1703 N. Beauregard St., Suite 420

Alexandria, VA 22311

Tel: (202) 467-5081

Fax: (703) 465-5085

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AV START Act Legislative Imperative

# Background

The auto industry continues to develop and test the use of autonomous vehicles (AV). Large companies such as General Motors are developing their own line of autonomous vehicles. Such vehicles require no direction from a driver and can make decisions on their own. This may provide significant opportunities to the blind community. Sight will not be required to drive a car; cars may lack steering wheels and other steering functions altogether.

AV manufacturers envision vehicles that can be directed via the use of a smart device or other interactive screens. This would enable blind passengers to simply enter in an address, and not require them to provide play-by-play directions. And because the cars require no human operator, blind passengers would not be dependent on the availability of another human being.

However, Congress must first address the questions that may arise from the new and unthought-of industry. Currently, driving laws require drivers to pass certain vision tests. But, if a car is self-driving, a vision test should be superfluous. Yet, it is difficult for many governments and agencies to let go of such policies. These circumstances have served as a roadblock to advancing the development and use of AV.

Numerous states have begun to draft their own state policies on autonomous vehicles. As a result, policies vary widely from one state to another. This complicates interstate travel; an AV may not be able to move across state borders, depending on the differing laws. The varying policies also slow down the development process of such cars. Auto companies have to consider the state policies on a case-by-case basis. Instead of slowing down the creation process, it is imperative that the development of autonomous vehicles move forward.

The AV START Act was introduced in Congress in the fall of 2018. The new law would have affected the advent of autonomous vehicles at the federal level. But, at the end of 2018 and the 115th Congress, the Senate failed to push forward the federal legislation to develop regulations for autonomous vehicles. The failed legislation attempted to clarify regulations for such vehicles. The regulations would in turn pre-empt state regulations that continue to pop up around the United States. This would have given AV manufacturers clearer guidance as they develop autonomous vehicles. Furthermore, the new law would permit automobile companies to deploy fleets of autonomous vehicles that would be exempted from some regulations currently required for traditional vehicles; these regulations were written for human-driven cars. The AV START Act would loosen up some policies to allow for further exploration of autonomous vehicles.

Multiple concerns were raised in the Senate around safeguarding safety and rights of passengers to not be forced into arbitration. Relatedly, the death of the law could have been the product of safety concerns. With the misunderstanding of the new technology comes fear. But companies like General Motors believe that the vehicles are just as, if not safer than, traditional cars.

Many now fear that the legislation will lose urgency with the onset of the 116th Congress. The Democratic Party has taken control of the House of Representatives and many believe they will focus on different priorities. It is important to look at three specific committees that hold authority on this topic: the House Energy and Commerce Committee, the House Transportation and Infrastructure Committee, and the Senate Commerce, Science, and Transportation Committee. Members of these committees possess greater authority over AV issues. Also, it is important to note that the bill has had strong bipartisan support.

# Call for Action

ACB urges the House of Representatives and Senate to re-introduce the AV START Act in the 116th Congress. The AV START Act would bring about the creation of a framework for a federal role in ensuring safety when using autonomous vehicles. This act would be a step forward in legitimizing the new technology and allow the government to finally explore how to govern such vehicles.

As mentioned previously, the act would pre-empt state laws that govern autonomous vehicles, enabling the government to set federal policies for consistency throughout the United States. The law would also dictate conditions under which the vehicles could be introduced into interstate commerce.

Additionally, specific safety policies would be exempted under the AV START Act. This freedom would enable manufacturers to explore the full potential and possibilities for such vehicles. The new law would create a number of committees to explore the implications of the new autonomous vehicles. The U.S. Department of Transportation will be tasked with creating a committee on autonomous vehicles. The committee in turn will be mandated to develop a working group on AV education efforts. In doing so, the safety risks of autonomous vehicles will be explored.

Furthermore, each AV manufacturer would be responsible for providing a written plan to both identify and reduce cybersecurity risks. In tandem with such efforts, the Department of Commerce would establish a data access advisory committee to provide a forum to discuss and make policy recommendations as it related to data production and sharing.

Another focus of the act calls for the initiation of a study on the impact of autonomous vehicles on transportation infrastructure, mobility, the environment, and fuel consumption. The committee will also be tasked with drafting a final rule regarding a child safety system. The National Highway Traffic Safety Administration would be asked to develop a publicly accessible database containing information collected about individuals during motor vehicle operation and privacy policies.

ACB encourages members to ask their Congressional representatives to present the bill to Congress. If your Congress member is a member of one of the previously mentioned committees, we urge you to bring up the matter. The advent of autonomous vehicles is opening up numerous doors for the blind and visually impaired community. It is crucial that we take steps to urge Congress to pass laws to help move forward such opportunities.