology and use that money to HIRE and create knowledgeable people and enforcement divisions within the FMCSA.

In AV 3.0 FMCSA Roles, Page 7 “The pace of innovation in automated vehicle technologies is incompatible with lengthy rulemaking proceedings and highly prescriptive and feature-specific or design-specific safety standards.” I am translating this as technology is superior to humans. We drivers MUST wait for lengthy rulemaking proceeding to even obtain flexibility in our day. WHY are you allowing technology to make their own rules. Technology will be here for a long time. WHY not keep it slow and be cautious in YOUR rulemaking process, to make sure that YOU “get it right”? YOU are responsible for the safety of every child on the roadways.

The verbage used, “REMOVING LEGISLATIVE BARRIERS” comes out to current CMV drivers and CDL holders that the GOVERNMENT wants #driverlesstrucks and that the very PEOPLE currently driving are not safe, in spite of all the regulations you put on us. While we are not against technology, it must be used responsibly to assist humans, not replace them.