

July 16, 2018

Dear Senator:

We are writing to strongly urge you to oppose efforts to attach the pending AV START Act (S. 1885) to the Federal Aviation Administration (FAA) Reauthorization Act (S. 1405), which is expected to be considered on the Senate Floor in the coming weeks. Giving the AV START Act a “ride” on the FAA bill would be ironic at best and lethal at worst.

The safety deregulation built into the AV START Act and the precise and thorough way aviation handles autonomous systems is a study in stark contrast. The FAA has rigorous protocols for ensuring the safety of automation in the air, and examples of the success of effective standards and oversight of automated systems fly over our heads every single day.

Conversely, the AV START Act, in its current form, would shockingly allow potentially millions of vehicles on the market to be exempt from meeting existing safety standards. The failures of unproven driving automation systems already have led, tragically, to crashes which have resulted in at least three deaths. The National Transportation Safety Board (NTSB) has several open investigations which will produce findings likely to have a direct bearing on the AV START Act. The bill should not be advanced, especially as a rider on the FAA bill, until those investigations are complete and critically-needed changes are made to ensure safety.

The AV START Act will likely set policy on driverless cars for decades to come. As such, comprehensive safeguards, sufficient government oversight, and industry accountability are essential. The bill, in its current form, fails to provide these minimal safety protections. The reasonable improvements outlined below will address known and foreseeable problems with driverless car technology. Moreover, they will help to bolster public trust in this nascent technology. We ask for your support for the following commonsense improvements:

- Limit the size and scope of exemptions from federal safety standards;
- Require minimum performance standards such as a “vision test” for driverless technologies, cybersecurity and electronics system protections, and distracted driving requirements when a human needs to take back control of a vehicle from a computer;
- Provide for adequate data collection and consumer information;
- Compel all AVs to capture detailed crash data in a format that will aid investigators such as the NTSB and the National Highway Traffic Safety Administration (NHTSA);
- Ensure access and safety for members of all disability communities which have differing needs;
- Subject Level 2 (partially-automated) vehicles to all safety critical provisions;
- Prohibit manufacturers from unilaterally “turning off” vehicle systems such as the steering wheel and gas pedal which is not allowed under current law;
- Maintain the right of states and localities to protect their citizens by regulating the AV system in absence of federal regulations; and,
- Provide NHTSA with sufficient resources and authorities.

These changes would protect innovation while providing essential protections for AV occupants as well as everyone sharing the roads with them for many years to come. Our diverse group of safety,

public health, bicyclists, pedestrians, smart growth, consumer and environmental groups, law enforcement and first responders, disability communities and families affected by motor vehicle crashes support these sensible improvements that must be made before the bill moves forward.

It would be egregious to push the AV START Act through by tacking it onto a must-pass bill. Doing so would circumvent the regular legislative process and cut it off from full debate, discussion, transparent consideration, and the offering of amendments. The artificial urgency to advance this bill is disconnected from the reality that AVs are still potentially decades away. In fact, on the June 20<sup>th</sup> edition of “CBS This Morning,” Bill Ford Jr., Executive Chairman of Ford Motor Company, said *“There’s been a lot of over-promising and I think a lot of misinformation that’s been out there. It’s really important that we get it right, rather than get it quickly.”*

Yet, industry interests seeking to sell - not just test - unproven systems continue to perpetuate this false premise. We strongly urge you to allow the NTSB to complete its expert recommendations, to oppose efforts to attach the AV START Act to the FAA bill or other “must-pass” legislation, and to insist on the adoption of the urgently-needed safety requirements in the bill.

Thank you for your consideration.

Sincerely,

J. Thomas Manger, Chief of Police  
Montgomery County Police Department  
President, Major Cities Chiefs Association

Ralf Hotchkiss, Co-Founder  
Whirlwind Wheelchair International

Catherine Chase, President  
Advocates for Highway and Auto Safety

Kate Kraft, Executive Director  
America Walks

Bill Nesper, Executive Director  
The League of American Bicyclists

Tom C. Roberts, P.E., F.NSPE, President  
National Society of Professional Engineers

Christopher Michetti, MD, President  
American Trauma Society

Mark Plotz, Conference Director  
National Center for Bicycling & Walking

Joel D. Stitzel, PhD, President  
Association for the Advancement of Automotive Medicine

Georges C. Benjamin, MD, Executive Director  
American Public Health Association

Amy Colberg, Director of Government Affairs  
Brain Injury Association of America

Joan Claybrook, President Emeritus  
Public Citizen and Former NHTSA Administrator

William J. Johnson, Executive Director  
National Association of Police Organizations

David Friedman, Director of Cars and Product  
Policy and Analysis, Consumers Union  
Former Deputy and Acting Administrator, NHTSA

Traycee Biancamano, CEO and President  
United States First Responders Association

Paul Winkeller, Executive Director  
New York Bicycling Coalition

Robert Weissman, President  
Public Citizen

Jack Gillis, Executive Director  
Consumer Federation of America

Becky Afonso, Executive Director  
Florida Bicycle Association

Jason Levine, Executive Director  
Center for Auto Safety

John M. Simpson, Privacy and Technology  
Project Director, Consumer Watchdog

Brent Hugh, Executive Director  
Missouri Bicycle & Pedestrian Federation

Scott Bricker, Executive Director  
Bike Pittsburgh

Steve Owings, Co-Founder  
Road Safe America

Andrew McGuire, Executive Director  
Trauma Foundation

Stephen W. Hargarten, M.D., MPH  
Society for the Advancement of Violence and  
Injury Research

Tom Francis, Interim Executive Director  
MassBike

Champe Burnley, President  
Virginia Bicycling Federation

Philip Sarnoff, Executive Director  
Bike Utah

Dorian Griley, Executive Director  
Bicycle Alliance of Minnesota

Sally Greenberg, Executive Director  
National Consumers League

Paul Steely White, Executive Director  
Transportation Alternatives

Dave Snyder, Executive Director  
California Bicycle Coalition

Rebecca Wolfson, Executive Director  
Boston Cyclists Union

Dan Becker, Director  
Safe Climate Campaign

Cathy DeLuca, Policy & Program Director  
Walk San Francisco

Rosemary Shahan, President  
Consumers for Auto Reliability and Safety

Melissa Wandall, President  
National Coalition for Safer Roads  
Founder, The Mark Wandall Foundation

Elliott Caldwell, Executive Director  
Georgia Bikes

Dennis Strawn, President  
West Virginia Connecting Communities

Tim Young, Executive Director  
Wyoming Pathways

Dawn King, President  
Truck Safety Coalition

Taylor March, Advocacy and Education Manager  
Trailnet (St. Louis, MO)

Allison Blanchette, Executive Director  
Long Island Streets

Linda Sherry, Director of National Priorities  
Consumer Action

Jacob VanSickle, Executive Director  
Bike Cleveland

Bill Newton, Deputy Director  
Florida Consumer Action Network

Emily Yetman, Executive Director  
Living Streets Alliance

Cara Spencer, Executive Director  
Consumers Council of Missouri

Jennifer Cochran  
Metro East Cycling

Sarah Clark Stuart, Executive Director  
Bicycle Coalition of Greater Philadelphia

Robert Gardner, Advocacy Director  
Washington Area Bicyclist Association

Alexey Davies, Membership Director  
Community Cycles

Susan Smith, Executive Director  
Bike Walk CT

A.J. Zelada, Ride Director  
Gorge Pedal

Melinda Barnes, Executive Director  
Bike Walk Montana

Patrick Conlon, President  
BikeJC

Stan Schultz, Board Member  
Cycle Folsom

Cyndi Steiner, Executive Director  
New Jersey Bike & Walk Coalition

Terri Rivera, Executive Director  
Ride Illinois

Nancy Tibbett, Executive Director  
Bicycle Indiana, Inc.

Frank Sincaglia  
Sun City Cyclers

Pat Krebs, Executive Director  
Lebanon Valley Bicycle Coalition

Vincent Kelley  
Arlington Heights Bicycle Club

Kristi Drake, Executive Director  
Billings TrailNet

Dr. Rick Allen  
Cascade Wellness Clinic

Amy Johnson Ely, Executive Director  
Palmetto Cycling Coalition

Sheri Feld  
Washington Bikes

Kathryn Ponto, Patrice McDermott and Jacky Nelson  
Members of Cascade Bicycle Club