

## Comment from Earl Studer

Posted by the **National Highway Traffic Safety Administration** on Jun 20, 2024

As an American citizen, I am concerned about the Department of Transportation's decision to move forward to create a regulation mandating a kill switch on all new automobiles.

The language in the Infrastructure Investment and Jobs Act is extremely broad, leaving the door open for infringement upon the privacy rights of Americans. Tracking a person's activities either by sensors or cameras strips the user of their autonomy.

Under the rule of law, a person is considered innocent until proven guilty in a court of law. How does a mandatory sensor protect the innocent? If the sensor detects "impaired driving" and prevents a vehicle from starting, are not the innocent deemed guilty without even an opportunity to explain or defend themselves?

Before issuing any regulation, the Department must first answer the basic question: What device is being mandated? Has such a device already been created? If so, what is the reliability and accuracy of the readings? No technology has 100% accuracy, which means if such a device would trigger a disabling of the vehicle, an innocent person or family could find themselves unable to start their car, or worse, have their vehicle disabled in the middle of the highway or in poor conditions. These errors could be used against a person to impose traffic violations or be used in a court of law.

In addition, who will have access to the data stored on these devices? Americans do not want the Department of Transportation, the local police, or auto manufacturers to have the ability to track their movement. Serious constitutional questions must be answered before such a mandate is considered.

Another question that must be answered before considering a mandate is: What would be "read" to trigger a shutdown or prevent a vehicle from starting? Would it be blood alcohol levels? Or would it be a difference in driving? If so, simply swerving to miss something on the road or practicing with a new driver could be interpreted as "impaired driving."

Imposing a mandate that all new vehicles be equipped with such a device will result in increased costs. These costs will be passed along to all auto purchasers and not just those with a history of driving under the influence. Increased costs will prevent older, less safe automobiles from being replaced with safer, newer models and will hurt those with less money to spend, including the young, families, and the poor.

There are too many dangerous unanswered questions and not enough answers to move forward with such a regulation. Violating privacy rights, increasing costs for all new vehicles, and forcing untested and potentially dangerous technology on every driver is un-American. I ask that you recognize the downfalls of this type of policy and not propose such a rule.