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Defective Driverless Car Legislation Fails to Advance Paving the Way for a Better and Safer Bill in 2019

Safety and Consumer Advocates Thank Congressional Leaders for Their Efforts to Improve Dangerous and Deadly Flaws -- Pledge to Work Together to Safely Advance New Vehicle Technologies

Leading safety and consumer organizations responded to the failure of the controversial driverless car bill, the AV START Act (S. 1885), to be enacted this year. Although Congress is still grappling with passage of a funding measure and a partial government shutdown may be imminent, the AV START Act is not included in any legislation being considered and will not be taken up before the end of this session. The AV START Act was a deeply flawed and incomplete bill that would have set government and industry policy on the development and public sale of driverless cars for decades to come. Supporters of the bill were attempting to pass it by including it in a final government spending bill instead of allowing it to be voted on through the more traditional floor vote process.

In the next Congress, it is expected that AV legislation will be taken up again. This will be an opportunity to turn the technology's promise of safety and other consumer benefits into reality. Consumer and safety groups will work with House and Senate Members to develop legislation that advances new, potential lifesaving technologies as well as sound policies requiring government oversight and industry accountability.

Objectionable provisions in the AV START Act seriously jeopardized public safety by allowing for the mass sale of potentially millions of driverless cars exempt from current federal safety rules; failing to require the United States Department of Transportation (DOT) to finalize a single minimum federal safety standard for new experimental self-driving systems; and, ignoring critical requirements that essential data and information be provided to consumers, regulators and investigators. In addition to dropping these anti-safety and anti-consumer proposals, new legislation should direct DOT to promulgate minimum performance standards for issues like cybersecurity, electronics, driver engagement, as well as a "vision test" for self-driving vehicles.

A number of House and Senate Members shared the serious concerns of public health and safety groups. In particular, Senators Richard Blumenthal (D-CT), Sherrod Brown (D-OH), Dianne Feinstein (D-CA), Kirsten Gillibrand (D-NY), Edward Markey (D-MA) and Tom Udall (D-NM) and Congresswoman Jan Schakowsky (D-IL), among many others, fought for essential reforms and improvements to the faulty legislation. We thank them for their leadership and commitment to safety and consumer protections.

Cathy Chase, President of Advocates for Highway and Auto Safety (Advocates): “I want to thank all of our Senate and House allies for their efforts this past year to craft and enact a driverless vehicle bill that does not sacrifice safety. We renew our determination in the upcoming Congress to ensure safety is the first priority in the Nation’s first driverless vehicle legislation. Since Advocates was founded nearly 30 years ago, our organization has promoted and pushed for cars to be equipped with innovative technologies like airbags, electronic stability control, tire pressure monitoring and rearview cameras to reduce the unacceptable highway death and injury toll. We recognize the lifesaving potential for driverless vehicles to make our roads safer, but it must be safer for everyone. Basic safeguards and protections are needed to ensure that they are developed and deployed without imperiling others including bicyclists, pedestrians, emergency responders and motorists sharing the road. On the path to driverless vehicles, proven and available safety technologies, such as automatic emergency braking and blind spot detection systems, should be put in vehicles now as standard equipment. We can and must do more to stop the 37,000 fatalities and millions of injuries caused by motor vehicle crashes every year. Pushing for significant safety advances will be a critical priority of Advocates in 2019.”

Joan Claybrook, former Administrator of the National Highway Traffic Safety Administration (NHTSA) and President Emeritus of Public Citizen: “Unfortunately, the AV START Act put industry’s economic priorities above public safety. Next year we will start over to make sure a new bill addresses the concerns of consumers and includes minimum performance standards, adequate funding and effective authority for the National Highway Traffic Safety Administration (NHTSA). These are all critical ingredients to ensuring the technology is safe and the public is supportive. This agency must serve as an effective “cop on the beat”. These past few years we have witnessed what happens when industry makes secret deals, tries to cover-up problems, and misleads the public and government agencies about deadly safety defects. NHTSA needs sufficient resources to ensure it has the technical expertise necessary to effectively oversee the new and still developing technology.”

David Friedman, Vice President, Advocacy for Consumer Reports, and former Acting Administrator of the National Highway Traffic Safety Administration (NHTSA): “It was heartening to see the efforts by all the members who put safety first and helped keep the dangerous provisions in AV START from becoming the law of the land. A reckless pursuit of self-driving cars wouldn’t have delivered on the technology’s promise—it would only have stalled it. We invite policymakers, automakers, and tech companies to take a different approach in the new Congress: sit down with consumer, public health, disability and other groups to craft policies that will deliver real protections while advancing safe, well-designed self-driving cars for all. At the end of the day, 37,133 deaths in U.S. car crashes last year isn’t a statistic. It’s 37,133 loved ones, friends, and members of our community who can’t be replaced. This is life and death. Let’s get it right.

Jack Gillis, Executive Director of the Consumer Federation of America: “Autonomous vehicles may someday be a technological vaccine capable of bringing about meaningful reductions in the death and injury toll from motor vehicle crashes. However, the AV START Act would have severely threatened that potential by unleashing unproven driverless cars on a massive scale without critical government oversight and industry accountability. The

Consumer Federation of America is optimistic that next year legislation can be put forth that will help driverless cars deliver on their promise in a way that puts consumers and public safety first.”

Jason Levine, Executive Director of the Center for Auto Safety: “We are pleased to see Congressional concern for the safe deployment of autonomous vehicle technology take priority over a corporate push to authorize the sale of unlicensed, unproven, and unregulated driverless cars. The new year will present the new Congress with an opportunity to lay a sturdy foundation which puts the public interest first when encouraging the development and use of advanced technology that will alter the transportation landscape in terms of safety, access, and use for generations to come. The Center for Auto Safety believes that any future AV legislation should, at a minimum, contain: an objective certification process which demonstrates the safety of AV technology prior to wide-scale public deployment; authority retained by states to maintain their traditional jurisdictional role over the operation of motor vehicles; the availability of uniform crash data; and access to the civil justice system for the future victims of AV crashes - unfettered by binding arbitration.”

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