U.S. Chamber of Commerce

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April 9, 2025

The Honorable Sean Duffy
Secretary
US Department of Transportation
1200 New Jersey Ave SE
Washington, DC 20590

Dear Secretary Duffy:

The U.S. Chamber of Commerce urges you to prioritize America's leadership in advancing adoption of automated vehicle (AV) technologies. Specifically, we recommend that you build on the sensible AV policies initiated during President Trump's first term while deprioritizing efforts from the previous administration, which we discuss further below.

America's AV Industry Holds Enormous Promise, But Is Under Attack

AV technology promises to provide significant societal and economic benefits for many Americans. A recent study by the U.S. Chamber found that widespread and safe deployment of passenger AVs would increase safety and help prevent 1,442,000 accidents and 12,000 fatalities annually, resulting in savings of $94 billion.[1] Further, AVs would significantly improve the mobility of persons with disabilities, elderly Americans, and nondrivers, thereby giving these Americans better access to jobs, income, and medical care.[2] Similarly, commercial AV trucks have the potential to improve safety and efficiency and create jobs across the economy.[3]

While the American AV industry is making significant advancements, the lack of federal action is undermining our global leadership. Indeed, the previous administration made minimal progress in supporting the AV industry and in many cases actively hindered the development of innovations by denying or ignoring exemption requests and neglecting key rulemakings.[4] In the

[1] Robert Shapiro & Isaac Yoder, Innovation Highway: Unlocking the Social and Economic Benefits of Autonomous Vehicles 5 (2023), https://www.uschamber.com/assets/documents/CTEC_InnovationHighwayReport_July23.pdf.
[2] *Id*.
[3] Robert Waschik et. al., Macroeconomic Impacts of Automated Driving Systems in Long-Haul Trucking 1 (2021), https://rosap.ntl.bts.gov/view/dot/54596; Joel Fisher, The humanless difference: Autonomous efficiency goes beyond fuel savings, FLEETOWNER (Sept. 27, 2023), https://www.fleetowner.com/perspectives/lane-shift-ahead/article/21274481/the-humanless-difference-autonomous-efficiency-goes-beyond-fuel-savings.

[4] See, Parts and Accessories Necessary for Safe Operation; Application for an Exemption From Waymo LLC and Aurora Operations, Inc., 89 Fed. Reg. 105,675 (Federal Motor Carrier Safety Admin. Dec. 27, 2024) (notice of final

meantime, thirty-four states have enacted AV-related laws that are creating a patchwork that could limit widespread deployment, hinder safety, and lessen public trust.[5]

In the meantime, China, our primary competitor in AV technologies, is racing ahead of the United States. While US companies are making great progress, China is leading in vehicle miles traveled, cumulative rides, cumulative truckloads, and number of AVs in operation.[6] In the United States, AVs have driven 70 million miles on public roads, with commercial operations in four states and testing in nine.[7]

Given this backdrop, you have an important opportunity to reassert America's leadership by building on the progress made during President Trump's first term, which led to important initiatives like the AV TEST Initiative, the Automated Vehicles Comprehensive Plan, and many others.[8]

Doing so would also be consistent with the Administration's broader focus on regulatory reform and reducing barriers to innovation. Executive Order 14219, *Ensuring Lawful Governance and Implementing the President's "Department of Government Efficiency Deregulatory Initiative* directs agencies to focus on regulations that "unjustifiably impede technological innovation".[9] The current regulatory framework clearly hinders the widespread deployment of AVs, and requires modernizing motor vehicle and motor carrier regulations.

We urge you to prioritize the following AV policies to advance the goals envisioned by President Trump during in his first term:

Modernize Motor Vehicle Safety Regulations for AVs

The National Highway Traffic Safety Administration (NHTSA) should provide regulatory clarity to industry through modernizing motor vehicle regulations.

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disposition; denial of exemption; General Motors-Receipt of Petition for Temporary Exemption From Various Requirements of the Federal Motor Vehicle Safety Standards for an Automated Driving System-Equipped Vehicle, 87 Fed. Reg. 43,595 (July 21, 2022) (the petition was withdrawn on Dec. 11, 2024).

[5] Gregory C. Maddaleni, Autonomous Vehicle Statutes and Regulations Across the 50 States, BAKER DONELSON (Sept. 20, 2024), https://www.bakerdonelson.com/autonomous-vehicle-statutes-and-regulations-across-the-50-states.

[6] Egil Juliussen, AV Status: U.S. vs. China vs. Europe, EE TIMES EUROPE (Oct. 22, 2024), https://www.eetimes.eu/av-status-u-s-vs-china-vs-europe/.

[7] Autonomous Vehicle Industry Association, State of AV 2024 3 (2024), https://theavindustry.org/resources/2024_StateOfAV.pdf.

[8] See, AV TEST Initiative, Nat'l Highway Traffic Safety Admin., https://www.nhtsa.gov/automated-vehicle-test-tracking-tool (accessed Mar. 20, 2025); DEPT. OF TRANSP., AUTOMATED VEHICLES COMPREHENSIVE PLAN (2021); DEPT. OF TRANSP., ENSURING AMERICAN LEADERSHIP IN AUTOMATED VEHICLE TECHNOLOGIES: AUTOMATED VEHICLES 4.0 (2020).

[9] EXEC. OFF. OF THE PRESIDENT. EXEC. ORDER 14219, ENSURING LAWFUL GOVERNANCE AND IMPLEMENTING THE PRESIDENT'S "DEPARTMENT OF GOVERNMENT EFFICIENCY DEREGULATORY INITIATIVE (2025).

First, NHTSA should advance and finalize its *"Framework for Automated Driving System Safety."*[10] This Framework, initiated in 2020 during the first Trump term, is an important step in the federal government's support for the private sector's development of AVs. Any framework should include two core components: (1) a regulatory roadmap and (2) AV-specific Federal Motor Vehicle Safety Standards (FMVSSs).

In comments the Chamber filed in response to the Framework's advanced notice of proposed rulemaking (ANPRM), we encouraged NHTSA to provide regulatory certainty by "develop[ing] and regularly updat[ing} a long-term regulatory roadmap that identifies regulatory barriers to ADS deployment and provides a timeline for a long-term regulatory framework."[11] In consultation with relevant stakeholders, NHTSA should expeditiously advance such a roadmap to provide clarity for industry and signal that the federal government is asserting its regulatory authority over AVs.

Further, we encourage "NHTSA [to] continue modernizing FMVSSs to accommodate AV" technology.[12] Given advancements and enhanced understanding of AV technology, we believe it would be appropriate for NHTSA to initiate rulemakings on AV-specific FMVSSs. These rulemakings should include FMVSSs for behavioral competency and safety cases, both of which should leverage the work of existing standards setting bodies. These rules would address the core issues associated with AV safety including appropriate operation of the vehicle within its Operation Design Domain, impacts to vulnerable road users, responding to emergency vehicles, crash avoidance, and supporting AV competency through testing and operational monitoring.

Second, NHTSA should issue an immediate interpretation followed by a rulemaking that states no human-operated driving controls or physical equipment are required for Level 4 and 5 AVs. Further, NHTSA should clarify that it does not require AV passengers to hold an operator's license. These actions will allow for the introduction of novel motor vehicle designs that do not need to conform to vehicles designed for human drivers and are able to accommodate all passengers, including those without a driver's license.

Unlock Widespread Automated Trucking Deployment

The Federal Motor Carrier Safety Administration (FMCSA) should focus on updating the Federal Motor Carrier Safety Regulations (FMCSRs) to remove barriers to testing and deployment of commercial truck AVs.

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[10] Framework for Automated Driving System Safety, 85 Fed. Reg. 78,058 (proposed Dec. 3, 2020).
[11] Chamber of Com. of the U.S., Comment Letter on the Advanced Notice of Proposed Rulemaking on a Framework for Automated Driving System Safety, 4 (May 21, 2021), https://www.regulations.gov/comment/NHTSA-2020-0106-0773.
[12] *Id*.

Specifically, FMCSA should codify its 2018 interpretation outlined in President's Trump's first term that FMCSRs "will no longer assume that a commercial truck driver is always a human or that a human is necessarily present onboard commercial vehicle during its operation."[13] This modernized definition will increase certainty for manufacturers and developers of commercial truck AVs as well as motor carriers who utilize those vehicles.

Second, FMCSA should amend its FMCSRs that require drivers of stopped CMVs to physically place warning triangles around the vehicle to ensure the safety of the driver and other roadway users.[14] This rule is inherently dangerous for the driver, due to the exposure of placing warning devices on the side of a highway. FMCSA should instead update this rule for all commercial trucks – including commercial truck AVs, by allowing for alternative warning methods. These alternative methods, such as cab-mounted warning beacons, present an opportunity to improve safety through innovative technology that will benefit both commercial truck drivers and the traveling public.[15] Exemptions, research, and regulatory flexibility are all necessary to gather data, establish safety benefits, and develop best practices for alternatives.

Deprioritize the AV STEP Notice of Proposed Rulemaking

The previous administration advanced a notice of proposed rulemaking called "*ADS-Equipped Vehicle Safety, Transparency, and Evaluation Program"* (AV STEP)*"* which would establish a national pilot program for AV testing and evaluation.[16] This rulemaking should be withdrawn. DOT should instead prioritize resources on other rulemaking activities, such as those identified above, that comprehensively modernize FMVSSs and FMCSRs to accommodate AV technologies. NHTSA proposed the AV STEP rulemaking four years ago, and significant advancements were achieved since then, including fully commercial operations in multiple states. Also, NHTSA initiatives such as the AV TEST program and the ADS *Standing General Order* can provide transparency into AV deployments, overlapping with the goals of AV STEP.[17]

We appreciate DOT's continued interest in AV technology, and we look forward to collaborating with DOT and the Administration on modernizing regulations to unlock the full potential of AVs.

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[13] DEPT. OF TRANSP., PREPARING FOR THE FUTURE OF TRANSPORTATION: AUTOMATED VEHICLES 3.0 (2019).
[14] 49 C.F.R. § 393.95.
[15] *See*, Parts and Accessories Necessary for Safe Operation; Exemption Application From Waymo LLC, and Aurora Operations, Inc. 898 Fed. Reg. 14,665 (Federal Motor Carrier Safety Admin. Mar. 9, 2023) (notice of application for exemption).
[16] ADS-Equipped Vehicle Safety, Transparency, and Evaluation Program, 90 Fed. Reg. 4130 (proposed Jan. 15, 2025) (to be codified at 49 C.F.R. Parts 595 and 597).
[17] *SEE*, AV TEST INITIATIVE; NAT'L HIGHWAY TRAFFIC SAFETY ADMIN., DEP'T OF TRANSP, SECOND AMENDED STANDING GENERAL ORDER 2021-01, INCIDENT REPORTING FOR AUTOMATED DRIVING SYSTEMS (ADS) AND LEVEL 2 ADVANCED DRIVER ASSISTANCE SYSTEMS (ADAS) (2023).

Sincerely,

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