

April 2, 2020

U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
West Building, Room W12-140  
Washington, DC 20590-0001

**Re: Ensuring American Leadership in Automated Vehicle Technologies: Automated Vehicles 4.0 (AV 4.0) (Docket No. DOT-OST-2019-0179)**

To Secretary Chao:

Uber respectfully submits these comments to the Department of Transportation in response to the recently published guidance, "Ensuring American Leadership in Automated Vehicle Technologies: Automated Vehicles 4.0" ("AV 4.0"). Uber appreciates that the Department continues to embrace the potential of Automated Driving Systems ("ADS") to improve road safety and consumer welfare, and remains committed to providing a consistent and predictable regulatory environment that is flexible enough to support the development of a multitude of new, innovative technologies. Uber also appreciates the thoughtful and transparent approach that the Department has taken with the development of these documents, which is critical for building greater public trust and acceptance of these technologies with enormous safety potential.

**Support for U.S. Government Automated Vehicle Technology Principles**

Uber applauds the Department for continuing to emphasize the primacy of safety as its foremost principle in shaping policy for the development of self-driving vehicle technology. As the Department correctly points out, the most likely path forward for the development of AV technology is an environment where autonomous vehicles operate alongside human driven vehicles. This has the opportunity to open up massive opportunities for increased mobility and access to transportation services for many groups.

Uber appreciates that the Department continues to adhere to a technology neutral approach, which ensures an equal playing field for developers and gives American consumers the opportunity to choose mobility solutions that work best. This approach, coupled with a clear commitment to modernize regulatory frameworks, will ensure that American companies are able to compete in what is already a competitive global marketplace.

The leadership role that the Department is playing to ensure a transparent, consistent approach is taken in the United States is critical. Our federal system provides an important role for state, local, and tribal governments, but it's clear the Department is appropriately

coordinating various efforts across all levels of government and with private sector actors, notably standards setting bodies.

### **Economics and Workforce Research**

While much of the focus on AV development is on the hardware and software of the vehicle itself, deploying this technology commercially will require an understanding of the impact that AVs will have on our economy and workforce. Uber believes this is a critical component to the successful introduction of self-driving vehicles into our communities. That is why Uber is a founding member of the Partnership for Transportation Innovation and Opportunity (PTIO), an organization committed to making sure that AV technology is deployed in a way that improves the quality of life and enhances economic opportunity for all Americans.

AV 4.0 points out some of the excellent work already being undertaken by the federal government to better understand these issues. For example, the National Science Foundation awarded \$2.49 million to Michigan State University to analyze the effects of AVs on the workforce with a focus on taxi, ride hailing, and long distance freight trucking industries and the Bureau of Labor Statistics (BLS) recently completed a literature review that will help guide future research into this important topic.

Uber believes that more could be done to advance our understanding of how AV technology will impact our communities. Future efforts that could be helpful would include NSF-funded workshops targeted at gauging worker preferences in the context of the future of work, so that public policy choices can be made based on actual data supporting workers concerns or preferences rather than assumptions. Another step that could help with future research would be to enhance administrative wage records from the Unemployment Insurance system to include additional data elements such as job title and/or industry code. Doing so could yield real time, local information about shrinking, changing, and emerging occupations in a given labor market, creating a better picture of labor market needs that would strengthen the overall labor market system by providing workers with better information about opportunity.

Uber supports the work that DOT is doing to participate in the coordinated, multi-agency research on the Impact of Automated Vehicle Technologies on (Professional Drivers) Workforce. Uber and other industry stakeholders look forward to reviewing the results of this research, and going forward we hope that DOT will build upon this effort to create a structure for sustained communication between industry stakeholders, DOT, and other relevant government agencies to discuss these issues as AV technology advances and deploys.

### **ADS Activities through the Government's Role as Property Owner and Employer**

Uber supports the whole-of-government approach that AV 4.0 seeks to foster by acknowledging and expanding the many productive ADS-related efforts ongoing throughout the federal government.

Consistent with this approach, Uber encourages the Department of Transportation and other executive agencies to explore opportunities to facilitate the promotion of ADS-related

technology through the U.S. government's particular role as one of the largest property owners in the United States.

It is axiomatic that the federal government maintains wide latitude to establish the regulatory framework for federally-owned lands. See U.S. Const. Art. IV § 3. The Supreme Court and the federal courts have repeatedly recognized the wide regulatory latitude available in the management of federal property, noting the federal government's "complete power" over its own lands. See, e.g., *Kleppe v. New Mexico*, 426 U.S. 529 (1976).

This authority covers a very large swath of the United States: The federal government owns roughly 640 million acres of land, accounting for approximately 28% of the total land area of the United States.<sup>1</sup>

These federally-owned lands present exciting opportunities to foster ADS development on roads throughout the United States. The Departments of Interior, Defense, and Agriculture, along with other land-administering executive agencies, could establish streamlined regulatory processes to facilitate and promote ADS-activities on suitable roadways within these federal lands, in ways that would both offer prime opportunities for AV developers and showcase different ways in which this technology could offer useful tools for the United States government and activities on federally owned- or controlled-roadways. The federal government's particular position in administering these lands allows for such opportunities to be crafted expeditiously and in ways that reflect the Department of Transportation's leadership on ADS-safety.

Similar opportunities arise through the federal government's role as one of the nation's largest employers. ADS-equipped vehicles can provide a crucial service in moving federal personnel in ways to help promote the government missions. In its capacity as an employer, Uber invites the federal government to engage with developers to identify partnership opportunities to avail federal employees of some of the benefits of ADS-equipped vehicles.

## **Conclusion**

Uber appreciates the Department's leadership in promoting the safe development and public awareness of ADS technology. This Guidance reaffirms core principles that will facilitate the broadly shared goal of safely deploying this technology in the future. We eagerly look forward to continued engagement with the Department on these topics.

Sincerely,

Danielle Burr  
Head of Federal Affairs

---

<sup>1</sup> See Congressional Research Service, "Federal Land Ownership: Overview and Data" (2020)