Consumer Technology Association™

1919 S. Eads St.
Arlington, VA 22202
703-907-7600
CTA.tech

September 21, 2022

BY ELECTRONIC SUBMISSION

Ann Carlson
Acting Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: **Request for Comments on Petition of Ford Motor Company for Temporary Exemption from Provisions of Federal Motor Vehicle Safety Standards**

**Docket No. NHTSA-2022-0066**

Dear Acting Administrator Carlson:

The Consumer Technology Association ("CTA")® submits these comments to urge the U.S. Department of Transportation's ("USDOT") National Highway Traffic Safety Administration ("NHTSA") to grant the petition of the Ford Motor Company ("Ford") for exemptions to enable the further development of a vehicle with an SAE Level 4 Automated Driving System ("ADS")-equipped feature for commercial applications that include ride hailing and package delivery early in this decade. This is a significant opportunity for NHTSA to accelerate the development of self-driving vehicle ("SDV") technologies that have tremendous potential to expand mobility, drive economic growth, and, above all, enhance safety on our nation's roads and highways.

The Consumer Technology Association's members are the world's leading innovators – from startups to global brands – helping support more than 18 million American jobs, including many who are making the driving experience safer with self-driving vehicles. Our membership includes a wide range of companies working to bring self-driving vehicle innovations to America's roadways. This includes vehicle and component manufacturers, software developers, and transportation platforms engaged in a multidisciplinary approach to this emerging and growing industry. U.S. consumers desire safety improvements, better mobility and less time wasted in traffic, with 66% indicating that they are interested in replacing their cars with self-driving vehicles, according to CTA research.

CTA believes that SDVs have the transformative power to positively impact lives. SDVs can reduce the number of accidents, primarily caused by human error, increase accessibility and mobility for the population (while reducing inequities), create new efficiencies by reducing traffic congestion, have a positive impact on the environment, and generate a wide array of jobs in a number of sectors and create substantial economic impact.

NHTSA has encouraged all entities, from traditional OEMs and suppliers to technology companies and new entrants, to seek use of its exemption authority to demonstrate the safety benefits of SDV technologies.[1] We appreciate the agency's commitment to using its regulatory tools to advance innovation and NHTSA's related streamlining and modernization efforts, including the amended exemption procedures.[2] Ford's petition allows the agency to carry these efforts forward by giving them practical effect. This is a crucial step to validate the exemption pathway to support SDV testing and development.

**Safety**. NHTSA projects that an estimated 42,915 people died in motor vehicle traffic crashes in 2021.[3] This represents a 16 year high. NHTSA has also found that driver error is a factor in more than 94 percent of serious crashes.[4] By diminishing the human role in the driving task, SDV technology has the potential to eliminate this risk and substantially improve overall safety. As the latest version of the agency's SDV policy guidance concludes, SDV technology's "potential to reduce deaths and injuries on the Nation's roadways cannot be overstated."[5]

Ford's petition provides an in-depth discussion of how the company "place[s] safety at the heart of the process and build the entire system – vehicle, software, testing and training–around it. Along with Argo.AI, our Automated Driving System developer, systems engineering drives our safety strategy throughout the development process, which helps overall safety even in the unlikely event a component fails or the vehicle suffers a problem."[6]

---

[1] 1 DOT/NHTSA Policy Statement Concerning Automated Vehicles: 2016 Update to "Preliminary Statement of Policy Concerning Automated Vehicles," http://www.nhtsa.gov/staticfiles/rulemaking/pdf/Autonomous-Vehicles-Policy-Update-2016.pdf.

[2] Temporary Exemption from Motor Vehicle Safety and Bumper Standards, 83 Fed. Reg. 66,158 (Dec. 26, 2018) (to be codified at 49 C.F.R. pt. 555.

[3] Available at: https://www.nhtsa.gov/press-releases/early-estimate-2021-traffic-fatalities#:~:text=NHTSA%20projects%20that%20an%20estimated,Fatality%20Analysis%20Reporting%20System's%20history.

[4] U.S. DEP'T. TRANSP., PREPARING FOR THE FUTURE OF TRANSPORTATION: AUTOMATED VEHICLES 3.0 at 3 (2018) (hereinafter, "AV 3.0").

[5] Id. at 1.

[6] Ford Motor Company, exemption petition request to NHTSA, available at: https://www.regulations.gov/document/NHTSA-2022-0066-0001

**Environmental Benefits**. NHTSA has also found that "it is manifestly in the public interest to accelerate the development of electrically driven vehicles."[7] Granting Ford's petition, in which Ford plans to use a hybrid-electric vehicle, would support extension of electric vehicle innovation to the emerging category of SDVs, proving the viability of electric-drive powertrains in a new motor vehicle category that could yield a range of environmental benefits in terms of reduced emissions and fuel consumption.

**Employment Benefits**. Ford's petition will allow the company to maintain and grow its existing workforce and support additional employment opportunities. A CTA report found that the consumer technology industry supports 18.2 million American jobs and provides $1.3 trillion in annual wages.[8] Employment driven by SDV innovation represents a significant and rapidly growing segment of this overall total. Regulatory frameworks and decisions that support SDV commercialization are essential to realizing the industry's employment potential.

**Economic Growth**. Granting Ford's petition would drive substantial economic growth. In addition, the company is part of a broader SDV ecosystem that has tremendous economic potential. CTA's research has shown that SDV technology is expected to contribute $7 trillion to the global economy annually by 2050—a substantial portion of which will be generated in the United States.[9] These economic projections reflect the aggregate sum of many individual contributions by companies like Ford. By advancing Ford's development program, granting its petition will place the company in the best position to contribute to this broader economic growth in the United States.

**Global Competition**. Our nation faces fierce global competition in the SDV sector. China prioritized autonomous transportation in its high-tech infrastructure program. The European Union and other nations are also aggressively moving forward. The nation that leads the world will claim the economic benefits and high-skill jobs that SDVs produce. The Global Autonomous Vehicle Market was valued at $54 billion in 2019 and is estimated to garner an additional $2,044 billion by 2030.[10]

**Public Confidence**. USDOT has highlighted the need to address public concerns about SDVs and communicate the benefits of automation.[11] CTA's research has

---

[7] Think Technology AS; Grant of Application for a Temporary Exemption from the Advanced Air Bag Requirements of Federal Motor Vehicle Safety Standard No. 208, 74 Fed. Reg. 40,634, 40,636 (Aug. 12, 2009).

[8] CONSUMER TECHNOLOGY ASSOCIATION, U.S. ECONOMIC CONTRIBUTION OF THE CONSUMER TECHNOLOGY SECTOR (APR. 2019), https://www.cta.tech/Research-Standards/Reports-Studies/Studies/Supplements/Economic-Impact-Study.aspx

[9] CONSUMER TECHNOLOGY ASSOCIATION, ECONOMIC IMPACT: SELF-DRIVING VEHICLES at 10 (DEC. 2017), https://www.cta.tech/Research-Standards/Reports-Studies/Studies/2018/Economic-Impact-Self-Driving-Vehicles.aspx

[10] See, Global Outlook for the Autonomous Vehicle Market to 2030 - Sale of Autonomous Vehicles is Forecast to Reach 58 Million Units by 2030 (yahoo.com), https://www.prnewswire.com/news-releases/global-outlook-for-the-autonomous-vehicle-market-to-2030---sale-of-autonomous-vehicles-is-forecast-to-reach-58-million-units-by-2030-301198944.html

[11] AV 3.0 at ii.

confirmed that consumers are eager to learn more about this technology.[12] Among other issues, U.S. adults want to learn more about the cost of purchasing and maintaining a self-driving vehicle, as well as how today's roads and other public infrastructure support both human-driven and self-driving cars operating together.[13] By allowing consumers to experience SDV technology firsthand, granting Ford's petition will directly advance the Department's educational priorities.

**Data Sharing**. CTA supports the voluntary sharing of data that can help improve SDV safety and performance. We are pleased that NHTSA has also similarly endorsed a voluntary approach to data exchange, and affirmed that "[a]ny exchanges of data should respect consumer privacy as well as proprietary and confidential business information."[14] To the extent that Ford and NHTSA can agree upon a framework for the voluntary sharing of data about exempted vehicles, granting the petition could provide NHTSA with invaluable real-world information to support its ongoing oversight and policymaking activities in this area.

As a whole, these factors overwhelmingly support the conclusion that granting Ford's petition would substantially advance the public interest and motor vehicle safety. The deployment Ford has proposed would yield substantial public benefits in and of itself and is also an early step in the development of a broader industry ecosystem that will compound those benefits many times over. More, Ford's petition satisfies the factors that NHTSA has looked to in establishing the public interest as part of past exemption decisions. This is a landmark opportunity for NHTSA to advance its commitment to using its exemption authority to facilitate SDV testing and development.

As SDV technology continues to develop, NHTSA has well-established policies and procedures for evaluating exemption petitions and all stakeholders testing or deploying SDV technologies should be able to avail themselves of the same federal policies and exemption pathways. We encourage the agency to follow this precedent as much as possible and avoid reading new or additional requirements into the exemption statute and regulations or NHTSA's approach to implementing them that would not have been anticipated by the applicants. Predictable and uniform application of NHTSA's rules and regulations is essential to cultivate a policy environment that encourages efforts to realize the safety potential of SDV technology. In parallel, NHTSA should continue its important work to modernize the FMVSS and address existing barriers to deployment

* * *

[12] CONSUMER TECHNOLOGY ASSOCIATION, ECONOMIC IMPACT: SELF-DRIVING VEHICLES at 10 (DEC. 2017), https://www.cta.tech/Research-Standards/Reports-Studies/Studies/2018/Economic-Impact-Self-DrivingVehicles.aspx.

[13] *Id*. at 15.

[14] AV 3.0 at 31–32.

Thank you for your consideration of these comments. We view NHTSA's review of Ford's petition as another positive step forward in developing a pro-innovation policy framework around SDV technology. As described above, CTA strongly believes that granting the petition would advance the public interest by enhancing safety, environmental benefits the economy, and mobility for all Americans.

We look forward to your decision and to continued collaboration between government and industry in bringing SDV innovation to the nation's roadways. Please do not hesitate to contact us with any questions you may have

Please let us know what additional assistance or information we can provide.

Sincerely,

/s/ Michael Petricone
Michael Petricone
Senior Vice President, Government Affairs
Consumer Technology Association
1919 S Eads St
Arlington, VA 22202

/s/ India Herdman
India Herdman
Senior Coordinator, Policy Affairs
Consumer Technology Association
1919 S Eads St
Arlington, VA 22202

September 21, 2022