



January 13, 2026

The Honorable Gus Bilirakis, Chairman
The Honorable Jan Schakowsky, Ranking Member
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Bilirakis and Ranking Member Schakowsky:

Consumer Reports (CR), the independent, nonprofit, and nonpartisan member organization, writes regarding the January 13, 2026, hearing, “Examining Legislative Options to Strengthen Motor Vehicle Safety, Ensure Consumer Choice and Affordability, and Cement U.S. Automotive Leadership.” We ask that this letter be included in the hearing record.

For over 85 years, CR has used rigorous research, independent testing, and evidence-based advocacy to advance vehicle safety innovations that protect consumers. We have championed everything from seat belts and crash avoidance technologies to protections for people outside the vehicle. Strong safety standards not only save lives and prevent injuries, but also deliver lasting benefits for consumers and the transportation system as a whole.

As the Subcommittee considers legislative proposals to shape the future of vehicle safety, we offer the following perspectives on key bills and discussion drafts under consideration.

Motor Vehicle Modernization Act (Chairman Guthrie)

Consumer Reports appreciates the intent behind the Motor Vehicle Modernization Act to reform, update, and better equip the National Highway Traffic Safety Administration (NHTSA) to oversee motor vehicle safety into the future. We support provisions that aim to promote transparency and accountability, such as the requirement for a recurring safety rulemaking and research priority plan, which would be a welcome step toward improving the timeliness and coordination of NHTSA’s rulemaking processes. We also urge the Subcommittee to support increased appropriations for NHTSA, which remains significantly underfunded.

Updating the five-star safety ratings program, including through the establishment of a dedicated New Car Assessment Program (NCAP) office, an NCAP advisory committee, and consumer education components, would help to improve public understanding of vehicle safety technologies and address longstanding concerns that the program has not kept pace with rapidly evolving vehicle safety features. The new advisory committee should be transparent, balanced, and accountable, including through full compliance with the Federal Advisory Committee Act.

The bill also directs the advisory committee to study the feasibility of shifting some functions of the program to a public-private partnership or private entity. NCAP plays a vital role in informing and protecting consumers, and its independence, transparency, and public accountability must be preserved. We think the program is best situated within NHTSA, but if its structure were to change, we would emphasize the need for strong safeguards and a meaningful role for public interest advocates and independent safety experts to ensure it continues to serve its consumer information mission.

The bill's provisions around rulemaking transparency and project management reinforce timely, accountable regulatory processes, and we support them. In addition, we conditionally support the bill's provisions requiring a recurring review of existing safety standards, which would help standards keep pace with evolving vehicle designs. These reviews should include consideration of standards that need to be strengthened, and in making a determination about potentially revising a standard, the NHTSA Administrator should be required to consider the benefits to the public related to the standard, not just the costs for manufacturers.

However, we are concerned about provisions that would drastically expand the number of vehicles allowed to receive general exemptions from federal motor vehicle safety standards (FMVSS) under 49 U.S.C. 30113. The bill would dramatically increase the volume of allowable exempt vehicles from 2,500 to 90,000, and shorten review timelines. Perhaps most problematic is the "deemed approved" provision that would automatically grant an exemption if NHTSA fails to decide on an exemption application within one year. This is a departure from current law, which requires NHTSA to make certain findings before granting exemptions.

These changes raise significant safety concerns, as they could allow vehicle deployments without a full safety review or explicit agency finding that the exemption is in the public interest and maintains motor vehicle safety. We especially oppose these changes in relation to clause (iv) of section 30113(b)(3)(B), which is a vague and misguided provision of law. While NHTSA will certainly need to gauge equivalence of an AV's novel safety feature with the level of safety provided by an individual FMVSS, it is unrealistic to expect the agency to be able to establish a well-reasoned, impartial, and widely-agreed-upon meaning of "overall safety level at least equal to the overall safety level of nonexempt vehicles."

The bill also expands the ability of manufacturers to put new vehicle technology on public roads solely for purposes of testing or evaluation, by allowing introduction of "motor vehicle equipment" for these purposes in addition to full motor vehicles. While some clarification around testing and evaluation is reasonable, any such use must be narrowly scoped, rigorously overseen, and not used as a backdoor to avoid necessary safety standards.

With respect to recalls, we are unclear what the intention is behind the proposed revisions to 49 U.S.C. 30118, and we are uncertain what their real-world impact would be if the bill were enacted. We would oppose this provision if it were likely to contribute to manufacturer delays in addressing a safety defect. Regardless, if this bill ultimately were to amend section 30118, the priority should not be tweaking subsection (c), but rather granting NHTSA efficient and effective imminent hazard authority that it could use to protect the public quickly when there are vehicles on the road with a condition that substantially increases the likelihood of injury or death.

Finally, we support the bill's attention to recall completion and notification methods, as well as consumer education around automation. These are key components to building a modern vehicle safety ecosystem, especially as driving automation systems become more common and more complex.

Safety is Not For Sale Act (Ranking Member Pallone)

In 2020, CR issued a report that found automakers routinely bundled core safety technologies with expensive, non-safety features, forcing consumers to pay thousands more for protection that should be standard; for example, access to automatic emergency braking with pedestrian detection often required upgrades costing \$2,000 or more.¹ A separate 2023 analysis of blind spot warning found a similar pattern, with consumers typically paying over \$1,500 to get a vehicle with the feature, particularly on popular SUVs and trucks, which may present greater risks to pedestrians and others outside motor vehicles.²

The Safety is Not For Sale Act addresses this issue by requiring that optional safety features be offered either as standard trim equipment or separately from non-safety features. This would rightly prevent automakers from restricting access to life-saving technologies to those customers who pay for luxury add-on packages.

While the bill would deliver meaningful progress, CR's position continues to be that many of these features—and particularly those with well-established safety benefits—should simply be standard across all new vehicles. In our view, blind spot warning, rear cross traffic warning, advanced drunk and impaired driving prevention technology, and automatic crash notification should come standard on all new vehicles (including all trims), and consumers should not be required to pay extra for them. We also note that, as the bill is currently written, it could still permit manufacturers to bundle safety features with other safety features, resulting in affordability barriers if key protections are locked behind add-on or higher-trim safety packages.

Finally, we note that adaptive cruise control and lane centering technologies (which appear to be described in Sec. 2 (e)(6)(B)(i)) are not proven to deliver safety benefits and should be considered convenience features, not safety features.

SELF DRIVE Act (Reps. Latta and Dingell)

Consumer Reports welcomes the opportunity to work toward a federal safety framework for automated vehicles, but the SELF DRIVE Act as currently written raises serious concerns. While this discussion draft requires manufacturers to submit structured “safety cases” demonstrating how their systems meet core safety competencies, it lacks requirements for independent

¹ Consumer Reports, “A High Price on Safety: How Automakers Require Consumers to Pay a Premium for Proven Vehicle Safety Features.” (June 2020) (online at: advocacy.consumerreports.org/wp-content/uploads/2020/06/CR-A-High-Price-on-Safety-June-2020.pdf).

² Consumer Reports, “A Blind Spot in Safety: An analysis of blind spot warning in popular heavy vehicles in the U.S.” (Aug. 24, 2023) (online at: advocacy.consumerreports.org/wp-content/uploads/2023/08/CR-Blind-Spot-Warning-Analysis-August-2023.pdf).

verification or certification of those safety cases. It appears manufacturers could satisfy the safety elements of the legislation simply by developing and self-certifying their safety case without any requirement for it to be made public or even to be submitted to NHTSA unless requested.

The proposed safety data repository builds on existing NHTSA efforts, but appears to deliver weaker provisions compared to the current Standing General Order, such as by narrowing the scope of reportable crashes, loosening reporting timelines, and expanding the ability of manufacturers to treat safety-critical information as confidential.

Crucially, the bill also broadly preempts state authority without ensuring robust federal oversight, stripping states and localities of their role in protecting road users while providing limited tools for NHTSA to ensure meaningful accountability at the federal level. We strongly oppose the breadth of this state preemption provision and urge the Subcommittee to narrow it substantially or remove it entirely.

As Congress considers autonomous vehicle legislation, it should ensure that any federal AV framework includes enforceable safety standards with independent validation of system performance and robust public transparency. Manufacturers should be required to demonstrate how their vehicles meet clearly defined safety benchmarks before deployment. Safety data and crash reporting should be made publicly accessible, and the data should be specific and detailed enough to allow for meaningful analysis of system performance and safety outcomes. Critically, Congress must also preserve the ability of states and localities to protect their residents. Without these core safeguards, AV legislation risks introducing new hazards on our roads and impunity for developers that fail to put safety first.

Finally, it is worth noting that companies in various industries are increasingly adding forced arbitration clauses into their standard contracts and terms of use, stripping consumers of their right to go to court if they are harmed by a product or service. Instead, legal disputes get shunted off to private forums where many basic legal protections do not apply, and the company often has an unfair advantage. Congress should seize the opportunity presented by the SELF DRIVE Act to prohibit the use of forced arbitration in mobility services and the auto industry broadly.

REPAIR Act (Reps. Dunn and Perez)

Consumer Reports takes no position on the REPAIR Act. CR strongly supports the right to repair and strongly opposes broad preemption of state authority to enact or enforce right to repair laws.

AV Safety Data Act (Rep. Mullin)

Consumer Reports supports the goals of the AV Safety Data Act, which would build on NHTSA's existing Standing General Order (SGO) by codifying safety data reporting requirements for both Level 2 and Level 3–5 systems and, importantly, expand those requirements through enhanced monthly reporting of key metrics. These include miles traveled, unplanned stoppage events, and crashes involving injuries to vulnerable road users or occupants

of other vehicles. These would address gaps in reporting such as the lack of standardized data on operational exposure and non-crash safety risks like road obstructions.

However, by simply codifying the existing reporting requirements, the bill would lock in narrower requirements that were introduced under the Third Amended SGO, which came into effect on June 16, 2025.³ This would be a missed opportunity to establish a stronger statutory baseline for the reporting of AV data.

Driver Technology and Pedestrian Safety Act (Rep. Mullin)

Consumer Reports supports the Driver Technology and Pedestrian Safety Act. Our research has long shown that overly complex or poorly designed touchscreen systems can increase driver distraction.⁴ As digital interfaces replace some physical controls, clearer guidelines are needed to ensure these systems minimize cognitive and visual demand. For example, the updated 2026 protocols for the European New Car Assessment Programme (Euro NCAP) will award higher safety ratings to vehicles that retain physical controls for basic functions like turn signals, hazard lights, and windshield wipers, recognizing that touchscreen-only interfaces take drivers' eyes off the road. Directing NHTSA to study the impact of certain non-safety related controls would be a step toward addressing a growing and underregulated risk to road safety.

DRIVER Act (Rep. Harshbarger)

Consumer Reports takes no position on the DRIVER Act. CR strongly supports data access laws, but the provisions in this legislation are vague and would preempt more detailed and specific state laws that are already in effect.

ADAS Functionality and Integrity Act (Reps. Harshbarger, Obernolte, Vazquez, and Torres)

Consumer Reports supports efforts to improve the safety and reliability of advanced driver assistance systems (ADAS) throughout the vehicle lifecycle, including after collisions and repairs. We have advised consumers that advanced driver assistance systems like automatic emergency braking and lane-keeping assist rely on precisely calibrated sensors and cameras, and that even common repairs, such as windshield replacement, may require recalibration to maintain proper system functionality.⁵ This bill, by establishing calibration standards, enhancing transparency around required procedures, and promoting consistent industry practices, could help ensure that ADAS features perform safely and reliably over time, especially if a consumer decides to make significant modifications to their vehicle.

³ NHTSA, "Third Amended Standing General Order 2021-01" (Apr. 24, 2025) (online at: www.nhtsa.gov/sites/nhtsa.gov/files/2025-04/third-amended-SGO-2021-01_2025.pdf)

⁴ Consumer Reports, "The Most and Least Distracting Infotainment Systems" (Nov. 16, 2017) (online at: www.consumerreports.org/car-safety/most-and-least-distracting-infotainment-systems/)

⁵ Consumer Reports, "The Hidden Cost of Car Safety Features" (Nov. 16, 2020) (online at: www.consumerreports.org/car-repair/the-hidden-cost-of-car-safety-features/)

DRIVE to HALT Drunk Driving Act (Rep. Dingell)

The DRIVE to HALT Drunk Driving Act aims to speed up the use of technology to address impaired driving, which remains one of the most persistent causes of preventable roadway deaths. By requiring automakers to equip a portion of their fleets with passive alcohol detection systems that meet DADSS performance specifications and driver attention systems aligned with Euro NCAP's impairment detection protocols, the bill takes an iterative approach to deployment of these technologies. Importantly, the bill establishes minimum deployment requirements while preserving flexibility to adopt updated safety benchmarks, and includes an appropriate sunset clause that would take effect once NHTSA finalizes its rulemaking required under section 24220 of the Infrastructure Investment and Jobs Act. The bill thus would promote near-term deployment using technologies already in use globally, while also maintaining regulatory momentum and flexibility.

No Kill Switches in Cars (Rep. Perry)

We strongly oppose the No Kill Switches in Cars Act because it baselessly undermines critical efforts to prevent impaired driving. As advocates for both consumer safety and consumer privacy, we at Consumer Reports can say unequivocally that the effect of this bill would be to block the rollout of life-saving technology, putting lives at risk and delaying progress on one of the most preventable causes of road deaths. Contrary to arguments made by proponents, the bill would do nothing to improve consumer privacy.

To require an update to the definition of 'motorcycle' (Rep. Van Orden)

Consumer Reports takes no position on Rep. Van Orden's bill to require an update to the statutory definition of "motorcycle."

PART Act (Reps. Baird and McCollum)

Consumer Reports is still reviewing the PART Act and plans to weigh in with comments at a later date.

Safe Vehicle Access for Survivors Act (Reps. Dingell and Crenshaw)

Consumer Reports is still reviewing the Safe Vehicles for Survivors Act and plans to weigh in with comments at a later date.

Know Before You Drive Act (Rep. Schreier)

Confusion over what partially automated driving features can actually do is a known safety risk. CR has raised concerns about system names like "Autopilot" and "Full Self-Driving,"⁶ which can lead drivers to overestimate a vehicle's capabilities. The Know Before You Drive Act would

⁶ Consumer Reports, "Senators Call for Investigation of Tesla's Marketing Claims of Its Autopilot and 'Full Self-Driving' Features" (Aug. 18, 2021) (online at: www.consumerreports.org/advertising-claims/call-to-investigate-tesla-marketing-claims-autopilot-fsd-a1181594362)

appropriately address this issue by requiring automakers to clarify functionality before consumers use these features, and the bill could help reduce misuse and improve public understanding of driving automation.

SAFE Exit Act (Rep. Kelly)

Consumer Reports strongly supports and has already publicly endorsed the SAFE Exit Act, which would require all vehicles with electronic door latches to include accessible, clearly labeled manual releases that function without vehicle power. Tragically, investigations have linked electronic door failures to at least 15 deaths, including horrifying instances where occupants were trapped in burning vehicles as first responders struggled to gain access.⁷ CR has raised concerns about designs that obscure or complicate emergency egress, especially in those situations where power is lost after a crash or fire,⁸ and over 36,000 consumers have signed a petition calling for safer car door handles.⁹ When poorly designed, electronic door latch systems can hinder escape and delay first responder access. This bill addresses a growing safety risk with a straightforward requirement to ensure occupants can always exit the vehicle safely. We urge all members of the Subcommittee to cosponsor this bill.

Safe Streets for Everyone Act (Rep. Clarke)

CR welcomed NHTSA's final rule establishing FMVSS No. 127 to require all new cars and light-duty trucks to be equipped with effective automatic emergency braking (AEB) that includes pedestrian detection technology. CR considers AEB to be one of the most significant auto safety advances of the past two decades. However, the rule does not require detection of cyclists or motorcyclists, which CR had urged NHTSA to include in the final rule.¹⁰ The Safe Streets for Everyone Act—which is based on H.R. 3649, the Magnus White Cyclist Safety Act—would close critical gaps in the current rule and ensure new AEB systems can detect and respond to both bicycles and motorcycles. We strongly support this bill.

Consumer Reports appreciates the Subcommittee's attention to motor vehicle safety and related policy challenges. We look forward to continuing to work with the Subcommittee and full Committee as these proposals move forward, and we stand ready to provide additional research, technical expertise, and consumer-focused perspectives to help ensure that any final legislation meaningfully advances safety outcomes on U.S. roads.

⁷ Consumer Reports, “How to Escape Your Car If the Electronic Door Handle Fails” (Jan. 7, 2026) (online at: www.consumerreports.org/cars/car-safety/how-to-escape-your-car-if-the-electronic-door-release-fails-a8152892189/).

⁸ Consumer Reports, “Proposed Law Takes Aim at Unsafe Electronic Car Door Handles” (Jan. 7, 2026) (online at: www.consumerreports.org/cars/car-safety/unsafe-electronic-car-door-handles-safe-exit-act-a1099298865/).

⁹ Consumer Reports, “Automakers: Make Electronic Door Handles Safer” (online at: action.consumerreports.org/nb-20251203-doorhandlesafety/).

¹⁰ Consumer Reports, “Consumer Reports Submits Comments on Proposed NHTSA Automatic Emergency Braking Systems Rule.” (Aug. 15, 2023) (online at: advocacy.consumerreports.org/research/consumer-reports-submits-comments-on-proposed-nhtsa-automatic-emergency-braking-systems-rule/).

Sincerely,

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cc: Members of the Subcommittee on Commerce, Manufacturing, and Trade