



August 28, 2019

Via Regulations.gov

Heidi R. King
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE
Washington D.C. 20590-0001

RE: Advanced Notice of Proposed Rulemaking; Removing Regulatory Barriers for Vehicles with Automated Driving Systems [Docket No. NHTSA-2019-0036]

Dear Ms. King:

The Motor & Equipment Manufacturers Association (MEMA)¹ submits these comments in response to the U.S. Department of Transportation (USDOT) National Highway Traffic Safety Administration's (NHTSA) *Federal Register* Advanced Notice of Proposed Rulemaking (ANPRM), on removing regulatory barriers for vehicles with automated driving systems (ADS). MEMA represents vehicle suppliers that manufacture and remanufacture components and systems as new original equipment and aftermarket parts for use in passenger cars and heavy trucks.

Our members are key developers of the components and software that enable Automated Driving System-Dedicated Vehicles (ADS-DVs). Suppliers have developed a wide range of advanced driver assistance systems (ADAS) technologies, as well as integrated active/passive safety systems that have laid the foundation for ADSs. Widely deployed, automated technologies have the potential to radically improve vehicle safety and enhance mobility. A recent NHTSA crash statistics report estimates that in 2018 approximately 37,000 people perished in vehicle crashes.² A future that envisions deployed ADS-equipped automated vehicles has the potential to significantly decrease vehicle-related fatalities and injuries. On top of saving lives, these technologies can also reduce congestion, improve vehicle fuel efficiency, and enhance personal mobility.

MEMA appreciates NHTSA for taking this next step in its collaborative approach to receive inputs from various stakeholders to address the complex issues related to ADS-DVs. Last year, MEMA responded to the agency's initial request for comments on regulatory barriers for automated vehicles.³ We represent a wide range of OE component and system manufacturers who may be impacted by the 100-series Federal Motor Vehicle Safety Standards (FMVSS) in various ways. As such, MEMA anticipates that several individual vehicle suppliers that manufacture ADSs, related

¹ MEMA represents its members through four divisions: Automotive Aftermarket Suppliers Association (AASA); Heavy Duty Manufacturers Association (HDMA); MERA—The Association for Sustainable Manufacturing; and, Original Equipment Suppliers Association (OESA).

² NHTSA Traffic Safety Facts: "A Brief Statistical Summary June 2019 Early Estimate of Motor Vehicle Traffic Fatalities in 2018" DOT HS 812 749. June 2019.

³ MEMA Comments RE: Request for Comments; Removing Regulatory Barriers for Vehicles with Automated Driving Systems. Docket ID No. NHTSA-2018-0009-0080. March 20, 2018.



ADS components, as well as safety technologies and products under the scope of the 100-series FMVSSs, may provide individual company comments directly to the docket.

NHTSA outlined its plans to follow up the FMVSS 100-series ANPRM with “two additional documents” related to the 200-series and to telltales, indicators, and warnings. While this is helpful, MEMA would urge NHTSA issue more detailed plan that addresses the agency’s priorities and associated actions. MEMA would encourage NHTSA to seek out multiple pathways to achieve the goal of safe deployment. The agency should consider various ways to address these multi-faceted issues concurrently, as opposed to a linear approach. The Auto Alliance had previously suggested in its 2018 RFC comments to NHTSA, and then reiterated in its Aug. 27, 2019 ANPRM comments, that the agency should consider a parallel, phased approach to deliver much needed nearer-term results so as not to unnecessarily impede the technology. A policy-driven framework that combines near-, mid- and long-term approaches would provide industry stakeholders a more definitive roadmap. Without a clear plan from federal entities, there is a risk of not only inhibiting deployment of ADS-DVs, but also making the United States vulnerable to losing a leadership role in developing ADS technologies and related components and software.

Policymakers in the United States are at a critical juncture. MEMA supports federal policies that will provide the necessary certainty for motor vehicle suppliers to continue to invest in research, development, and continued product innovation in the United States. These investments will help the United States remain a global leader in technology development. The federal government has an important role to support an integrated framework of laws, policies, guidelines, voluntary standards, and regulations that foster these critical investments. Our members are global companies that depend on an integrated, worldwide network of suppliers and customers for continued viability and growth. There is a great deal to gain, and a lot more to lose, if U.S. policy-development activities impacting future vehicles are done in isolation or significantly out of step with our global counterparts in Europe and Asia. The U.S. DOT and NHTSA must continue to explore how existing forums and the research community – such as the UNECE World Forum for Harmonization of Vehicle Regulations (WP.29) 1998 Agreement, Insurance Institute for Highway Safety, and EuroNCAP – can be useful bodies to collaborate and identify similar issues and how to overcome commonly identified challenges. Certainly, any opportunity to create harmonized approaches on ADS-DVs will increase efficiencies, provide certainty, and reduce testing/evaluation/compliance costs for both government and industry. With strong leadership and cooperation in addressing ADS-DVs, global endeavors to develop aligned standards and regulations have the potential to enable expedited implementation and streamline test development efforts. Overall, these alignments enhance global competitiveness.

Suppliers are committed to improving vehicle safety and are leading the way in developing the technologies necessary to reduce fatalities and injuries. MEMA is encouraged by NHTSA’s ongoing endeavors to assess the complexities of ADS-DVs and the impact it will have on our existing regulatory framework. At the same time, industry must have certainty to adequately plan for the safe introduction and long-term deployment of these future products. The USDOT has recognized that these innovative technologies are rapidly developing, and traditional federal standards development simply cannot keep pace. Federal policies, foundational regulations, and other voluntary mechanisms are available and should be utilized in order to support innovation and encourage deployment of ADS-DVs. Implementing a variety of strategies are necessary for the U.S. industry to remain a global leader.

MEMA appreciates the opportunity to offer input for NHTSA's consideration and reiterates its support for the agency's ongoing efforts to evaluate the impacts our current regulations may have on inhibiting future innovative technologies like Automated Driving Systems. We welcome the opportunity for our members to meet with the agency to expand our dialogue on this subject. If the agency would like more information, please contact me at lmerino@mema.org or MEMA's Chief Technology Officer Brian Daugherty at bdaugherty@mema.org.

Regards,

A handwritten signature in cursive script that reads "Leigh S. Merino". The signature is written in black ink on a white background and is enclosed within a thin black rectangular border.

Leigh Merino
Vice President, Regulatory Affairs