

United States Senate

WASHINGTON, DC 20510

March 14, 2018

The Honorable John Thune
Chairman, Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

The Honorable Gary Peters
Committee on Commerce, Science, and
Transportation
United States Senate
Washington, DC 20510

Dear Chairman Thune and Senator Peters:

Thank you for your leadership in advancing legislation to hasten the safe deployment of self-driving cars. We agree that this transformational technology has the potential to significantly reduce the terrible number of traffic fatalities attributable to driver error if carefully developed. We believe proper federal oversight will be necessary for this technology to be deployed safely and to earn consumer acceptance. As you move forward with S. 1885, the “American Vision for Safer Transportation through Advancement of Revolutionary Technologies (AV START) Act,” we would like to work with you to resolve several outstanding concerns in order to ensure that the bill will deliver on its promises to advance safety.

As we understand it, the primary objective of the AV START Act is to establish an interim framework for the deployment of self-driving technology before it is mature enough to enable specific new federal safety standards. We respect the need for this approach, but ask that the framework support rapid progress toward appropriate safety standards. We are concerned that the bill indefinitely preempts state and local safety regulations even if federal safety standards are never developed. Placing a sunset on this interim preemption provision would encourage collaboration with federal regulators and maintain a firm timetable for new safety standards, which will have their own preemptive effect.

Until new safety standards are put in place, the interim framework must provide the same level of safety as current standards. Self-driving cars should be no more likely to crash than cars currently do, and should provide no less protection to occupants or pedestrians in the event of a crash. Exemptions from current safety standards should be temporary and reviewable, and the caps on the total number of exemptions should apply to companies, not individual models. Federal regulators should have clear direction to gather and analyze data on the deployment of these vehicles, including their incident data. The bill must also make clear that it will not interfere with traffic laws and other traditional state or local responsibilities, which are essential to public safety.

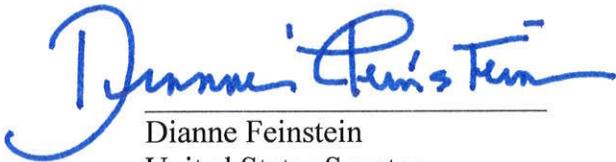
We also believe that the bill must take responsibility for the many new risks that greater deployment of self-driving cars will introduce. We appreciate that the bill proposes to study the wide-ranging implications for congestion, emissions, and traffic law enforcement at a future

date. However, we believe the bill must also lead to the development of cybersecurity safeguards, and include measures to protect consumer privacy, which are clearly foreseeable challenges.

Lastly, while the bill supports future deployment of self-driving cars at higher levels of automation, we are concerned that it does not address known problems with current deployment at lower levels of automation. The National Transportation Safety Board is now conducting its second investigation in two years of an accident that may have been caused by a driver's overreliance on a partially automated system. While there is no substitute for strong safety standards, we believe the bill should at least require vehicles with partial automation to also be subject to safety evaluation reports. This would help assure safety and ensure that these systems' limitations and reliability are well documented.

The AV START Act makes decisions that are important and far reaching, and deserve sufficient deliberation and public discussion. Given our shared commitment to improving traffic safety, we are confident that the concerns we have raised can be resolved. We appreciate your intention to seek consensus on this bill, and look forward to further discussion to ensure this bill advances safety.

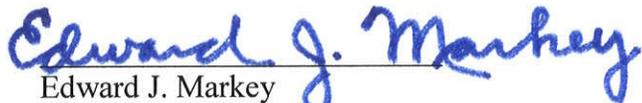
Sincerely,



Dianne Feinstein
United States Senator



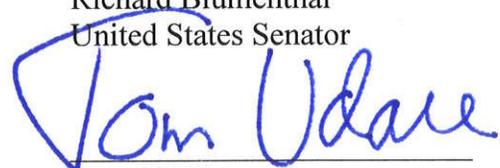
Kirsten Gillibrand
United States Senator



Edward J. Markey
United States Senator



Richard Blumenthal
United States Senator



Tom Udall
United States Senator