ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives COMMITTEE ON ENERGY AND COMMERCE

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July 25, 2025

Mr. Jeff Farrah Chief Executive Officer Autonomous Vehicle Industry Association 600 Massachusetts Avenue NW Washington, DC 20001

Dear Mr. Farrah,

Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade hearing on Thursday, June 26, 2025, to testify at the hearing entitled, "Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Friday, August 8, 2025. Your responses should be mailed to Alex Khlopin, Policy Analyst, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to alex.khlopin@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,

Gus M. Bilirakis

Chairman

Subcommittee on Commerce, Manufacturing, and Trade

cc: The Honorable Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade

Attachment —Additional Questions for the Record

The Honorable Gus Bilirakis (R-FL)

1. One of the communities that has raised concern about the impact of autonomous vehicles is first responders, with high risks of autonomous vehicles interfering with firefighter and police activity. What is the AV industry doing to ingest first responder location data in real-time to prevent these types of incidents?

The Honorable Russ Fulcher (R-ID)

1. Mr. Farrah, the deployment of Level 4 and 5 autonomous vehicles will provide a new mobility option for millions of people with disabilities and elderly individuals. Can you discuss this benefit in depth and how AV companies are designing their vehicles and services to accommodate the elderly and people with disabilities.

The Honorable Debbie Dingell (D-MI)

I want to touch on autonomous vehicles and the future of our auto industry. I'm committed to finding a bipartisan path forward on AV legislation, and I look forward to working with my friend and colleague, Congressman Bob Latta, to get something done this Congress. Back in 2017, this Committee passed a bipartisan AV bill that cleared the House. It's time we get back to that kind of progress. Every day we delay, our global competitors, including China, are racing ahead in AV innovation and deployment. Without a clear federal framework, we're putting American leadership, jobs, and safety at risk. We are currently stuck with a patchwork of state laws and outdated federal rules that do not reflect where we are today, in 2025. In April, NHTSA unveiled a new AV framework, which is an encouraging step. And just this month, it began updating its AV regulations and we'll see how that plays out, but regulatory action alone isn't enough. Congress must still pass a comprehensive, federal AV framework into law that prioritizes safety, protects consumer privacy, fosters innovation, strengthens our domestic manufacturing, and ensures that the American jobs are part of the conversation. Without strong federal oversight, we risk letting bad actors and our adversaries exploit gaps in regulation at the expense of consumer safety and privacy. Autonomous vehicles and connected technologies are already on roads here and abroad, so if we don't lead, we risk being led by others who don't share our values.

- 1. Mr. Farrah, I've heard a lot about driving competency tests and safety cases. Can you talk about what those might look like in practice. How can these help ensure companies are demonstrating, and consumers trust, that these vehicles can operate safely within their intended environments?
- 2. Mr. Farrah, how could a national AV safety data repository help improve public transparency, regulatory oversight, and coordination with states and what resources NHTSA would need to make this a reality?

- 3. Mr. Farrah, as we all know, the current Federal Motor Vehicle Safety Standards (FMVSS) requirements were designed for vehicles with steering wheels and pedals. Do you think Congress can modernize these standards to reflect Level 4 and 5 autonomy, and can they while still ensuring robust consumer safety and buy-in?
- 4. Mr. Farrah, given the connectivity of AVs, what steps should Congress take to ensure manufacturers are proactively addressing cybersecurity risks and protecting consumer data?
- 5. Mr. Farrah, can you expand on the role AVs play in expanding mobility for people with disabilities? What does Congress need to do to help make sure this technology is inclusive?
- 6. Mr. Farrah, as we look at the global race to lead in AV deployment, how important is it to build out a domestic manufacturing base for AV components?

Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety Jeff Farrah, CEO, Autonomous Vehicle Industry Association (AVIA)

The Honorable Gus Bilirakis (R-FL)

1. One of the communities that has raised concern about the impact of autonomous vehicles is first responders, with high risks of autonomous vehicles interfering with firefighter and police activity. What is the AV industry doing to ingest first responder location data in real-time to prevent these types of incidents?

The AV industry takes seriously interactions with law enforcement and first responders. Notably, AVIA has advocated for state AV legislation to require AV companies to submit a "first responder interaction plan" ("FRIP") prior to operating AVs on public roads. FRIP requirements have since been adopted in numerous states to help guide interactions between first responders and AVs. FRIPs must describe, at a minimum: (1) how to communicate with a fleet support specialist who is available during the times the vehicle is in operation; (2) how to safely remove the fully autonomous vehicle from the roadway and steps to safely tow the vehicle; (3) how to recognize whether the fully autonomous vehicle is in autonomous mode; and (4) any additional information the manufacturer or owner deems necessary regarding hazardous conditions or public safety risks associated with the operation of the fully autonomous vehicle.

To strengthen collaboration between law enforcement, first responders, and the AV industry, AVIA was proud to form the Law Enforcement and First Responder Engagement Council.² The Council is comprised of law enforcement officials, first responders, and AV industry representatives, all of whom share the goal of ensuring AVs are deployed in a safe, responsible, and transparent manner.

The AV industry also partners with law enforcement to address the unique requirements applicable to autonomous commercial motor vehicles ("CMVs"). For example, AVIA members have worked closely with the Commercial Vehicle Safety Alliance ("CVSA"), motor carriers, and law enforcement to develop an inspection process for autonomous CMVs.³ CVSA formed a working group in 2018, which, after years of discussions, developed an alternative inspection program known as the Enhanced CMV Inspection Standard that was approved by CVSA's board of directors in September 2022 and an Operational Policy for enhanced inspections that was approved in April 2025. The new standard was developed in partnership with motor carriers, inspectors, and the FMCSA, and it represents the outcome of years of discussions with critical stakeholders to address needs unique to autonomous CMVs.

The Honorable Russ Fulcher (R-ID)

1. Mr. Farrah, the deployment of Level 4 and 5 autonomous vehicles will provide a new mobility option for millions of people with disabilities and elderly individuals. Can you discuss this benefit in depth and how AV companies are designing their vehicles and services to accommodate the elderly and people with disabilities.

¹ See e.g. CAL. CODE REGS. tit. 13 § 227.38(e); ARIZ. REV. STAT. ANN. § 28-9703. Other states that include FRIP requirements in their AV laws or regulations include Kentucky, Mississippi, New Mexico, Oklahoma, Texas, and West Virginia.

² Autonomous Vehicle Industry Association Introduces Law Enforcement and First Responder Engagement Council, AUTONOMOUS VEHICLE INDUS. ASS'N (Sept. 25, 2024),

 $[\]underline{https://web.archive.org/web/20250214080234/https://theavindustry.org/newsroom/press-releases/avia-introduces-law-enforcement-engagement-council.}$

³ See CVSA Announces New Enhanced CMV Inspection Program for Autonomous Truck Motor Carriers, Com. VEHICLE SAFETY ALL. (Oct. 4, 2022), https://www.cvsa.org/news/new-enhanced-cmv-inspection-program/.

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By providing new transportation opportunities on demand, AVs can offer a new level of independence for people living with disabilities. The U.S. Department of Transportation ("USDOT") estimates that 25.5 million Americans have travel-limiting disabilities,⁴ while another study found that roughly 560,000 people with disabilities never leave their homes due to transportation difficulties.⁵ These difficulties are often due to a lack of accessible or convenient public transportation or an inability to operate their own vehicle, as is the case for the over 7.6 million Americans over the age of 16 who have significant vision impairment.⁶ This lack of transportation impacts employment as well—only 17.5% of people with disabilities are employed, compared to 65% of people without a disability.⁷ A study by the National Disability Institute found that the wider deployment of AVs could lead to an increase in 4.4 million jobs for people with disabilities, which could create a 3.8% increase in U.S. GDP (nearly \$867 billion).⁸

AVs can allow those with disabilities greater freedom to move about the world on their own schedule. AV mobility-as-a-service offerings can help improve transportation for individuals who cannot drive. For low vision individuals, companies like Lyft, through a partnership with Motional and the National Federation of the Blind, have worked to create Braille guides for AV riders. Likewise, in Arizona, Waymo has highlighted the use of its AVs by vision impaired people of all ages, while its ongoing efforts to develop additional accessibility features were recognized by the federal government when the USDOT named the company as a semifinalist in its Inclusive Design Challenge.

For millions of elderly Americans, AVs also can provide greater independence compared to mass transit or paratransit systems, opening the door for new employment opportunities, improved access to medical care, and better connection to their communities. The number of Americans over the age of 65 grew by 34% between 2010 and 2020,¹¹ with 2016 estimates putting their total population at 46.2 million (10.6 million in rural areas alone).¹² By 2030, that number will grow to more than 70 million, or roughly 20% of the population.¹³ While transportation challenges can vary greatly between individuals, roughly 600,000

https://web.archive.org/web/20240330001147/https://www.waymo.community/story/maxs-story-foundation-for-blind-children.html (last visited July 30, 2025); *Brian's Story*, LET'S TALK AUTONOMOUS DRIVING,

https://web.archive.org/web/20230322184045/https://www.ltad.com/story/brians-story-foundation-senior-living html (last visited July 30, 2025); *Inclusive Design Challenge Semifinalists*, U.S. DEP'T OF TRANSP.,

https://web.archive.org/web/20240424133213/https://www.transportation.gov/inclusive-design-challenge/inclusive-design-challenge-competitors#waymo (last visited July 30, 2025).

⁴ Accessibility, U.S. DEP'T OF TRANSP. (Feb. 13, 2025), https://www.transportation.gov/accessibility.

⁵ Transportation Difficulties Keep Over Half a Million Disabled at Home, BUREAU OF TRANSP. STAT. (Nov. 21, 2012), https://www.bts.gov/archive/publications/special reports and issue briefs/issue briefs/number 03/entire.

⁶ Blindness Statistics, NAT'L FED'N OF THE BLIND, https://nfb.org/resources/blindness-statistics (last visited July 30, 2025).

⁷ Economic News Release, U.S. Bureau of Labor Stat., Persons with a Disability: Labor Force Characteristics Summary (Feb. 24, 2021), https://www.bls.gov/news.release/disabl.nr0.htm.

⁸ DOMINIC MODICAMORE, ET AL, NATIONAL DISABILITY INSTITUTE, ECONOMIC IMPACTS OF REMOVING TRANSPORTATION BARRIERS TO EMPLOYMENT FOR INDIVIDUALS WITH DISABILITIES THROUGH AUTONOMOUS VEHICLE ADOPTION (Dec. 30, 2022), https://www.nationaldisabilityinstitute.org/wp-content/uploads/2023/02/ndi-economicimpactsofremovingtransportationbarriers.pdf.

⁹ Lyft, Aptiv, and the National Federation of the Blind Partner to Provide Rides to Blind and Low Vision Passengers, LYFT: BLOG (July 8, 2019), https://www.lyft.com/blog/posts/lyft-aptiv-nfb-low-vision-riders.

¹⁰ See Max's Story, LET'S TALK AUTONOMOUS DRIVING.

¹¹ Press Release, U.S. Census Bureau, 65 and Older Population Grows Rapidly as Baby Boomers Age (June 25, 2020), https://www.census.gov/newsroom/press-releases/2020/65-older-population-grows html.

¹² AMY SYMENS SMITH AND EDWARD TREVELYAN, ACS-41, U.S. CENSUS BUREAU, THE OLDER POPULATION IN RURAL AMERICA: 2012-2016 (2019), https://www.census.gov/library/publications/2019/acs/acs-41 html.

¹³ Dabid Dudley, *The Driverless Car is (Almost) Here*, AARP THE MAG. (Dec.2014/Jan. 2015), http://www.aarp.org/home-family/personal-technology/info-2014/google-self-driving-car html.

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older adults per year give up driving, with many more changing their driving habits as they age. ¹⁴ Studies have shown that older Americans without access to a car make 15% fewer trips to the doctor and 65% fewer trips to visit friends and family. ¹⁵

AVs are well positioned to assist older Americans as they navigate the world. As more people "age in place" by staying in their own homes, on-demand AVs could carry them to doctor's appointments and shopping trips and help them visit friends and family whenever they like. ¹⁶ AVs can keep millions of older Americans connected to their families and communities and allow them to retain their independence without risking their safety or the safety of vulnerable road users.

The Honorable Debbie Dingell (D-MI)

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1. Mr. Farrah, I've heard a lot about driving competency tests and safety cases. Can you talk about what those might look like in practice. How can these help ensure companies are demonstrating, and consumers trust, that these vehicles can operate safely within their intended environments?

The creation of new Federal Motor Vehicle Safety Standards ("FMVSS") to set AV competency requirements and require the creation of safety cases is a key element of AVIA's federal policy priorities, as detailed in <u>Securing American Leadership in Autonomous Vehicles</u>. ¹⁷ In that document, AVIA advocates for Congress directing NHTSA to complete rulemaking on both safety cases and competency requirements, to provide automated driving system ("ADS") manufacturers a set of standards to self-certify their ADS to, in line with the existing self-certification requirements that are applicable to other types of motor vehicle equipment. ADS behavioral competency requirements would allow ADS manufacturers to self-certify their ADS's basic level of proficiency in a core set of ADS behaviors. These requirements should include

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¹⁴ Transportation, Nat'l Ass'n of Area Agencies on Aging, https://www.n4a.org/transportation (last visited July 30, 2025).

¹⁵ Transp. For America, Aging in Place, Stuck Without Options: Fixing the Mobility Crisis Threatening the Baby Boom Generation (2011), https://t4america.org/docs/SeniorsMobilityCrisis.pdf.

¹⁶ Dudley, *supra* note 13.

¹⁷ AUTONOMOUS VEHICLE INDUS. ASS'N, SECURING AMERICAN LEADERSHIP IN AUTONOMOUS VEHICLES (2025), https://theavindustry.org/resources/Securing%20American%20Leadership%20in%20Autonomous%20Vehicles.pdf.

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accurately detecting and responding to relevant road users, transferring control back to a human driver when necessary for Level 3 systems, achieving a "minimal risk condition" as defined by SAE J3016 for Level 4 systems, detecting the limits of the ADS's operational design domain ("ODD") and appropriately responding to it, and detecting and responding to active emergency vehicles. In practice, these requirements would evaluate key functionalities of the ADS and, in keeping with the existing self-certification model that has functioned well for motor vehicles for decades, put the onus on manufacturers to ensure the safety of their technologies.

An FMVSS requiring manufacturers to develop an ADS safety case would likewise be consistent with the existing structure of motor vehicle regulation. Such an FMVSS would require commercially deployed ADS manufacturers to develop, and provide upon request, a detailed record of the basis for the manufacturer's conclusion that the design, construction, and performance of an ADS protects against an unreasonable risk to motor vehicle safety, as defined in 49 U.S.C. § 30102(a)(9). This record would include: (1) a technical description of the ADS's parts, capabilities, and integration into the vehicle platform, (2) an explanation of how the ADS performs all elements of the driving task, (3) engineering methodologies used to design and assess the ADS's performance and ensure the absence of unreasonable risk to motor vehicle safety, (4) a description of ADS's safety performance, (5) evidence supporting the manufacturer's claim for validating the ADS's performance competencies, and (6) an explanation of how the ADS detects and responds to crashes. Such a regulation would require an ADS manufacturer to document their approach to ADS design and functionality without requiring pre-approval, again in line with the current approach to FMVSS self-certification. At the same time, it would enable vital information and documents to be made available to NHTSA upon request as part of NHTSA's investigation and enforcement authorities.

2. Mr. Farrah, how could a national AV safety data repository help improve public transparency, regulatory oversight, and coordination with states and what resources NHTSA would need to make this a reality?

The establishment of a National AV Safety Data Repository is another component of AVIA's federal policy priorities, as detailed in *Securing American Leadership in Autonomous Vehicles*. Such a repository would build on current AV incident data reporting that exists under NHTSA's Standing General Order ("SGO")¹⁸ to include the state-level location of AVs to provide additional information to the public and state regulators. This would streamline the availability of AV incident data for relevant state agencies and ensure they receive AV data in a timely manner, giving them better visibility into operations in their state. A national repository maintained by NHTSA can also ensure material and relevant data is submitted by specifying a meaningful minimum damage threshold for reportable incidents, while working to deduplicate publicly available data to better ensure AV incident data is interpreted accurately by the public. At the same time, such a repository must be subject to strict confidential business information ("CBI") protections, as SGO data is today, which both federal and state regulators must uphold. A national repository with these protections will help protect sensitive data, while ensuring non-CBI data is made available to the public in a well-organized manner to aid in public understanding of AV technologies.

As for resources, NHTSA has already established basic incident reporting requirements under the SGO but would need some additional resources to build out a full National AV Safety Data Repository, especially to ensure proper access for state regulators and to develop the public-facing elements of the repository to make the incident information more accessible to general audiences.

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¹⁸ See U.S. DEP'T OF TRANSP., NAT'L HIGHWAY TRAFFIC SAFETY ADMIN., THIRD AMENDED STANDING GENERAL ORDER 2021-01 (2025), https://www.nhtsa.gov/sites/nhtsa.gov/files/2025-04/third-amended-SGO-2021-01 2025.pdf.

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3. Mr. Farrah, as we all know, the current Federal Motor Vehicle Safety Standards (FMVSS) requirements were designed for vehicles with steering wheels and pedals. Do you think Congress can modernize these standards to reflect Level 4 and 5 autonomy, and can they while still ensuring robust consumer safety and buy-in?

As discussed by AVIA in <u>Securing American Leadership in Autonomous Vehicles</u>, and echoed in my testimony, Congress is well positioned to help clarify and modernize the FMVSS to reflect Level 4 and 5 ADS-equipped vehicles, while preserving consumer safety and buy-in related to the technology. Whether by legislation or through Congressionally directed action by NHTSA, it should be clarified that the FMVSS requirements for manually operated driving controls and certain indicators and telltales are not applicable to Level 4 or Level 5 ADS-dedicated vehicles, since they are intended for an in-vehicle human driver only. Congress can also direct NHTSA to update existing FMVSS following the path laid out by three NHTSA-sponsored reports that detail specific updates to the regulations to reflect the realities of ADS-dedicated vehicles with nontraditional designs. ¹⁹ Such action will support AV innovation by avoiding imposing requirements that do not advance safety and hamper the opportunity to re-imagine what motor vehicles look like and how they are designed, paving the way for greater accessibility, safety, and societal utility.

This modernization could include, as discussed in my answer to question one above, the creation of an ADS safety case via a directed rulemaking instructing NHTSA to develop a new FMVSS that requires commercially deployed ADS manufacturers to develop, and provide upon request, a detailed record of the basis for the manufacturer's conclusion that the design, construction, and performance of an ADS protects against an unreasonable risk to motor vehicle safety, as defined in 49 U.S.C. § 30102(a)(9). Congress could further require NHTSA to create an ADS behavioral competency requirements FMVSS, informed by industry and the work of existing standards setting bodies, that requires an ADS manufacturer to self-certify their ADS's basic level of proficiency based on a core set of ADS behavioral competency requirements.

4. Mr. Farrah, given the connectivity of AVs, what steps should Congress take to ensure manufacturers are proactively addressing cybersecurity risks and protecting consumer data?

As laid out in <u>Securing American Leadership in Autonomous Vehicles</u>, AVIA supports requiring AV manufacturers to develop cybersecurity and privacy plans for their technologies. For cybersecurity, such a plan should include a written cybersecurity policy with respect to the practices of the manufacturer for detecting and responding to cyberattacks, unauthorized intrusions, and false and spurious messages or vehicle control commands. For privacy, AV manufacturers should be required to develop a plan with respect to the collection, use, sharing, and storage of personal information about vehicle owners or occupants collected by an AV and a method for providing notice to vehicle owners or occupants about the privacy practices.

5. Mr. Farrah, can you expand on the role AVs play in expanding mobility for people with disabilities? What does Congress need to do to help make sure this technology is inclusive?

https://rosap.ntl.bts.gov/view/dot/85074.

¹⁹ See Myra Blanco, et al., DOT HS 812 796, FMVSS Considerations for Vehicles With Automated Driving Systems: Volume 1 (2020), https://www.nhtsa.gov/sites/nhtsa.gov/files/documents/ads-dv_fmvss_vol1-042320-v8-tag.pdf; Myra Blanco, et al., DOT HS 813 024, FMVSS Considerations for Vehicles With Automated Driving Systems: Volume 2 (2021), https://rosap.ntl.bts.gov/view/dot/54442; MICHELLE CHAKA, ET AL., DOT HS 813 716, FMVSS Considerations for Vehicles With Automated Driving Systems: Volume 3 (2025),

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To support wider access to AVs for people with disabilities, it is important that Congress pass the recently reintroduced AV Accessibility Act.²⁵ The Act would prohibit states from issuing motor vehicle operator licenses in a manner that prevents individuals who qualify as disabled under the Americans with Disabilities Act, or other individuals without a driver's license, from riding as a passenger in an ADS-equipped vehicle. This act also requires the Secretary of Transportation, in collaboration with the National Academies of Science, to conduct an accessible infrastructure study to determine the best practices for public transportation to be modified to improve the ability of Americans with blindness and other disabilities to find, access, and use ride-hail autonomous vehicles, including during pickup and drop off.

6. Mr. Farrah, as we look at the global race to lead in AV deployment, how important is it to build out a domestic manufacturing base for AV components?

Autonomous vehicles are an American invention, with American AV developers pioneering the technology and American entrepreneurs investing in and building innovative AV companies across the country. However, American leadership in the AV industry is not guaranteed. Across the globe, other nations are seeking to take the lead in AV development by building out regulatory frameworks for widespread AV deployments and providing government support for AV developers as they put their vehicles on the road. The Chinese government in particular has prioritized and supported AV development through legislative and regulatory actions for years, and this support is helping to produce competitive AV companies. At the same time, entities across the automotive and transportation industries need the highest quality products available on the market–including some manufactured by foreign entities when there is no reasonable alternative—to meet key performance and safety requirements. This underscores the need to support and develop domestic manufacturing of AV components, to encourage the production of top of the line components here in the U.S.

²⁰ Accessibility, U.S. DEP'T OF TRANSP. (Feb. 13, 2025), https://www.transportation.gov/accessibility.

²¹ Transportation Difficulties Keep Over Half a Million Disabled at Home, BUREAU OF TRANSP. STAT. (Nov. 21, 2012), https://www.bts.gov/archive/publications/special reports and issue briefs/issue briefs/number 03/entire.

²² Blindness Statistics, NAT'L FED'N OF THE BLIND, https://nfb.org/resources/blindness-statistics (last visited July 30, 2025).

²³ Economic News Release, U.S. Bureau of Labor Stat., Persons with a Disability: Labor Force Characteristics Summary (Feb. 24, 2021), https://www.bls.gov/news.release/disabl.nr0.htm.

²⁴ DOMINIC MODICAMORE, ET AL, NAT'L DISABILITY INST., ECONOMIC IMPACTS OF REMOVING TRANSPORTATION BARRIERS TO EMPLOYMENT FOR INDIVIDUALS WITH DISABILITIES THROUGH AUTONOMOUS VEHICLE ADOPTION (Dec. 30, 2022), https://www.nationaldisabilityinstitute.org/wp-content/uploads/2023/02/ndi-economicimpactsofremovingtransportationbarriers.pdf.

²⁵ Autonomous Vehicle Accessibility Act, H.R. 4419, 119th Congress (2025).