



November 8, 2017

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

The Honorable Bill Nelson  
Ranking Member  
Committee on Commerce, Science and  
Transportation  
United States Senate  
716 Hart Senate Office Building  
Washington DC, 20510

The Honorable Gary Peters  
Member  
Committee on Commerce, Science and  
Transportation  
United States Senate  
724 Hart Senate Office Building  
Washington DC, 20510

Dear Chairman Thune, Ranking Member Nelson and Senator Peters:

On behalf of the nation’s state and local officials, we write to express our deep appreciation for the efforts made by the Senate Commerce, Science and Transportation Committee to include key stakeholders in developing the appropriate federal framework for the use of autonomous vehicle (AV) technologies on our nation’s roadways. The committee’s approval of the AV START Act (S. 1885) on October 4, 2017, included some significant and prudent changes, in comparison to the initial draft, aimed at clarifying the successful, longstanding federal-state regulatory paradigm for motor vehicle laws as AVs become a permanent part of our society.

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After many hours of hard work by your staffs, we believe that the AV START Act’s approach appropriately establishes federal preemption by prescribing subject matters specifically to those contained in a safety evaluation report, thereby preserving the historical federal partnership with state and local governments.

Our groups have long agreed that the regulation of the design, construction and performance (in the traditional, mechanical manner as defined in Title 49 Section 30102) of a motor vehicle is a federal obligation. However, we believe the application of the term “performance” to the autonomous context is now more complex due to the increasing merger of the vehicle and the operator. The AV START Act would benefit from further defining the term “performance” to exclude the act of complying with traffic laws, thereby firmly associating it with the current federal responsibilities. With this approach, state and local laws will continue to focus on the operational safety laws regulating motor vehicles and their operators after such vehicles have been constructed and introduced to public roadways.

Protecting public safety on the roadways is one of the fundamental roles of state and local government. While the U.S. Department of Transportation has worked to offer a national framework for regulating this space, the agency has not been able to match the rapid pace of autonomous technological innovation with corresponding vehicle safety standards or other binding national safety requirements. Many of our members have expressed concerns that these new technologies may not be subject to appropriate safety rules or standards as they are tested, developed, and deployed among other road users. We therefore fully support both the required submission of a detailed safety evaluation report and its subsequent and timely release to the public.

Given the magnitude of potential safety and mobility improvements, fostering the development and deployment of this exciting technology is important to all levels of government—federal, state, and local. However, the implementation of autonomous vehicle policy requires finding the appropriate balance between cooperating and delineating the respective state-local and federal responsibilities. We must approach these issues in a pragmatic, thorough and thoughtful manner to ensure that safety on our nation’s roadways remains a top national priority. We look forward to continuing to work with you, your staff and all members of Senate as this bill moves towards passage.

Sincerely,



Scott Pattison  
Executive Director  
National Governors Association



William T. Pound  
Executive Director  
National Conference of State Legislatures

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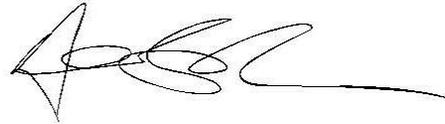
Matthew Chase  
Executive Director  
National Association of Counties



Tom Cochran  
CEO and Executive Director  
The United States Conference of Mayors



Clarence Anthony  
Executive Director  
National League of Cities



Anne Ferro  
President and CEO  
American Association of Motor Vehicle  
Administrators



Bud Wright  
Executive Director  
American Association of State Highway and  
Transportation Officials



Jonathan Adkins  
Executive Director  
Governors Highway Safety Association



Linda Bailey  
Executive Director  
National Association of City Transportation  
Officials