



May 29, 2020

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National Highway Traffic Safety Administration (NHTSA)
Docket Management Facility
West Building, Room W12-140
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

Re: Occupant Protection for Automated Driving Systems
(ADS); 49 CFR Part 571; Doc. No. NHTSA-2020-0014.

Ladies and Gentlemen:

The National Automobile Dealers Association (NADA) represents more than 16,000 franchised automobile and truck dealers who sell new and used motor vehicles and engage in service, repair and parts sales. Together they employ over 1,100,000 people nationwide, yet the majority are small businesses as defined by the Small Business Administration.

I. Introduction

In March, NHTSA sought comment on a proposal to adapt its occupant protection standards to ADS-equipped vehicles.¹ In response, NADA offers the following comments and suggestions.

NADA supports the appropriate application of NHTSA's occupant protection standards to ADS-equipped vehicles. Certainly, if and to the extent vehicles offer enhanced safety benefits because they are ADS-equipped, such benefits will entail improved crash avoidance relative to vehicles without ADS. Thus, any modifications to NHTSA's occupant protection standards should aim to ensure that, in the event of a multi- or single vehicle crash, ADS-equipped vehicles used for the transportation of human occupants will protect those occupants to the same degree as similar non-ADS-equipped vehicles. through the appropriate installation and use of seat belts, air bags, and energy-absorbing structures and materials.

II. Obsolete Provisions

As a rule, NADA supports the removal of any regulation or regulatory language that is no longer necessary or appropriate or that is otherwise obsolete.

¹ 85 Fed.Reg.15624, *et seq.* (March 30, 2020).

III. Technological Neutrality

Any regulatory modifications designed to accommodate ADS-equipped vehicles should be performance-based and technology neutral, consistent with the history of NHTSA's motor vehicle safety standards. And where possible, NHTSA should allow for alternative compliance pathways with an eye toward accommodating different and future vehicle designs, while maintaining a necessary level of occupant protection safety.

IV. Occupant Protection and Vulnerable Occupant Seating

Current child safety seating standards should apply to the child occupants of all ADS-equipped vehicles. Moreover, advanced air bag standards should be applied, as appropriate, to all vehicle seating positions capable of having a child placed in them. Also, to the extent applicable and appropriate, NHTSA's existing air bag switch installation and deactivation policies should apply.

V. Center Front Seat Equipped Vehicles


Currently, there is no occupant protection mandate for in-board front seating positions. NADA agrees that any vehicle (ADS-equipped or otherwise) with a single forward-facing front row center seat should be subject to FMVSS 208 crash performance requirements, including applicable advanced air bag performance criteria.

VI. FMVSS 205 Shade Bands and Light Transmittance

NADA concurs with the proposed revisions to FMVSS 205. NHTSA should also consider revisions to the visibility requirements for ADS-equipped vehicles lacking both a designated driver's seating position and manual driving controls where such requirements arguably offer no safety benefits. Such revisions may involve reduced shade banding, reduced window light transmittance, and the allowed use of glass plastics.

On behalf of NADA, I thank NHTSA for the opportunity to comment on this matter.

Respectfully submitted,



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Environment, Health and Safety