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Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue, SE
West Building, Ground Floor
Room W12-140
Washington, DC 20590-0001

RE: Automated Driving Systems: A Vision for Safety. [Docket No. NHTSA-2017-0082]

The American Association of Motor Vehicle Administrators (AAMVA) welcomes the opportunity to provide comments on the National Highway Traffic Safety Administration's (NHTSA) new voluntary guidance on automated driving systems – *Automated Driving Systems: A Vision for Safety*. This new voluntary guidance serves as the most recent federal indicator on this transformative technology and provides key stakeholders with the guidance necessary to ensure automated life-saving technologies have the opportunity to influence the consumer market on an accelerated path. AAMVA thanks NHTSA for its leadership in this effort, and for its continued collaborative effort in shaping the future of transportation safety and innovation.

General Comments

As NHTSA continues to refine its voluntary guidance, the agency has moved from specific knowledge points to a more generalized approach. For the member jurisdictions of AAMVA, the value of providing guidance to all concerned stakeholders depends on a level of specificity that clearly describes the interaction between those stakeholders. With so many unknowns associated with a nascent technology, and with so much apprehension associated with the deployment of new technology, AAMVA recommends the document focus on describing the specific elements of data exchange between stakeholders to provide a level of safety assurance both oversight agencies and the general public would find reassuring.

Previously, the voluntary submission of information by entities was to be collected by NHTSA. Under current consideration, it is AAMVA's understanding that the disclosure of information relative to ADSs may be posted publicly anywhere. AAMVA has addressed the importance of accessibility to these disclosures in the related docket for "Automated Driving Systems: Voluntary Safety Self-Assessments"; Docket Number NHTSA-2017-0086. With relation to the safety assessments, AAMVA recommends that NHTSA consider the establishment of a centralized, single-source repository for safety assessments that will allow states and other entities to locate and review submitted assessments. This will assist jurisdictions by ensuring they have access to any submission provided by an entity once a submission has been filed, and further ensure agencies are not wasting valuable time and resources in locating an assessment that has not been voluntarily filed. The establishment of a single-source clearinghouse will also ensure that any updates provided for a previously filed assessment will also be published in the same

location, making the most recent assessment submitted for the same product readily visible and available.

AAMVA recommends that where feasible, the submitted assessments be timestamped and provide direct links to any additional or supplementary documentation not directly incorporated into the assessment. Further, AAMVA requests consideration of the repository's capability to register users for electronic notification when an assessment has been added or updated (additionally with timestamps), and that this capability be included in the functionality of the clearinghouse. These important consideration will improve public acceptance and facilitate the ability to actively monitor clearinghouse entries in an orderly fashion.

Section 1: Voluntary Guidance

AAMVA applauds the development of the voluntary guidance for entities that are designing Automated Driving Systems (ADSs). The scope and breadth of recommended safety elements that are generally considered to be the most salient design aspects to consider and address when developing, testing, and deploying ADSs on public roadways cover many of the necessary categories of information that will be helpful for safety oversight. However, while the categories of voluntary submissions covers the necessary broad safety elements, the voluntary guidance does not provide any type of criteria for assessing the technology nor any metrics or benchmarks that would assist in demonstrating the technology's ability to satisfy a common level of safety across entities submitting entries. While comparisons between technologies may be different given their capacity for performing certain functions, a level of expectation on the types of data that will facilitate certain data-based metrics for submission may assist in making comparative, informed decisions regarding the level of data substantiation accompanying each submission.

For example, when describing the Human Machine Interface on page 10 of the guidance, NHTSA describes what it envisions as the minimum capabilities of a human-machine interface in terms of how it functions and informs a human operator. The "At a Minimum" box describing expectations could very easily be replicated for each safety element and would instruct those submitting that they are worthy considerations for inclusion in each section.

While AAMVA understands the need for discretion in addressing the submission of what can be considered proprietary data, AAMVA also recommends that NHTSA consider inclusion of supporting data or information that extends beyond the scope of whether or not an identified safety element was considered during product development or is considered "not applicable." This generalization in submitted information could dilute the substantive accountability chain between what entities report versus the documented capabilities of an ADS – which could ultimately impair public acceptance of the technologies as a whole.

AAMVA was particularly pleased to see the continued inclusion of ADS safety elements 11 and 12 – respectively dealing with consumer education and training and documentation of how entities intend to account for all applicable federal, state and local laws. These considerations will be essential from a state-use perspective and are necessary aspects for legal accountability on the public roads the ADSs operate on.

Section 2 – Technical Assistance to States

AAMVA appreciates the continued collaboration with NHTSA as a partner in addressing the challenges that States face regarding the safe integration of SAE Level 3 and above ADSs on public roads. NHTSA correctly points out that the AAMVA Autonomous Vehicle Best Practices Working Group is developing a report to assist the states in making accommodations for ADS

technologies. We feel that this report will be of particular assistance to jurisdictions in trying to get a firm grasp of the potential impacts these technologies will have on current state operations.

Page 20 of the guidance cites NHTSA's delineation of federal and state roles in terms of ADSs. AAMVA is concerned that in the consideration of respective state and federal roles, the responsibility for crash investigation was not included under "states' responsibilities." Undoubtedly, crash investigation and reporting will be a large component of ensuring ADSs safety, and the states are uniquely equipped to handle this important safety function. AAMVA feels it is important to identify this as a clear responsibility and undertaking of state authorities.

AAMVA members have also indicated that while "communicating with and educating the public about motor vehicle safety issues," is described as a federal role, state governments also have a responsibility to ensure their constituency is informed of the progress of ADS technologies. AAMVA members understand that whether persons choose to engage with or utilize these technologies, the general public needs to be informed of how the government is working to ensure their safety as the foreign concept of driverless cars pervades society on a more dramatic level. This includes educating the public on how to prepare for vehicles with no steering wheel, additional distractions between traditional and driverless vehicles, the age of passengers being transported in vehicles, and providing a sense of comfort as society transitions to a new norm.

AAMVA thanks NHTSA for considering these additional comments to the latest iteration of federal ADS guidance. Our organization looks forward to our continued partnership on this incredibly important issue, and are eager to share the contents of AAMVA's Autonomous Vehicle Best Practices Working Group once that report has been completed. As partners in ensuring the national public safety interest, we look forward to continued close collaboration with NHTSA as these exciting technologies continue to evolve.