



September 30, 2017

The Honorable John Thune
Chairman
Senate Commerce Committee
United States Senate
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
Senate Commerce Committee
United States Senate
Washington, DC 20510

The Honorable Gary Peters
United States Senate
Washington, DC 20510

Dear Chairman Thune, Senator Nelson, and Senator Peters:

Now that S. 1885, the American Vision for Safer Transportation through Advancement of Revolutionary Technologies Act (AV START Act), has been introduced, I would like to underscore some items from my September 13 testimony that should be included in the legislation.

With more than 100 people dying daily from car crashes, automated vehicles equipped with life-saving technology present one of the best opportunities in our lifetime to eventually drive these fatalities down the Road to Zero. However, the initial federal legislation must create a safe framework for the widespread rollout of these vehicles to ensure the manufacturers are accountable and the public has trust and confidence in the vehicles and the government's role to ensure safe operation. The first priority in the legislation establishing standards for automated vehicles (AVs) must be safety.

The National Safety Council (NSC) is a 100-year-old nonprofit committed to eliminating preventable deaths in our lifetime by focusing on reducing fatalities and injuries in workplaces, in homes and communities and on the road. Our more than 13,500 member companies represent employees at more than 50,000 U.S. worksites.

First, NSC is disappointed that commercial motor vehicles are not covered in the bill. Commercial trucks comprise 4% of all vehicles on the road but are involved in about 11% of fatal crashes. Motor vehicle crashes are the leading cause of death on the job (disproportionately affecting commercial motor vehicle (CMV) operators) and they share the roadways with passenger vehicles. Leaving CMVs out of the bill does not stop this technology from advancing in these fleets, it just allows it to continue without federal oversight.

With much more data available on our roadways and the vehicles that travel them, we should find a way to incorporate advanced technology equipment information into the vehicle identification number (VIN). Doing so would allow more and better data sharing and ensure dissemination of correct information about the variety of technologies that are and will be available. Also, to further the goal of providing correct information, fatal and serious injury crashes involving AVs should be reported to a common United States Department of Transportation database.



If we are to redouble our efforts to save lives, proven AV safety technology should be required on all vehicles. As an example, seat belts have saved over 300,000 lives since they have been required on vehicles. Some of these technologies could be the next seat belt, and they should be required.

Electronic logging devices (ELDs) and electronic data recorders (EDRs) provide a window into the human-machine interface with advanced vehicles. The knowledge gained from these devices allows manufacturers to make adjustments in near real-time to improve safety based on what is actually occurring in operation, rather than making changes based on assumptions and estimations that must be accommodated in a later model year.

Acquiring an understanding of what happens when systems perform as intended, fail as expected, or fail in unexpected ways yields valuable information for suppliers who provide components to multiple manufacturers as well as researchers and the safety community in analyzing the safety benefits and potential limitations of these technologies as they continue to mature. Further, in-service data, as well as near miss and post-crash information sharing, can help civil engineers and planners design better and safer roadways, as well as help safety professionals design better interventions to discourage risky driving or affect the behaviors of other roadway users. Lastly, the health care community and emergency responders can benefit from real-time data about crashes and deploy appropriate resources to the scene.

To this end, Congress should facilitate data sharing as widely as possible by requiring that manufacturers provide accessible, standardized data to law enforcement, state highway safety offices, investigators, insurers, and/or other relevant stakeholders. Collecting and sharing de-identified data about near misses and other relevant problems would also help to aggregate vital performance information for the motor vehicle industry, allowing it to take proactive steps based on leading indicators rather than waiting for a crash or a series of crashes to occur.

I do appreciate the effort you have taken to highlight the importance of consumer education. The working group you have structured will be invaluable to the safe integration of technology into the fleet. Additionally, recognizing the need for documenting advanced technology in crash reports will provide much needed information to all involved. Finally, establishing a common nomenclature for the technologies will ensure we are speaking in the same language about the systems that will drive us and our vehicles into the future.

I applaud your bipartisan work on S. 1885, and I know we share the goal of saving lives. I hope you will consider the input provided here as you mark up the legislation next week. Lives depend on it. Sincerely,

Deborah A.P. Hersman
President & CEO

cc: Senate Commerce Committee members