



Safety Advocates Sound Alarm on Self-Driving-Vehicle Legislation

With AV START Act enjoying broad support, opponents face long odds.

By [PETE BIGELOW](#) JUL 24, 2018



The Manufacturer | Car and Driver

Instead of protecting motorists and reducing traffic deaths, federal legislation that accelerates the arrival of self-driving vehicles will do more harm than good, says a growing group of safety advocates and consumer groups.

They're joining forces this week to raise concerns in what may be a last-ditch attempt to speak about a bill that, if enacted, would permit hundreds of thousands of automated vehicles to roll onto public roads exempt from federal motor-vehicle safety standards.

The American Vision for Safer Transportation through Advancement of Revolutionary Technologies Act—better known as the AV START Act—has enjoyed broad bipartisan support in the U.S Senate. Transportation policy experts and safety advocates estimate approximately 80 to 85 senators support the legislation, introduced by Sen. John Thune (R–South Dakota) and Sen. Gary Peters (D-Michigan) last September. But that support has tapered from near unanimous praise.



Car and Driver

Among the chief worries of its opponents: Congress likely will consider the legislation without waiting for the National Transportation Safety Board to finish multiple investigations into three recent crashes involving automated vehicles. Further, certain provisions of the legislation may make it harder for agencies like the NTSB to obtain the necessary data to probe future crashes.

Advertisement - Continue Reading Below

“Conceptually, people want to be supportive of innovation, and it’s a compelling argument to say that 94 percent of all deaths are caused by human error,” says Cathy Chase,

president of Advocates for Highway and Auto Safety. “When you dig deeper, and we’ve had the benefit of time, more and more people are understanding there are significant problems with this bill.”

Chase is among a group of 70 safety advocates, transportation planners, and consumer-rights leaders who sent a letter to Congress last week declaring their opposition to the bill. The group includes Joan Claybrook and David Friedman, two former NHTSA administrators.

No vote is currently scheduled on the bill, Senate Bill 1885, but Thune is reportedly maneuvering to attach it to Senate Bill 1405, a reauthorization of the Federal Aviation Administration. The latter enjoys widespread support and is likely to come to a vote within weeks. Opponents of the AV START Act argue legislation that provides a regulatory framework for a new era of transportation should not be an afterthought tacked onto unrelated legislation.

“Attaching this to a must-pass FAA bill is a way to maneuver around transparency,” says Jeanna Matthews, an associate professor of computer science at Clarkson University, one of those who signed the letter. “It’s basically a blank check to an industry not ready to police itself.”

No Standards for Three to Five Years

Broadly, the federal legislation consolidates decision-making power regarding the regulation of highly automated vehicles—those with [Level 3 automation](#) capabilities and higher—at the federal level. States and cities, critics say, will be undercut. Despite the federal government’s prominent role, the legislation prohibits the U.S. Department of Transportation from setting standards related to data collection for three years and gives a technical working committee five years to develop policies and standards related to automated vehicles.

Advertisement - Continue Reading Below

The Manufacturer | *Car and Driver*

Even at a time when some of the most prominent purveyors of self-driving technology are attempting to douse the hype related to the arrival of automated vehicles—Waymo’s John Krafcik said last week the “time period will be longer than you think,” for example—the safety advocates say Congress is rushing to entrench legislation when the technology still has an arduous learning curve ahead.

“We need to be clear about what’s new, novel, and unproven technology as opposed to mature,” said Missy Cummings, director of Duke University’s Humans and Autonomy Lab. “That’s one of the big problems. One of the underlying assumptions in the entire bill is that they assume this technology is mature, or at least mature enough to be out on the road.

“We’re learning new things about these algorithms every day, especially how brittle and untested they are.”

For vehicles that lack traditional controls such as steering wheels or brake pedals, the bill allows manufacturers to seek exemptions for vehicles that don’t meet federal motor-vehicle safety standards. Manufacturers would need to prove the exempted vehicles have

an equivalent safety record or enhanced safety compared to traditional vehicles to win an exemption.

Advertisement - Continue Reading Below

Once those vehicles are ready for commercial sale or deployment, manufacturers would need to submit a Safety Evaluation Report that describes how the systems have taken safety into account during their development.

Others Issue Lukewarm Support

Beyond the coalition of 70 safety-minded opponents of the AV START Act, some of the other prominent organizations focused on transportations safety have offered more support, albeit tepid.

AFP/Getty Images | Car and Driver

Intelligent Transportation Systems of America has urged passage of the bill, and Securing America's Future Energy (SAFE), which recently published a white paper on the impact of

automated vehicles on the nation's workforce, also supports the bill. Although the years-long wait for standards may seem lengthy, Amitai Bin-Nun, vice president of Autonomous Vehicles and Mobility Innovation at SAFE, argued it's actually faster than the amount of time than it usually takes for the department to promulgate new regulations.

"It lights a fire and puts them on the hook to do this as soon as possible through the technical committee," he said. "Five years is still a long time, which is why the provisions around the Safety Evaluation Reports are in there. It's complementary. It puts AV developers on the record. They have to say why it's safe and make that case in writing to regulators, and that creates transparency."

The Governors Highway Safety Association is awaiting potential revisions of the AV START Act before issuing an endorsement. The Insurance Institute for Highway Safety does not take public positions on particular pieces of legislation, but its public comments on the Federal Automated Vehicles Policy released by the DOT last fall find fault with the lack of data-collection standards, a vacuum that's further codified in the pending bill. Further, a spokesperson said Monday that "IIHS has concerns about exemptions from federal motor vehicle safety standards."

- [Tesla/NTSB Feud Shows Problems of Autonomous-Vehicle Crash Investigations](#)
- [Feds Take Hands-Off Approach to Driverless Tech, Worrying Consumer Groups](#)
- [Trump Administration's New Self-Driving Car Guidance Is Deliberately Toothless](#)

Unknowns remain. There's no guarantee the AV START Act gets attached to the FAA reauthorization bill. Should it stand on its own, the time frame for bringing it to a vote remains unclear, and revisions could reshape its contents.

But this much is clear: Manufacturers of automated-vehicle technology have long espoused the safety benefits and potential to dramatically reduce the number of traffic fatalities. Safety advocates should be among the biggest proselytizers of this legislation. That they're instead sounding alarm bells is a troubling sign.

MORE FROM

NEWS

Gorilla Glass Windshields Are Tough but Pricey

Tesla Could Be Developing a Million-Mile Battery

Advertisement - Continue Reading Below

2021 Mitsubishi Outlander Spied Looking Big

Tuner Hennessey Turns Focus to Porsche Taycan EV

Aston Martin DBX Crossover Will Get an AMG V-8

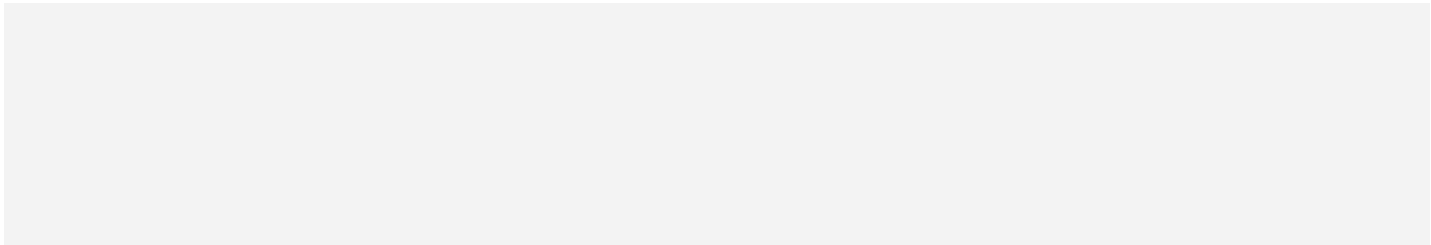
VW Execs Charged in Germany with Market Fraud

2020 Mazda 3 Gets More Standard Equipment

BMW Commercial Appears to Promote Sex in the Car

Our Best Photos of Radwood Detroit

Next Jaguar F-type Could Reportedly Go Mid-Engined



News

Senate Asked to Pause on AV Bill Pending Crash Investigations

Uber Car Detected Pedestrian. Why Didn't It Act?

The Self-Driving Car Is an Inelegant Safety Solution, But an Elegant One for Data Mining

Charting Traffic Safety and Fatalities

What's in a Name? For Tesla's Autopilot, Plenty

Join the Conversation

[Show Comments](#)





[Contact Us](#)

[Hearst Autos](#)

[Comments](#)

[RSS Feed](#)

[Subscribe](#)

[Give a Gift](#)

[Digital Editions](#)

[Subscriptions/Customer Service](#)

We may earn a commission for purchases made through our links.

©2019 Hearst Magazine Media, Inc. All Rights Reserved.

[Privacy Notice](#)

[Your California Policy Rights](#)

[Interest-Based Ads](#)

[Terms of Use](#)