

May 29, 2020

Mr. James Owens  
Deputy Administrator  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue SE  
Washington, DC 20590

**Re: Notice of Proposed Rulemaking: Occupant Protection for Automated Driving Systems  
Docket Number: NHTSA 2020-0014  
Submitted via Regulation.gov**

Dear Deputy Administrator Owens,

Automobile insurers consistently advocate for highway safety improvements, and the American Property Casualty Insurers Association (APCIA) believes that the introduction of advanced vehicle technology represents one of our greatest opportunities to improve highway safety. However, for the technology to realize its potential, the regulatory framework for automated vehicles should preserve, if not improve upon, the current level of safety.

APCIA is composed of over 1,200 member companies and 330 insurance groups, who together write 70 percent of the commercial auto insurance in the United States. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. APCIA members represent insurers of all sizes, structures, and regions, which protect families, communities, and businesses in the U.S. and across the globe. While improvements in vehicle technology has made vehicles safer, and holds great potential for the future, we urge the Department to continue to focus on the auto safety challenges that face us today such as distracted driving, excessive speed as well as drug and alcohol impaired driving. Addressing those issues remains critical to reducing accidents, injuries, and deaths on the nation's roads.

As the noted in the Departments guidance "Automated Vehicles 4.0, Ensuring American Leadership in Automated Vehicle Technologies", it is Departments intent to "prioritize safety" as one of its guiding principles for the regulation of automated vehicles. APCIA believes that safety standards applicable to automated vehicles must set clear expectations for the public and provide clear direction for technology developers and manufacturers for compliance. We believe that the existing Federal Motor Vehicle Safety Standards (FMVSS) should be updated to address vehicles with both automated driving systems (ADS) and advanced driver assistance technology and view this proposal as an important step towards such a framework.

In the Departments 2017 guidance, "Automated Driving Systems 2.0, A Vision for Safety", it states that the occupant protection system in automated vehicles should "maintain its intended performance level" in the event of a crash. APCIA shares that opinion and urge that NHTSA's rulemaking provide the same level of protection to all vehicle occupants, regardless of their seating position.

While commenting on the specifics of the proposal is best left to others, such as the Insurance Institute for Highway Safety and Highway Loss Data Institute (IIHS-HLDI), we urge the Department not to assume that potential for reducing accidents shown by advanced driver assistance systems (ADAS), will automatically translate to automated driving systems (ADS). APCIA supports the adoption of clear safety and performance standards for vehicles equipped with ADS technology.

We look forward to working with the Department to reduce accidents on our roads today and in the future. Please contact me if you have any questions about these comments, or if we can be of any assistance on auto safety or automated vehicle issues.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Passmore', with a large, stylized initial 'R'.

Robert Passmore