

August 28, 2019

National Highway Traffic Safety Administration  
1200 New Jersey Ave SE West Building  
Washington, DC 20590-0001

Re: Docket No. NHTSA-2019-0036

Local Motors, LLC. submits this comment to the National Highway Traffic Safety Administration (NHTSA) in response to the advanced notice of proposed rulemaking (ANPRM) Removing Regulatory Barriers for Vehicles with Automated Driving Systems Docket No. NHTSA-2019-0036 (RIN 2127-AM00). The background section of the notice states: "Absent an exemption or exception, ADS-DVs must comply with all applicable FMVSSs". The primary regulatory hurdle for a new domestic manufacturer such as Local Motors is receiving an exemption or exception for research, investigations, or demonstrations for a non-compliant vehicle on public roads. Foreign manufacturers have a path utilizing Part 591 and established OEMs have a path via the FAST Act amendment of 2015. This inequality puts smaller, innovative American vehicle manufacturers at an extreme disadvantage, hindering competitiveness and endangering American leadership in autonomy and new technology development. American cities and localities want the opportunity to deploy domestically manufactured vehicles as evidenced by the response to the USDOT Grant Opportunities for pilots of AVs. However, the exclusion of newer American mobility companies from testing and deploying stifles innovation, making it difficult to find mobility solutions that work for regional, state and local communities.

For context, Local Motors met with NHTSA in November and December of 2017 and discussed the issue of Olli, our low-speed shuttle that operates under 25mph, not qualifying within the description of any existing vehicle classification. As a next step, Local Motors pursued a Part 555 petition for temporary exemptions from portions of the Part 571.500 low-speed vehicle, submitting its petition in February of 2018. After waiting over 10 months, NHTSA then suggested that the Local Motors Part 555 petition for temporary exemption be withdrawn due to the request to be exempted from the weight restriction for a low-speed vehicle (even though other vehicle classifications identified and defined in Part 571.3 do not provide weight restrictions). American mobility manufacturers and companies are finding ways to test autonomous vehicles, but the regulatory roadblock above inhibits what NHTSA has acknowledged is essential for the advancement of autonomous vehicles: gathering real-world data from testing on public roads. While companies can track miles and curate learnings from testing and deploying on private roads, the current regulatory imbalance eliminates exposure to public roads where real-world experiences are critical for the advancement of these vehicles and the education of consumers and local, state and regional legislators.

Local Motors is asking for the same opportunity offered to foreign manufacturers to research, investigate, and demonstrate non-compliant vehicles on public roads. Allowing domestic companies to test and deploy the transportation infrastructure of the future will bring employment opportunities to American towns and cities, increase economic activity (the autonomous vehicle market is predicted to drive over \$800 billion in economic benefits by 2050), and foster democratized access to mobility.

Secretary of Transportation Elaine Chao can overcome this challenge by granting domestic manufacturers special exemptions for purposes of research, investigations, demonstrations, and training on public roads, via 49 U.S.C. & 30114(a) without requiring additional rulemaking from NHTSA. This statute unequivocally grants the Secretary this authority without rulemaking.

Sincerely,



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