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Comments from Kansas City SmartPort to the
United States Department of Transportation, Office of the Secretary
Docket No. DOT-OST-2019-0165

Request for Comments on Non-Traditional and Emerging Transportation Technology – NETT Council
January 10, 2020

The development of safe, energy efficient, reliable, and time-saving transportation systems for passengers and freight is very important to us and we would like to voice our belief that hyperloop technology deserves the intense focus of Federal, State and Local governments to ensure globally competitive routes are being developed quickly and with regulatory clarity. To do so will require a precise combination of public and private entities coming together to make the development progress needed for this game-changing technology.

To be clear, we are seeking to ensure the USDOT provides regulatory clarity for hyperloop transportation systems that ensures safety throughout the development, construction, and operational aspects of this technology. Hyperloop technology progress is moving rapidly into an operational phase and it is important that the regulatory environment exists to support operational intent. Regulating as a transit system is a likely course that will ensure technical and safety focus under a performance-based approach.

We appreciate the recent letter written by senior Members of Congress to Secretary Chao in support of the NETT Council. We agree with this letter signed by congressional transportation leaders in support of transportation innovation and that it speaks precisely toward our beliefs regarding hyperloop technologies. Hyperloop is one of the leading near-term transportation innovations that deserves to be emphasized by the USDOT. Public and private entities are standing ready to work with the NETT Council to ensure hyperloop development is done safely, quickly, and at-scale under a clear regulatory framework throughout the United States.

We encourage the NETT Council to advise public and government entities about the important safety regulatory authority that the Federal Government will provide to avoid confusion and overlap in Federal, State, and Local governing body activities. This will allow non-federal governmental entities to focus on work that is supportive of, but not in conflict with, Federal measures.

Clear direction regarding the laws and regulations that will govern hyperloop transportation systems is necessary to allow continued technology development and safe operation of the required systems. It is our opinion that FTA holds the research and regulatory capacity to develop these regulations. It is our request that the NETT Council champion the message throughout the USDOT that urgency is needed, and assignments be made immediately. As noted in the Congressional letter to Secretary Chao, it is highly commendable that the NETT Council has been formed. Assigning hyperloop regulatory responsibility and drawing guidelines and time tables around development will demonstrate the value and progress this leadership structure has been developed to deliver.

It is important to us that the United States seize on the opportunity to lead the world in developing advanced transportation systems for the movement of people and freight. Hyperloop technologies are among the front runners in this category and it is an important step to communicate and coordinate safety regulations. Doing so will demonstrate to a global industry that is receiving tremendous attention from across the world that the United States is the right place to develop, test, certify, and operate this transformational technology.

Thank you for the opportunity to provide our comments and we look forward to working constructively with the USDOT and the NETT Council on the important effort of safe deployment of hyperloop transportation technology.