



Congress of the United States
House of Representatives
Washington, DC 20515-3605

July 16, 2020

The Honorable Elaine Chao
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, D.C. 20500

Dear Secretary Chao:

We applaud the Department of Transportation's (DOT's) recent work to support the development of occupantless, autonomous delivery vehicles capable of providing contactless deliveries. We write to urge DOT and the National Highway Traffic Safety Administration (NHTSA) to expeditiously complete planned regulations for these vehicles, which will create much needed regulatory certainty to unlock investment, create jobs, and help meet the challenges presented by the ongoing COVID-19 pandemic.

In light of the current pandemic, it is critical NHTSA prioritize this work because contactless delivery of medicine, food, and other necessities can help decrease the spread of disease by making it easier for customers to remain safely at home while receiving affordable deliveries. Occupant-less autonomous vehicles are designed specifically for contactless last-mile delivery. Autonomous delivery pilot programs are already underway in several states, including delivering groceries and packages in senior citizen communities to allow our seniors to remain safely at home, COVID tests at clinics, and meals to temporary hospitals.

These vehicles also hold great promise to improve road safety, save people time, reduce emissions and congestion, and create jobs. Last-mile delivery automated vehicles offer a particularly compelling safety benefit, because they do not carry — and thus do not endanger — any human occupants. Their smaller size and light weight also can reduce the risk of injury to passengers in other vehicles, pedestrians, bicyclists, and other road users.

The current Federal Motor Vehicle Safety Standards (FMVSS) were not developed with occupantless vehicles in mind. While requirements such as seatbelts, windshields, and airbags are prudent to protect the safety of passengers, they are unnecessary for a vehicle with no human

occupants. Design standards intended to protect passengers are acting as barriers to the continued development and deployment of this critical technology. Although some low-speed, lightweight autonomous vehicles can today operate on public roads, new regulations are required to allow this technology to scale. As we know, there is a clear race to autonomous vehicles, and we must protect American leadership on this emerging technology. If we fail to advance this technology here at home, we risk ceding global leadership to China.

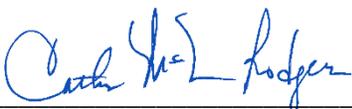
Our committee has been working for the past four years to create a national framework for the United States to lead the world in research, development, and manufacturing of autonomous vehicles. The Energy and Commerce Committee has held five hearings on self-driving cars since November 2016, leading to unanimous Committee and House passage of the SELF DRIVE Act in 2017. Although the Senate was not able to pass this legislation last Congress, we are continuing to work on the bill. E&C Republicans also recently introduced the “Advancing Unmanned Delivery Services Act,” which would evaluate the many benefits of contactless delivery services using occupant-less and autonomous vehicles.

We are pleased to see that, under your leadership, DOT has made great progress towards modernizing the Federal Motor Vehicle Safety Standards, in particular for occupantless vehicles. In February, the Department approved the first ever exemption for an autonomous vehicle, the occupant-less Nuro R2, which is now operating in Texas, and California. In March, NHTSA marked another major milestone when it proposed the first new regulations for automated vehicles, which would update occupant protection standards to address many of the regulatory barriers for occupantless vehicles, leaving only barriers related to manual controls and telltales. And in both those regulatory actions, as well as the most recent regulatory agenda, NHTSA indicated its intent to begin rulemaking this year on occupantless delivery vehicles equipped with automated driving systems (RIN 2127-AM18).

Once complete, these rulemakings will create twenty-first century vehicle standards that reflect the evolving nature of transportation and protect public safety. Updated standards will create certainty for all manufacturers that are innovating in autonomy and delivery. If there are specific tools you need to accomplish this, we stand ready to work with you to provide them.

We thank you in advance for your attention to this critical issue, and we look forward to your timely response.

Sincerely,



Cathy McMorris Rodgers
Republican Leader
Subcommittee on Consumer Protection
and Commerce



Robert E. Latta
Republican Leader
Subcommittee on Communications
and Technology