



# Transport Workers Union of America, AFL-CIO

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***"AMERICA'S FIGHTING DEMOCRATIC UNION"***

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March 20, 2023

The Honorable Robin Hutcherson  
Administrator  
Federal Motor Carrier Safety Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

RE: FMCSA Supplemental Advance Notice of Proposed Rulemaking, Safe Integration of Automated Driving Systems-Equipped Commercial Motor Vehicles

Dear Administrator Hutcherson:

The Transport Workers Union of America (TWU) submits these comments in response to the above-referenced notice regarding what the agency describes as its intent to "establish a regulatory framework" for automated driving systems (ADS)-equipped commercial motor vehicles (CMVs). The TWU represents more than 155,000 thousand workers, most of whom work throughout our national transportation system. Our members include transit operators, mechanics, bikeshare workers, and other workers whose livelihoods and safety will be directly affected by the introduction of ADS on our roads. We obviously have a strong and vested interest in this Supplemental Advance Notice of Proposed Rulemaking (SANPRM) and offer a perspective that reflects the views and concerns of frontline transportation workers who are experiencing first-hand this era of rapid technological change.

At the outset, we want to restate what we have consistently said: we are opposed to the irresponsible deployment of Level 4 and 5 ADS-equipped vehicles in our transportation system. While we strongly support new technology that increases the safety of our systems, there is no question that Level 4 and 5 ADS CMVs will not bring such a result without substantial oversight to ensure such vehicles meet or exceed existing safety standards. The TWU has been a leader in calling for an increased federal role overseeing driverless vehicles and we will continue to make the case for clear, well enforced federal regulations from the US Department of Transportation (DOT) that uphold the highest safety standards, support and protect the frontline workers, and ensure this era of autonomous transportation doesn't expose passengers to serious safety risks resulting from shortsighted or wrongheaded public policies. We have also advocated for the use of driver assist technologies that make our transportation system safer and give operators state of the art tools to succeed and provide the safest service. We have demonstrated our commitment to

safely integrating new technologies and upskilling the workers who use them time and again.

This proceeding, unfortunately, does not show a similar commitment to advancing a safe or thoughtful approach to autonomous vehicles. Without that basic commitment to enforcing our existing safety standards and regulating this new industry, it is clear that this proceeding should not move forward.

TWU's President, John Samuelson, wrote [last year in TechCrunch](#):

*Transportation workers are committed to being on the frontlines of evolving transportation technologies. For us, innovation is a way of life; we've helped to implement decades of next-generation vehicles and systems. But what we're seeing today isn't just about innovating – it's about disseminating unproven, poorly regulated driverless vehicles on our roads.*

Those views, expressed more than a year ago, are directly relevant to this SANPRM as the operating environment today for experimenting with AV technology is the wild west. AV companies are “regulated” by a very loose patchwork of ambiguous (at best) federal policies, inconsistent and often unsafe state laws, absolutely no requirements related to frontline workers, and the continuing absence of federal leadership.

The fault for this regulatory anarchy does not rest solely with the FMCSA. The DOT owes all of its modal agencies a real regulatory framework for issues of automation and advanced technologies. It is not surprising that the FMCSA cannot adequately address these issues given the Department's failure to take any tangible action on these issues or even to coordinate actions between its modal agencies. As we have in many other forums, the TWU takes this opportunity to renew our call for the DOT to step up and govern in the ADS space, rather than allow the AV companies to sell their unproven products through the tacit - or, in the case of the SANPRM, rather active - endorsement of unsafe, anti-worker, industry rhetoric.

This SANPRM fails to live up to even the minimum standards that the DOT has put forward through its [Innovation Principles](#). Those Principles clearly demand a new approach to ADS regulation - one that actually regulates rather than cheerleads. This SANPRM is a relic of the Trump Administration's DOT, which failed to offer a responsible policy framework for the oversight and regulation of ADS technology. Action on this issue must be set aside until the FMCSA, and the entire DOT, develops a clear, safety-based, worker-centered regulatory proposal that ensures safe ADS deployment as envisioned in the Innovation Principles.

## **FMCSA Should Shelve this Proceeding Until a US Department of Transportation Regulatory Framework for the Regulation of AVs and Other Unproven Technologies is in Place**

This proceeding is premature for several reasons.

First, despite repeated calls by TWU and other voices for the US DOT to transition from the previous Administration's head-in-the-sand philosophy and promulgate AV regulations, that has not happened yet. While we are appreciative of efforts by the Secretary to boost the agency's focus on safety and to advance pro-worker policies, there remains much work to be done in the AV technology space.

Second, rather than issue a patchwork of modal agency level rulemakings, the Secretary must first establish clear rules for how or if AVs and other technologies will be scrutinized and evaluated, regulated, and eventually sanctioned to operate in our transportation system. We have [previously recommended the Non-traditional and Emerging Transportation Technologies Council](#) as a reasonable forum for coordinating action on automation across the Department so that a framework can be created. Such a framework, issued by the parent agency, will set important standards and guardrails, as well as guide modal agency rulemakings intended to address more discrete and narrower policy questions.

Third, we know that AVs crash with regularity and, in most cases, those incidents are the result of failed technology that isn't ready for the level of experimentation that already has caused [injury and death](#). Recently, new revelations surfaced that Tesla's large autonomous trucks are failing and being towed at an alarming rate with claims that eight percent of [the fleet has required towing](#). The reality of current ADS-enabled vehicles requires FMCSA and other DOT regulators to pause and ensure the safety hazards of AVs are fully understood and considered as part of any proposed changes to CMV regulations that unleash this technology on our transportation system. We would note that [Jennifer Homendy, the chair of the National Transportation Safety Board, has called out dangerous deployment of ADS technologies](#), especially those developed by Tesla. Tesla's cavalier attitude about how it develops, deploys and markets its automated technologies is a perfect example of how a lack of strong DOT-developed safety standards and rules can invite risky behavior in the nascent AV industry.

Fourth, there are significant workforce issues that remain unaddressed such as preparing workers for any technological transition, requiring qualified human oversight on board Level 4 or 5 ADS vehicles, ensuring properly resourced training programs are developed and funded, and requiring transportation employers meet the highest safety standards for both the public and the workers before they are permitted to deploy Level 4 and 5 ADS. None of this is happening today yet the FMCSA is moving forward with an advanced notice that, by the agency's own admission, declares "ADS-equipped CMVs have the potential to produce measurable safety benefits in crashes involving human error." That declaration, while potentially true when you consider ADAS technology being deployed, ignores crashes *caused by* the failure of ADS technologies.

## **This SANPRM Cites But Does Not Live up to the Secretary's Innovation Principles**

The FMCSA's notice declares that the DOT's 2022 Innovation Principles will "guide" the agency's innovation policy work and that this notice is "consistent" with the principles. While we agree that the principles should inform all innovation work that the DOT and its modal agencies carry out, this notice does not live up to the commitment and the spirit of the principles. [The TWU has strongly endorsed](#) these principles in part because "[t]he DOT's Innovation Principles, in explicit terms, enshrine workers as an essential centerpiece to innovation in transportation" and send a clear message that the "highest standards of safety" will drive the agency's innovation policies.

Unlike the Innovation Principles, this notice fails to give workers a seat at the table in innovation policy - it barely even acknowledges their existence. Scant attention is paid to workforce needs other than asking questions about oversight of remote assistants during Level 5 operations. There is no mention of supporting the workers' training and development or boosting the "choice of a union" as the Principles declare. There is no "seat at the table" requirement, as the Principles articulate, that those seeking to deploy Level 4 or 5 ADS must involve and partner with the workers and their union. The very fact that FMCSA is asking for input on the use of remote assistants demonstrates that the agency is not "technology neutral" - again, as the Principles require - but is prematurely assuming future deployment of unproven Level 5 ADS and remote assistance operations. This is, at best, a missed opportunity to operationalize the Innovation Principles. This failure is so egregious that we are forced to ask whether the FMCSA even considered the Principles when drafting this SANPRM or if it simply referenced them in hopes no one would notice the policy implied here is antithetical to that envisioned by the DOT.

## **New Carnegie Mellon Research Reinforces the Need to Slow Down Level 4/5 Automation Without Operators On-Board**

Amidst attempts by AV developers to test and eventually deploy fully driverless buses, trucks and other vehicles, researchers at Carnegie Mellon University and its Traffic21 Institute last year unveiled a [new and important contribution to the debate about AV applications in passenger transportation](#). The findings from the research should inform FMCSA and DOT as you consider regulatory responses to emergent ADS technologies designed to eliminate the human from control of the vehicle. The paper concludes:

*Buses are significantly larger and operate in highly variable environments near vulnerable road users. Even in the case of smaller vehicles such as vans, there are still many technical challenges to overcome to navigate these complex environments safely. Furthermore, transit operations require supporting passengers and maintaining safety inside the vehicle. Due to both technical and operational challenges, transit vehicles including buses and vans will be highly likely to continue to require skilled human operators, even as automated vehicle capabilities are*

*incorporated. To help maintain transit's high level of safety for passengers, it will be important to understand how automation stands to affect the roles and day-to-day tasks of trained operators. Driver assistance automation such as pedestrian warnings and lane-centering has the potential to improve the safety and workload of trained operators. At the same time, automation can create new kinds of safety issues caused by the interactions in human-autonomy teams, and can intensify work as people primarily take over from automation in the most challenging situations. It is crucial that public transit authorities preemptively consider the safety of incorporating automation technologies into their fleets, and train operators to work effectively with such technologies. Furthermore, it will be important to collect data on automated systems via improvements in communications and data sharing infrastructure so that regulations and safety requirements can be grounded on data.*

This research, while focused on public transit, is directly relevant to this FMCSA proceeding. The observations and conclusions of these researchers should be carefully considered as the DOT and FMCSA develop responses to the safety, operational and workforce challenges associated with introducing ADS-enabled vehicles into transportation, whether on open highways, city streets, or in our public transit systems. The complexities of transportation operations cannot be ignored simply because AV developers are able to produce vehicles that can function in laboratory-like conditions such as wide, uncongested interstate highways in areas with very little rain or snow. That is not the real-world transportation system, which we would have expected the FMCSA to understand prior to publishing this SANPRM.

### **Responses to the ANPRM questions**

Below we will attempt to answer some of the questions posed by the FMCSA. We must stress that many of these questions pre-suppose the existence of safe, functional equipment that has not been proven nor, in some cases, even created yet. It is fairly difficult to provide helpful feedback in these circumstances, but we will attempt to humor the FMCSA for the sake of the record.

### **Notification by Motor Carriers Operating Level 4 or 5 ADS-Equipped CMVs**

*1.1. Should FMCSA require motor carriers operating Level 4 or 5 ADS-equipped CMVs to notify FMCSA before operating those vehicles in interstate commerce without a human driver behind the wheel? If so, what potential methods or procedures should be established to notify FMCSA of those operations?*

*1.2. Before operating in interstate commerce, should motor carriers be required to submit information, data, documentation, or other evidence that demonstrates to FMCSA that motor carriers seeking to operate Level 4 or 5 ADS-equipped CMVs have appropriate safety management controls in place to operate the vehicle in accordance with the manufacturer's specifications and with Federal requirements? If so, please describe any recommended approaches including the information to be provided and appropriate techniques for reviewing that information. If available, provide cost estimates for proposed approaches.*

*1.3. What data should FMCSA collect and maintain regarding Level 4 or 5 ADS-equipped CMVs engaged in interstate transportation? How would such information be used and how would it improve FMCSA's ability to oversee the safe operation of Level 4 or 5 ADS-equipped CMVs?*

*1.4. What is the current size of the Level 4 or 5 ADS-equipped CMV population? What is the anticipated size of the population within 5 years? What might the size of the population be in 10 years?*

*1.5. On average, how many days are Level 4 or 5 ADS-equipped CMVs expected to be operational per year?*

This section of questions is foundational to the need for the DOT to roll out a broad regulatory framework with rigid rules for how ADS-equipped vehicles are permitted to traverse our transportation system. Most of these questions show a startling complacency, bordering on willful ignorance, on the FMCSA's part with regard to their role overseeing this nascent, untested industry.

In questions 1.1 and 1.2, the FMCSA asks whether the carriers seeking to operate Level 4 or 5 ADS-equipped vehicles without a human driver should be required to notify the agency and whether the agency should establish data collection practices. Firstly, the answer to these questions is: **of course**.

The TWU is having a very difficult time taking this line of questioning seriously from a supposed regulator. Data collection is literally the least the FMCSA could do in this space and still be doing something. Absent a notification requirement, it would be difficult for the agency to establish data collection practices. If the FMCSA is not doing these essential pieces with regard to ADS-equipped CMVs, they are neither regulating nor overseeing this industry. In short, failure of the FMCSA to do these core elements of its mandate would be an abrogation of its duty.

The FMCSA should be notified prior to the operation of CMVs through the operators' certified compliance with existing safety standards. Operations which then fail to meet these standards, as evidenced through rigorous data collection and oversight, should have that certification revoked. While it is unsurprising that the AV industry may prefer not to notify anyone about where and when their vehicles are in service, the FMCSA's role is to ensure the safety of commercial road transportation NOT to facilitate the introduction of unproven technology. It simply isn't possible for the FMCSA to do its job if it isn't tracking the operations around the country.

These questions wrongly assume that it would be in the public interest to unleash humanless vehicles onto our roads before there are clear and tightly woven DOT safety rules in place. Such rules would, presumably, require the collection and sharing of data to demonstrate the safety benefits of this equipment. The TWU does not see any potential public benefit in denying the

DOT and its various modal agencies metrics and data *before* level 4 or 5 driverless CMVs enter commercial service. Right now, while the FMCSA has the opportunity to set standards for data collection related to driverless CMVs ahead of their widespread adoption, for the FMCSA to do anything less than require notification and data sharing would be ignorant to the point of ineptitude.

It is absolutely critical that federal transportation safety regulators require this type of data collection. Especially in an industry where [major players attempt to keep their data proprietary](#) for competitiveness - NOT safety - reasons, the thought that the FMCSA wouldn't collect this data is disturbing. The DOT must ensure that the public isn't fooled by a lack of transparency as AV companies seek to advance their own, unsubstantiated narrative about the safety of the Level 4 and 5 automated vehicles they operate on American roads and highways.

Question 1.4 serves as one of the strongest arguments against this proceeding and for completing comprehensive DOT regulations governing the safe use of Level 4 and 5 CMVs before the federal government greenlights their widespread deployment. It would startle the public to know that one of our federal safety agencies is asking stakeholders to tell them "what the current size of the Level 4 or 5 ADS-equipped CMV population" is and what the size might be in 5 or 10 years. The answers to these questions should be driven not by what CMV developers and operators report in this proceeding but by data the DOT requires and collects.

Also, based on question 1.4, it appears the current population of Level 4 and 5 vehicles is inexplicably unquantifiable, a product of the current lax regulatory environment that is permitting these vehicles on our roads. It is also a fact that the current amount of Level 4 and 5 vehicles operating today do so only because of the absence of comprehensive DOT safety regulations as well as the excessive and often improper use of federal waivers and exemptions.

### **Oversight for Remote Assistants**

*2.1. To what extent should the Federal requirements otherwise applicable to CMV drivers (such as hours-of-service limitations, drug and alcohol testing, and physical qualifications), also apply to a remote assistant who is not expected to take control of the dynamic driving task of an ADS-equipped CMV operating at Level 4?*

*2.2. What, if any, aspects of the remote assistant job function may require FMCSA oversight including minimum standards and/or auditing, e.g., training, physical qualifications, and other job-performance related measures? Please provide rationale and evidence for the recommended manner of oversight.*

*2.3. Are there any qualification requirements that FMCSA should consider for remote assistants, such as related experience, e.g., as a CDL holder?*

*2.4. Are there any specific limitations that should be imposed on the working conditions of remote assistants, such as limitations on the number of ADS-equipped CMVs that a remote assistant is simultaneously responsible for or the number of hours that a remote assistant may work?*

*2.5. Are there any other considerations that FMCSA should be aware of relating to individuals who may function as remote assistants?*

These questions pre-suppose the safe operation of CMVs using remote drivers is possible - something no company has even attempted to demonstrate at scale. The only company we are familiar with that is currently operating remotely driven CMVs does so thanks to a multi-million dollar investment in vehicle-to-infrastructure equipment along a predetermined route. Does the FMCSA believe that such an investment is going to be made along every public road currently traveled by CMVs? Does the FMCSA believe that such an investment will be unnecessary for some reason? The TWU doesn't believe that the FMCSA has an answer to such questions - nor do we believe that they've even asked them.

Additionally, how does the FMCSA envision an operation where no human is ever "expected to take control of the dynamic driving task of an ADS-equipped CMV operating at Level 4" while being remotely operated? Should such a vehicle break down in traffic, is it to remain there until it can be towed? Is the "remote assistant's" job simply to notify others when an automation fails? It is a certainty that automation will fail from time-to-time; is it the FMCSA's contention that during those periods the CMV can/should be operated by an unqualified person not subject to the existing safety standards? We have no doubt that many comments in this docket will claim that ADS-equipped CMVs will never need human intervention, but it is the FMCSA's role to establish safe systems with fail-safes for when those claims fall flat.

Even should the FMCSA be gullible enough to buy the industry line about the AVs' capabilities, we would note that safety qualifications (including hours-of-service limitations, drug and alcohol testing, physical qualifications, etc.) apply to many transportation jobs based at desks away from vehicles. Aircraft dispatchers, for instance, are subject to all of these though they never take control of an aircraft. Eliminating these standards would break with the long-standing practice at the DOT of applying safety standards for both safety-sensitive workers and their employers.

And we do not believe there is any question that "remote assistants" should be classified as safety-sensitive workers. These operators would be asked to provide oversight of ADS-equipped vehicles - potentially more than one at a time. They would presumably need to diagnose and troubleshoot operational concerns en route on an ad hoc basis (perhaps with computerized assistance just as many commercial operators utilize today on current-generation vehicles). Their physical location does not have any bearing on whether these workers would be performing the tasks other safety-sensitive workers perform today. It would severely undermine safety should the FMCSA exempt these workers from qualification, training, or other requirements.



It is also shocking that FMCSA would ask, in question 2.2, whether FMCSA oversight of remote assistants is needed and whether training and other job qualification measures should be applied. It is obvious that a remotely-based employee with responsibility for ensuring efficient and safe operation of ADS-equipped vehicles should have the requisite skills necessary to handle the job especially when the vehicles fail to perform as intended. The TWU also believes safety rules and limitations would need to be placed on remote assistant work although we remain opposed to this type of business model in the absence of a thorough analysis and safety findings by the DOT.

Lastly, we believe the potential use of remote assistants requires much more safety evaluation by federal regulators. Past experience can point to employer strategies such as contracting schemes that have eroded job standards and quality. One could envision some employers using contracted labor to perform remote assistant work. The DOT and FMCSA must not permit transportation operations to lower labor and safety standards by downgrading skilled operator positions to low-wage remote assistants who could lack the training and experience needed to intervene and take action when an ADS-equipped vehicle fails. Removing those workers from coverage under federal safety requirements will degrade safety and gut labor standards – outcomes that are inconsistent with the agency’s policy objectives and Innovation Principles.

## **Vehicle Inspection and Maintenance**

*3.1. Should Level 4 or 5 ADS-equipped CMVs be subject to pre-trip inspection requirements for their mechanical and ADS components in addition to those specified in [49 CFR 392.7](#), including those which might necessitate new inspection equipment, before such CMVs are dispatched and after a specified period of operation? If so, what methods should be used to conduct these additional inspection items, what equipment components should be inspected, what documentation should be required, who should be responsible for conducting those inspections and what qualifications or specialized training should be required, and how frequently should the additional inspections be conducted?*

*3.2. If additional inspections, inspection equipment, or additional qualifications for inspectors are proposed, provide an estimate of the costs associated with such additional requirements including the approximate time to complete the additional inspection requirements, costs of any proposed training if additional inspector requirements are proposed, and the paperwork burden associated with such training.*

*3.3. What technical barriers exist to conducting conventional roadside inspections (which require interactions with the human driver) of Level 4 or 5 ADS-equipped CMVs and what approaches currently exist or might be developed to remove those barriers?*

*3.4. What, if any, pre-trip inspection requirements, documentation, and communications capability (for making the results of such inspections available to law enforcement personnel), should be imposed on motor carriers operating Level 4 and 5 ADS-equipped CMVs as a condition for by-passing conventional roadside inspection stations?*

*3.5. If Level 4 or 5 ADS-equipped CMVs are not required by the States to undergo roadside inspections during operation, what information should be communicated by the motor carrier and CMV to the State inspectors (e.g., the results of potential alternative pre-trip inspections, and/or the real-time operational status and condition of safety critical systems such as brakes, tires, lighting systems, steering, and ADS components)? Are there other data and performance information that would need to be made available to ensure adequate vehicle maintenance and safe operations?*

*3.6. What communication systems currently exist that would allow roadside inspection officers to receive information regarding Level 4 or 5 ADS-equipped CMVs, and what information could be transmitted via these systems regarding the mechanical condition of the CMV and other operational documentation, (e.g., shipping documents and origin/destination), while in route?*

*3.7 Under what safety situations should State inspectors and/or FMCSA receive immediate notification of an unsafe maintenance or operational issue, if any? What data and information would need to be provided in instances such as tow-away crashes or those that disable key operational features of a CMV? Under such safety situations, what return to service process would ensure any maintenance and operation issues have been addressed?*

*3.8. If Level 4 or 5 ADS-equipped CMVs are not subject to State roadside inspections, how would law enforcement agencies and motor carriers ensure that such CMVs are not used to engage in unlawful activity, e.g., human trafficking, cargo theft?*

*3.9. Should Level 4 or 5 ADS-equipped CMVs be subject to additional post-trip inspection requirements for the mechanical or ADS components of the CMV?*

The TWU is concerned with the FMCSA's questions, 3.1-3.9, surrounding vehicle inspection and maintenance. They appear to reflect a view inside the FMCSA that ADS-equipped vehicles – especially those that achieve Level 4 and 5 automation – utilize technology advanced enough to justify fewer and indeed, looser safety requirements. That is certainly what the AV lobby says, but such a belief has never proved true on our roads. That approach defies decades of knowledge and experience across the transportation industry where we have seen cutting edge automation breakthroughs without reducing the need for rigorous safety oversight.

Obviously, pre-trip and roadside inspections are a cornerstone of safe transportation. We know that vehicles, including a cutting edge ADS-enabled one, will malfunction, break down, be poorly maintained, and pose significant safety risks at some point. ADS-equipped vehicles will still have normal issues suffered by our current vehicles like bald tires and poorly maintained brakes. The last thing the traveling public will want is for federal regulators to ease safety requirements and permit this technology to be deployed without rigorous inspection and maintenance including a regime of pre-trip and other checks that may be necessary to ensure road worthiness. If anything, the lack of an operator onboard who could address safety issues

during a trip should point regulators towards making pre-trip inspections *more* thorough, not less.

The questions surrounding roadside inspection need to be carefully considered as we know from decades of experience that, if left unchecked without various federal and state inspection regimes in place, many transportation companies will cut all the wrong corners. Breakthroughs in automation do not reduce or eliminate the need for inspection and maintenance. We still carefully check modern commercial aircraft even though they are equipped with state of the art automation technologies. The rise of ADS-equipped vehicles may change the maintenance check procedures needed, but throughout the history of transportation there has never been a technological advancement in transportation that substituted for what works: an aggressive inspection and maintenance regime. As already pointed out herein, ADS-equipped vehicles frequently crash due to technological failure and are often unable to complete the dynamic driving task as we have seen recently with the Tesla big rigs and Waymo's fleet of autonomous vehicles.

While the inspection and maintenance regime must adapt to the changing technology – as it always has – federal transportation regulators should not consider lowering requirements. Question 3.5 asks whether roadside inspections will be necessary for ADS. **Of course** there should be a roadside inspection regime and yes, there should be a clear requirement to report operational status and condition around “critical systems” such as brakes, tires, ADS components, etc. The alternative is to retain today's environment where real-time information about ADS breakdowns is difficult to come by and subject to a hodgepodge of state requirements around collection of data following crashes and incidents.

The appropriate response to question 3.1-3.9 is that federal transportation safety regulators must ensure that when an ADS-equipped vehicle is operating in the real-world of transportation it is subject to strong, enforceable inspection and maintenance requirements and the workforce receives the support and training it will need to perform these safety-critical job functions. Thousands of TWU members perform maintenance and various types of inspection in both air and ground transportation operations; their experience will be critical in developing the appropriate protocols for establishing responsible pre-trip and roadside inspection systems for ADS vehicles. That can be accomplished if the DOT executes its Innovation Principles and gives workers and unions a seat at the innovation table before it unleashes this unproven technology onto our roads and in our transit systems.

TWU and its members have been at the center of transportation innovation for decades. We have been a leading voice in favor of a new approach to how America implements ADS technology on our roads and in our transportation system. This SANPRM is premature as it attempts to carve out a new regulatory regime for FMCSA to regulate ADS-equipped CMVs in the absence of a broader DOT regulatory framework in place that dictates regulation of ADS and other transportation innovations across the various modal agencies.

We recommend that FMCSA pause this rulemaking to allow an opportunity for the Secretary to direct the agency to develop and advance a new safety- and worker-centered regulatory regime that is consistent with the Innovation Principles and takes into account the complex challenges, safety hazards and workforce issues that must be addressed before federal transportation safety regulators unleash Level 4 and 5 ADS-equipped vehicles into our transportation system. Given the lack of effort put forth in this SANPRM and the original ANPRM, it is apparent to us that continuing in this effort as is will result in a less safe commercial transportation system effectively overseen by no one.

Sincerely,

A handwritten signature in cursive script that reads "John Samuelson". The signature is written in black ink and is positioned below the word "Sincerely,".

John Samuelson  
International President