



September 21, 2022

National Highway Traffic Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

RE: Request for public comment on General Motors / Ford petition for temporary exemption, Docket No. NHTSA-2022-0067 / Docket No. NHTSA-2022-0066

To Whom It May Concern:

The National Disability Rights Network (NDRN) thanks the National Highway Traffic Safety Administration (NHTSA) for the opportunity to provide its input on the request for comments on this petition for a temporary exemption filed by Ford and General Motors (GM).

NDRN is the non-profit membership association of Protection and Advocacy (P&A) agencies that are located in all 50 States, the District of Columbia, Puerto Rico, and the United States Territories. In addition, there is a P&A affiliated with the Native American Consortium which includes the Hopi, Navajo and San Juan Southern Paiute Nations in the Four Corners region of the Southwest. P&A agencies are authorized under various federal statutes to provide legal representation and related advocacy services. The P&A Network comprises the nation's largest provider of legally-based advocacy services for persons with disabilities, including advocacy on accessible transportation to ensure people with disabilities who want to live in the community can do so.

NHTSA must refuse to permit the petition unless the autonomous vehicles (AVs) allowed on the roads are fully accessible to all persons with disabilities. Requiring GM/Ford to incorporate full accessibility before the exemption is granted supports the public interest. Statistical data has demonstrated that thousands of Americans with disabilities never leave their home because of a lack of accessible transportation. The advent of fully accessible AVs could remedy this dilemma; AVs could go to more places than traditional public transportation and taxicabs can routinely go. However, if the AVs are not designed to be fully accessible for all persons with sensory, physical, and cognitive disabilities, this significant opportunity will be lost. Because thousands of Americans cannot leave their homes or communities, they cannot access necessary medical care or travel to places of employment. When AVs are designed with accessibility in mind, more persons will be able to independently go to work or visit their doctors. These two scenarios will have a positive impact on their communities. If the petition is granted without requiring full accessibility, this opportunity will be lost.

Furthermore, history has demonstrated that if new forms of transportation or technology are designed without disability accessibility in mind, they can inadvertently impact access to other types of transportation for persons with disabilities. For instance, if a new form of transportation arises, much energy and resources are routed to that new form of transportation. However, if that form of transportation is not accessible for persons with disabilities, it will negatively impact other forms of transportation that have seen reduced resources and attention. As a result, accessibility for new transportation systems must be considered simultaneously so it does not cause an overall diminishing in the amount of accessible transportation for people with disabilities. NHTSA must utilize this unique opportunity to push forward accessibility; this is an unprecedented opportunity that must not be lost.

It is also imperative that the vehicles be fully accessible to promote safety in communities. There has been discussion that some AVs will not be able to fully pull up to curbs or curb cuts; instead, the AVs will stop on the road for passengers to deboard. However, this may be dangerous for many passengers, especially those with disabilities. Consequently, AVs must be fully accessible, including deboarding practice, to allow for safety for all passengers. The potential safety risks would set back the use of such vehicles and would not promote the public interest.

NDRN also insists that the AVs must not be granted a petition waiver unless they are fully accessible for all users with disabilities. This includes the full spectrum of disabilities as well as accessibility in all parts of the travel process. First, accessibility must include access for all disabilities. This spectrum of disabilities should include sensory, physical, and cognitive disabilities. As a result, the AVs must all provide physical access to wheelchair users. To accommodate persons with sensory disabilities such as deafness and blindness, the AVs must include accessible human machine interface (HMI). Additionally, the HMI must accommodate persons with intellectual and developmental disabilities. Companies such as GM and Ford must also be open to learning about other disability communities that are not currently listed that might require an accommodation to utilize the AVs.

Finally, the AVs must be accessible to persons with disabilities throughout the entire process of using the AVs. This includes the beginning when the ride is first requested until the person has deboarded at their requested destination. When a passenger first wants to use a rideshare style AV, they must call up the provider via a smartphone. The app on the smartphone must be programmed to be accessible for all users such as those who use screen reading software. An alternative option such as a phone number must be available for those who do not have access to a smartphone.

Once the vehicle has arrived, persons with sensory and cognitive disabilities must be able to independently find and enter the AV. This could include the use of sounds, haptics, and other features that alert the passenger to the location of the car. It is also imperative that the AV does not stop in an unsafe location. The AV must be required to pull up to a curb or curb cut. Additionally, the AV must be equipped with a ramp for wheelchair users to easily and independently enter and deboard the car. Finally, once the person has entered the vehicle, the person must be able to independently interact with the AV. This must be possible both through the smartphone app as well as interacting directly with the AV. The HMI must be usable for all persons with disabilities. This would include functions such as large print, audio output, captioning, speech to text capabilities, and the inclusion of an emergency line to trouble shoot any complications.

Thank you again for the opportunity to comment on this important topic. If you have any follow-up questions, please reach out to Claire Stanley, Public Policy Analyst, at Claire.stanley@ndrn.org, or 202 567-3501.

Sincerely,



Eric Buehlmann
Deputy Executive Director for Public Policy
National Disability Rights Network