

October 25, 2017

Randi Calkins, Regulations Analyst
Department of Motor Vehicles
Legal Affairs Division, M/S C-128
Sacramento, CA 94232-3820

RE: Notice of Modification of Proposed Regulations, Title 13 – Motor Vehicles

To whom it may concern,

Securing America's Future Energy (SAFE) appreciates the opportunity to submit the following comments regarding the Notice of Modification of Proposed Regulations, Title 13 – Motor Vehicles, dated October 11, 2017. SAFE is a Washington D.C.-based energy security advocacy organization with extensive experience in transportation issues and particular expertise in autonomous vehicle (AV) regulation.

SAFE applauds the Department of Motor Vehicles' (DMV) ongoing responsiveness to industry developments regarding autonomous vehicles (AVs) and comments on previous drafts of this proposed regulation. AV technology is advancing at an increasingly rapid pace, requiring regulatory agencies to exercise care to avoid hindering innovation with enormous potential benefits to the State of California and society at large.

AVs present an opportunity to transform our transportation system on a scale unseen since the invention of the car itself. Beyond the significant societal benefits such as dramatic improvements in roadway safety and greater mobility for all Americans, AV technology can serve our economic and national security goals by enabling fuel efficiency gains and serving as a market-driven accelerator for alternative fuel drivetrains such as electric and hybrid vehicles. AVs can precipitate a shift away from the transportation sector's outsized dependence on oil and provide new options to power our vehicle fleet.

Given the state's role as both a policy leader and a nexus for AV development, it is imperative that the California DMV consider all relevant information before finalizing any regulatory decisions. SAFE acknowledges and appreciates the latest efforts of the DMV to allow a pathway for the full deployment of AVs, including without a driver in the vehicle.

We note with concern that the proposed text 227.28(a)(4) blocks the permitting, testing, and deployment of autonomous vehicles weighing over 10,000 pounds. While we understand that this may stem from an interest in concentrating efforts on light-duty vehicles in the near-term, SAFE urges the DMV to move swiftly to create a framework that is inclusive of medium-and heavy-duty AVs, as the trucking sector is in a position to quickly deliver societal benefits using AV technology. An inclusive framework is imperative, and continued delay on autonomous trucks has the potential to send a negative signal to markets and delay the important social benefits the technology can deliver.

I. SAFE, Energy Security, and the Autonomous Vehicle Opportunity in California

Securing America's Future Energy's mission is to end the United States' oil dependence as a matter of national and economic security. By reducing our singular reliance on oil in the transportation sector we can insulate our nation's exposure to the destructive impacts of oil price volatility. In 2006, SAFE formed the Energy Security Leadership Council (ESLC), a nonpartisan group of business and former military leaders in support of long-term policy to reduce U.S. oil dependence. The ESLC is co-chaired by Frederick W. Smith, Chairman, President and CEO of FedEx, and General James T. Conway, 34th Commandant of the U.S. Marine Corps (Ret.).

Since our founding, SAFE has advocated for policies that would leverage a combination of market forces and American innovation to address our oil dependence. AVs are one such emerging technological innovation that holds much promise. It is broadly recognized that AVs offer an opportunity to revolutionize transportation, reduce the 3,700 annual fatalities on California's roads, and promote economic growth. Perhaps less recognized is the potential for AVs to drive adoption of advanced fuel vehicles, reduce oil dependence, and help California meet its emissions goals.

II. Autonomous Trucks

Much of the regulatory focus for AVs, both in California and elsewhere, has been on the passenger vehicle segment. However, the trucking industry remains an integral part of the U.S. transportation system and should not be ignored. The sector is likely to be an early implementer of autonomous vehicle technology because freight transportation presents a more predictable and less complex driving environment than urban roads.

SAFE recently produced a comprehensive analysis and report, with stakeholder and industry input, that examined how new trucking technologies, including automation, create fuel savings or economic, safety, and performance gains. For example, SAFE modeling in the report shows that the widespread use of platooning technologies could save up to 20 billion gallons of diesel fuel through 2050. In addition, tests on trucks using early advanced driver assistance systems showed fuel savings of over 3 percent. Higher levels of automation present the opportunity for even greater savings. The report also urges the continued development of a necessary policy framework and offers several common-sense recommendations for regulators. Without a framework for trucks performing at SAE Level 3 or higher, the vast benefits that automation offers to the trucking industry, the broader transportation system, and society will be deferred—and potentially lost.

SAFE is also conducting a study to assess the labor market impacts of AVs, including the impacts for drivers in the heavy-duty sector. We hope this effort will inform the public discourse on the topic and will allow for a rational basis for policy. We look forward to discussing our findings, once available, with interested parties.

Regulators have a critical role to play in ensuring that industry has the opportunity to innovate in ways that will save lives, reduce costs while meeting growing consumer demand, and save fuel. SAFE believes that the DMV should continue with their current regulatory process while also considering a pro-innovation, pro-safety framework for AV technologies in vehicles over 10,000 pounds.

Such an initiative would send a strong signal to industry and promote investment that facilitates rapid realization of the benefits that AV technologies offer in the heavy-duty segment. Continued exclusion of a permitting and testing process for vehicles over 10,000 pounds, on the other hand, could send the wrong signal to markets and hinder innovation.

SAFE looks forward to working with the California DMV throughout the regulatory process on all matters related to AVs, and would welcome the opportunity to offer perspectives or further information related to AVs or our comments on this proposed regulation.

Thank you for considering SAFE's comments. Any questions related to these comments may be directed to Dr. Amitai Bin-Nun at (646) 334-3203 or abinnun@secureenergy.org.

Sincerely,

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