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EXAMINING LEGISLATIVE OPTIONS TO STRENGTHEN MOTOR VEHICLE SAFETY, ENSURE CONSUMER CHOICE AND AFFORDABILITY, AND CEMENT U.S. AUTOMOTIVE LEADERSHIP

TUESDAY, JANUARY 13, 2026

House of Representatives,

Subcommittee on Commerce, Manufacturing, and Trade,

Committee on Energy and Commerce,

Washington, D.C.

The subcommittee met, pursuant to call, at 2:13 p.m. , in Room 2175, Rayburn House Office Building, Hon. Gus Bilirakis [chairman of the subcommittee] presiding.

Present: Representatives Bilirakis, Fulcher, Obernolte, Bentz, Kean, Evans, Goldman, Guthrie (ex officio), Schakowsky, Soto, Trahan, Mullin, Clarke, Dingell, Veasey, Kelly, Schrier, and Pallone (ex officio).

Also Present: Representatives Latta, Joyce, and Harshbarger.

Staff Present: Jessica Donlon, General Counsel; Matt Furlow, Counsel, Commerce, Manufacturing, and Trade; Sydney Greene, Director, Finance and Logistics; Megan Jackson, Staff Director; Daniel Kelly, Press Secretary, Press; Patrick Kelly, Staff Assistant; Sophie Khanahmadi,

Deputy Staff Director; Alex Khlopin, Policy Analyst, Commerce, Manufacturing, and Trade; Giulia Leganski, Chief Counsel, Commerce, Manufacturing, and Trade; Sarah Meier, Counsel and Parliamentarian; Jake Riith, Staff Assistant; Jackson Rudden, Clerk, Environment; Chris Sarley, Member Services/Stakeholder Director; Timothy Trimble, Staff Assistant; Matt VanHyfte, Communications Director; Jane Vickers, Press Assistant, Press; Hannah Anton, Minority Policy Analyst; Keegan Cardman, Minority Staff Assistant; Ava Digre, Minority Intern; Kelly Fabian, Minority Chief Counsel, Commerce, Manufacturing, and Trade; Waverly Gordon, Minority Deputy Staff Director and General Counsel; Tiffany Guarascio, Minority Staff Director; Megan Kanne, Minority Professional Staff Member; Elisabeth Mellen, Minority Intern; Phoebe Rouge, Minority FTC Detailee; and Hannah Treger, Minority Staff Assistant.

Mr. Bilirakis. The committee will come to order.

The chair recognizes himself for 5 minutes for an opening statement.

Good morning, everyone. Actually, it is afternoon. Sorry about that. It says good morning in my script, but it is afternoon. So good afternoon and welcome. Today, we will be examining legislation aimed at modernizing motor vehicle safety. Thank you to all the witnesses for joining us here today.

Whether it is protecting our kids online or ensuring the safety of the cars in our driveways, we have always understood that there is no partisan way to save lives. In 2024, nearly 40,000 people died on our roads. Inexcusable. We often talk about these numbers as statistics, but every single one of them represents an empty chair at a dinner table. We cannot accept this as the cost of doing business. That is why we must focus on solutions to strengthen the motor vehicle safety, of course, and empower NHTSA to succeed in its mission to save lives.

I would like to highlight three solutions to bolster motor vehicle safety. First, we are considering a bipartisan discussion draft of the SELF DRIVE Act, which establishes a Federal framework for the safety deployment of autonomous vehicles. I want to commend Mr. Latta and Mrs. Dingell for their hard work over many years to produce this discussion draft. AVs are not just a luxury. They can be a lifeline. By reducing human error, which causes the vast majority of crashes, we can prevent tragedy before it happens. AVs can also empower seniors and people with disabilities to be mobile and regain their independence.

Second, we are making sure that mobility is accessible to everyone. Millions of wheelchair users depend on outdated, nonstandardized securement systems that are often unreliable. This has led to preventable injuries, limited travel for wheelchair users who do not have a caregiver available to secure them, and confusion for wheelchair users and their caregivers. I am proud that the Motor Vehicle Modernization Act directs NHTSA to prioritize research into automated wheelchair

securement systems.

And I would like to submit to the record -- actually, for the record -- a letter from the United Spinal in support of this lifesaving research. I don't hear any objections, so so ordered.

[The information follows:]

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Mr. Bilirakis. Finally, we must address the growing risk that electric vehicle batteries fires present to vehicle occupants, firefighters, and the public at large. These fires have led to a number of fatalities and create dangerous conditions for firefighters made worse by inconsistent vehicle designs and a lack of standardized response solutions. Congress must bring together firefighters, safety experts, NHTSA, and industry to address this urgent issue.

I would like to submit for the record a memo from the North American Vehicle Rescue Association on the issue of greater collaboration between all the stakeholders in the form of a strategic partnership. This is a serious problem, ladies and gentlemen.

[The information follows:]

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Mr. Bilirakis. I want to thank Florida State Representative Meg Weinberger, who is a good friend of mine, for her assistance in highlighting the issue and working with me as we continue the process. I am confident that, working together, we can advance legislation that prioritizes safety, accessibility, and an American automotive leadership. I look forward to hearing from our witnesses on how we can achieve that dream together. And I will tell you that I love this committee because it impacts people directly and positively impacts people directly.

So, in any case, I will yield back and I will recognize the ranking member of the subcommittee for her 5 minutes.

[The statement of Mr. Bilirakis follows:]

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Ms. Schakowsky. Thank you, Mr. Chairman.

Car safety is so incredibly important, and yet we are seeing some 40,000 people who are dying on the road. And I think that is a number that we have been having for a long time, and it is time that we do better. It is time that we are going to see that there is more safety on the road and that we are doing better than we have been.

I want to just say that I do support the idea of the right to repair so that people can have the right to fix their cars, and I want to -- I also want to yield at this time to -- okay. I want to yield now to Congressman Mullin to talk about this, someone who has a lot of work that he does when it comes to car safety, and I appreciate his efforts. So go ahead.

[The statement of Ms. Schakowsky follows:]

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Mr. Mullin. Thank you, Ranking Member Schakowsky.

Thank you, Mr. Chair, for convening this hearing.

The bills on the agenda today touch on important aspects of automotive safety. Nearly 40,000 people lose their lives on our roadways each year. That is a sobering statistic, and it underscores why Congress has an obligation to act and get this right.

Advances in vehicle technology, from driver assistance features to increasingly automated systems, hold enormous promise to reduce human error, avoid crashes, and save lives. At the same time, premature deployment, unclear standards, or gaps in oversight can undermine safety and public trust. For some of my colleagues, AVs may seem like something we can worry about in the future, but in my district in San Francisco and along the San Francisco Peninsula, AVs are already here. My constituents are riding in them every day.

I have been riding in them myself, and it is remarkable technology. It has the potential to make life safer and more convenient for everyone, including for seniors and those with disabilities who face mobility challenges, but it is also unchartered territory. We have seen the risks and outright hazards that they can cause. Yet I am excited to see them develop. It just needs to happen safely.

As we consider these bills, I hope we focus on a few core principles. First, safety must remain paramount, particularly as vehicles become more complex and less intuitive for consumers to understand. Second, transparency matters. Drivers and passengers deserve to know what a vehicle can and cannot do, and regulators need access to accurate data to assess performance and risk.

And, third, there is a strong need for a framework that ensures that safety standards keep pace with innovation. We don't need to view innovation and safety as competing priorities. When done right, strong guardrails actually accelerate innovation by providing certainty to

manufacturers, clarity to consumers, and confidence to regulators. Clear Federal standards can help ensure that new technologies are tested rigorously, marketed honestly, and deployed responsibly across the country.

I look forward to hearing from our witnesses and engaging in a robust discussion on these bills.

And, with that, I yield back.

[The statement of Mr. Mullin follows:]

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Mr. Bilirakis. The gentlelady yields. Is that correct?

Ms. Schakowsky. Yes.

Mr. Bilirakis. Okay. All right.

The next is the chairman of the full committee, Mr. Guthrie. I recognize you for 5 minutes.

The Chair. Thank you. Thank you, Mr. Chairman.

Good afternoon, everybody. Thanks to all our witnesses for being here. I appreciate you being here today.

We are here to examine proposals to modernize the automotive marketplace and strengthen motor vehicle safety as well as the agency responsible for that mission, the National Highway Traffic Safety Administration. I want to start by saying that we have to work together on this. These have to be bipartisan bills to move forward.

And I enjoyed working with my good friend from New Jersey, Mr. Pallone. I think we can work together on this, and we look forward to making this lasting and in a durable way if it is bipartisan, and I hope we can bring the same bipartisan spirit as we have done on other things today.

So the stakes couldn't be higher. The automotive sector is America's largest manufacturing base, supporting over 10 million jobs and contributing more than 1 trillion to our economy.

In my own background, before Congress, I was working in the automotive sector. Globally, our economic competitors like China are speeding ahead to expand vehicle production and accelerate innovation, as American manufacturers work hard not just to keep up but to remain global leaders. You hear Jim Farley from Ford talk about how China has the capacity to do 50 million cars. They need about 30 million. That means they have a 20-million flow. The American car industry is booming at about 17 to 18 million cars, if that gives you perspective.

Many of the proposals before us today will address challenges to improve safety, promoting affordability, and cementing American global automotive leadership. Among them are a proposal

to reform NHTSA by modernizing its research and regulatory mission and strengthening key motor vehicle programs as well as a discussion draft to establishing a Federal framework to enable the self-deployment of autonomous vehicles.

To my friend, Mr. Mullin, I have been in San Francisco, and I have -- they don't have many of those in Kentucky, if any, but it is interesting to watch them drive by. So it is an interesting technology.

And we will also need to carefully examine the full slate of proposals to prevent unintended consequences, such as worsening the affordability crisis or overburdening our resource-constrained NHTSA. Our goal must be a set of clear and predictable solutions that allow the automotive industry to build the safest, most advanced, and the most affordable cars in the world right here at home.

And we do a lot of cars in Kentucky. Kentucky Truck is right next to my district. I could throw a rock and hit it from my district. In fact, the road Old Henry, named after Henry Ford, is the border for my district, and all the Corvettes in the world are made in Bowling Green, Kentucky.

So I look forward to working with my colleagues on both sides of the aisle to get this right. I thank you, and I yield back.

[The statement of The Chair follows:]

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Mr. Bilirakis. The gentleman yields back.

I now recognize the ranking member of the full committee, Mr. Pallone, for his 5 minutes.

Mr. Pallone. Thank you, Chairman Bilirakis.

As we consider the reauthorization of core motor vehicle safety programs administered by our Nation's auto safety agency, the National Highway Traffic Safety Administration, or NHTSA, we must keep in mind the undeniable reality that tens of thousands of lives are lost on our roads every year.

NHTSA has an important mandate to save lives by establishing safety standards, investigating vehicle defects, and enforcing recalls, and we must ensure NHTSA has the staff, resources, and authority it needs to protect Americans on the roadways. This is particularly important as the Trump administration slams the brakes on safety progress. In 2025, the administration cut NHTSA staff by 25 percent, finished zero new safety rules, and cut in half the number of safety defect investigations.

As a result, safety standards that Congress mandated years ago were not yet complete or have been delayed. This includes rules to require new cars to deter drunk driving, avoid crashes, protect pedestrians, improve seat belt usage, and avert child deaths in hot cars. As we continue this reauthorization process, I look forward to working with Chair Guthrie to enhance safety, promote affordability, and ensure that NHTSA delivers on its safety promise.

I am pleased to see that legislative proposals from Democratic Members addressing many of the leading and emerging causes of vehicle crash fatalities and injuries are included in this hearing. We will consider proposals addressing driver distraction, drunk driving, vulnerable road users like pedestrians and bicyclists, and people getting trapped in cars when power is lost. We will also discuss bills tracking transparency related to the safety of driverless cars and consumer awareness about driver assistance features.

Now, my bill, the Safety is Not for Sale Act, promotes affordability and consumer choice. It let's consumers buying a new car choose proven safety features to protect their families without having to pay for luxury finishes or convenience features like leather seats or a moon roof. This bill puts consumers and their safety first.

The committee is also considering a bipartisan discussion draft led by Representatives Dingell and Latta to regulate autonomous vehicles. AVs are a transformative technology that has the potential to reduce deaths and injuries, increase mobility, drive growth, and bring environmental benefits. So it is critical that AV legislation prioritizes the safety of occupants and other road users like pedestrians while also preserving access for first responders during emergencies, holding responsible parties accountable, and maintaining legal recourse for harmed consumers.

So I look forward to working with my colleagues on these issues, and I would like to yield the balance of my time to the gentlewoman from Michigan, Mrs. Dingell.

[The statement of Mr. Pallone follows:]

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Mrs. Dingell. Thank you, Ranking Member Pallone, and thank you to all of my colleagues.

Everybody knows I am a car girl. My home State put the world on wheels, and we have been the center of the American auto industry since Henry Ford first built those early cars. Our industry has been a ping-pong ball for decades between conflicting political strategies, and it has never been worse. What our industry needs is certainty and a clear path forward.

Every day that we delay, global competitors and foreign adversaries race ahead in areas like EVs and autonomous vehicle innovation and deployment. Last year, China overtook the United States as the world's leading seller of EVs, surpassing American automakers in the global EV sales for the first time, and let me be blunt. I never want to see that happen again.

For decades, Congress has worked in a bipartisan way on these issues, and I believe we need to continue to do so. We need to be working with the regulatory agencies to prioritize safety, protect consumer privacy, support innovation, strengthen domestic manufacturing, and ensure that American workers are part of the future of this industry. Safety is not partisan, and I look forward to discussing ways to strengthen auto safety and ensure that we have a fully functioning regulator.

We must support long-term investment, protect jobs, and stay competitive in a global marketplace moving full speed towards electrification and advanced vehicle technologies. But, as has been said by my colleagues, we need to protect consumers from emerging threats, make critical safety technologies accessible to all drivers, and address rising challenges such as the catalytic converter theft, and we must ensure safe repair access and protect survivors from misuse of connected vehicle technologies. Our industry has always been a global leader. This leadership isn't guaranteed, but our responsibility is to help keep them together.

I look forward to today's discussion and working together with members of this committee and all stakeholders -- industry, labor, the dealers, the trial attorneys, consumer safety groups, environmentalists -- to keep America's auto industry strong.

I yield back.

[The statement of Mrs. Dingell follows:]

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Mr. Bilirakis. The gentlelady yields back.

And I welcome our witnesses today.

Ms. Hilary Cain, senior vice president of the Alliance for Automotive Innovation. Welcome.

Mr. Bill Hanvey, president and CEO of the Auto Care Association. Thank you so much for being here.

Mr. Michael Brooks, executive director at Center for Auto Safety. Thanks for being here.

And then Mr. Finch Fulton, the government affairs advisor for K&L Gates. Thank you so much for being here.

Now I will recognize Ms. Cain. You are recognized for 5 minutes.

STATEMENT OF HILARY CAIN, SENIOR VICE PRESIDENT, ALLIANCE FOR AUTOMOTIVE INNOVATION

Ms. Cain. Good afternoon.

Mr. Bilirakis. Good afternoon.

Ms. Cain. I am Hilary Cain, senior vice president of policy at Alliance for Automotive Innovation. I am grateful for the opportunity to share the auto industry's perspective on motor vehicle safety with you today.

Let me say at the outset: Safety is a top priority for the auto companies we represent. Vehicles on the road today are the safest that they have ever been because the auto industry has continued to invest in the testing, development, and integration of increasingly advanced crash avoidance systems and crash protection technologies, systems and technologies that save lives and prevent injuries, and yet we still experienced nearly 40,000 deaths on our roadways last year. This is a shocking and tragic number that is not acceptable to anyone.

The question is how do we further improve roadway safety without sacrificing our other shared goals like consumer choice, affordability, and competitiveness. My written testimony outlines some specific policy recommendations for your consideration including, one, modernizing the National Highway Traffic Safety Administration. NHTSA's role in vehicle safety is essential. NHTSA also supports our global competitiveness by enabling the United States to lead the world in the deployment of cutting-edge and innovative automotive safety technologies. The auto industry wants -- it needs a regulator that is agile, transparent, and grounded in objective research and data.

Fortunately, a reset appears to be underway at NHTSA. We have observed a commitment by the current Administrator to retire outdated regulations that increase the cost of vehicles but don't meaningfully improve safety and to revise existing regulations and implement new regulations to promote technological innovation and progress. These changes at NHTSA are welcome.

Congress can support further agency reform by requiring NHTSA to develop and release a research and rulemaking road map, a road map to help ensure alignment between the regulator, the industry, and other stakeholders on where the agency is and where it is headed. Congress can also reimagine the New Car Assessment Program to better incentivize the deployment of new vehicle safety technologies, to empower car buyers with clear, comparable information about the safety of vehicles, and to inform future safety regulation.

Two, implementing a national autonomous vehicle framework. AVs represent the next great leap in personal mobility. We believe AVs will reduce crashes and congestion, provide transportation for seniors and people with disabilities, and transform how we live and work. Countries around the world are racing to shape the AV future and dominate this space, but America must lead, and the best way to do that is with national standards that support the safe and immediate deployment of AVs. That is why Representatives Latta and Dingell's efforts on the SELF DRIVE Act are important and worthwhile. We urge Congress to get a Federal AV bill across the finish line as fast as possible.

Three, protecting consumer choice for safe and proper vehicle repairs. Automakers continue to support right to repair. Vehicle owners should be able to get their vehicles fixed anywhere they want. The good news is that automakers already provide independent repairs with all the information, instruction, tools, and codes necessary to properly and safely fix a vehicle.

We appreciate Dr. Dunn's tireless work on this issue and are committed to working with the committee to enact a comprehensive Federal right to repair law, one that doesn't force automakers to provide aftermarket parts manufacturers or auto parts retailers with data that isn't necessary to diagnose or repair a vehicle, one that properly protects the intellectual property of automakers, and one that addresses some of the key challenges that remain in the vehicle repair space, including the power of insurance companies to dictate where and how a consumer's vehicle is repaired.

The upcoming surface transportation reauthorization bill is an ideal opportunity to reform

vehicle safety policy while strengthening consumer choice and affordability and ensuring the United States remains globally competitive. The greatest risk to our competitiveness is not a lack of innovation. Fragmented policy, outdated rules, regulatory delays, and uncertainty are slowing our ability to bring the safest, most affordable, and globally competitive technologies to the marketplace. Thank you. I am looking forward to your questions.

[The statement of Ms. Cain follows:]

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Mr. Bilirakis. Thank you very much.

Mr. Hanvey, you are recognized for 5 minutes. Thank you.

STATEMENT OF BILL HANVEY, PRESIDENT AND CEO, AUTO CARE ASSOCIATION

Mr. Hanvey. Good afternoon, Chairman Bilirakis, Ranking Member Schakowsky, and members of the subcommittee. My name is Bill Hanvey, and I am the president and CEO of the Auto Care Association, representing the entire supply chain of the automotive aftermarket. I started in this business more than 40 years ago, working my way up from the ground floor, and am now extremely proud to represent our $500-billion industry with more than 525,000 businesses who service more than 298 million vehicles on the road today. On behalf of the 4.9 million employees who call our industry home, I want to thank you for inviting me here today to testify.

The Auto Care Association's top priority on behalf of its members and all vehicle owners is the inclusion of the REPAIR Act in the safety title of the Surface Transportation Reauthorization Act. The REPAIR Act represents the most complete and thoroughly reviewed bill that will immediately enhance safety for vehicle owners.

I am grateful for the continued support of so many of you who have worked with Dr. Dunn and stakeholders to improve this legislation at each step of the process. Dr. Dunn has worked tirelessly with this subcommittee and all interested parties resulting in the current REPAIR Act, which incorporates priorities of the members of this committee, automakers, the aftermarket, and consumer groups.

Our industry performs more than 70 percent of the out-of-warranty repairs, but over the last 10 years, with the introduction of wirelessly transmitted vehicle data or telematics, owners have seen threats to their repair choices. Vehicle manufacturers are increasingly restricting access to

repair and maintenance data, forcing vehicle owners into franchise dealers where costs are on average 36 percent higher and repair wait times are significantly longer.

The need for the REPAIR Act is critical and real. Today's vehicles are essentially computers on wheels. Manufacturers use secure gateways to block aftermarket access to repair and maintenance data. And make no mistake about it. Automakers unilaterally control the data, not the owner of the vehicle. It may be your car, but currently, it is the manufacturer's data to do with it whatever they choose.

A survey of independent repair shops concluded that they send on average one to five vehicles each month back to the dealership due to data restrictions, costing consumers millions in added repair expenses. This problem will only get exponentially worse if Congress does not act now.

The REPAIR Act is also an economic issue. Imagine the plumber who has one truck and has to wait 3 days to get it fixed at the dealership because their local repair shop can't access the truck's data. That is 3 days of lost productivity and many disgruntled customers.

The REPAIR Act has real consequences for working men and women across the country, which is why it has been supported by so many organizations like the National Federation of Independent Businesses, the National Independent Automobile Dealers Association, and the National Association of Truck Stop Owners.

Equal access to repair and maintenance data is critical to a thriving aftermarket. Our members in your districts are the cornerstones in their communities. They provide jobs, pay taxes, and provide a reliable service for your constituents who need their vehicles to drive to their jobs and get their children to daycare. Without the REPAIR Act, vehicle owners will experience skyrocketing repair costs, increased wait times, and the elimination of consumer choice.

The subcommittee is also considering several other pieces of legislation today that aim to enhance passenger, vehicle, and pedestrian safety. Chairman Guthrie's plan to empower NHTSA to

be proactive in its rulemaking on safety standards is a welcome effort, and Representative Harshbarger's ADAS Functionality and Integrity Act is needed to ensure vehicle owners can make modifications without the fear of jeopardizing the safety of their vehicle.

I commend all sponsors of the legislation on the docket for finding ways to make our roads and vehicles safer, and our association stands ready to work with them and the committee on this legislation as it moves through the legislative process. Thank you.

[The statement of Mr. Hanvey follows:]

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Mr. Bilirakis. Thank you, Mr. Hanvey.

Now I will recognize Mr. Brooks for your 5 minutes.

STATEMENT OF MICHAEL BROOKS, EXECUTIVE DIRECTOR, CENTER FOR AUTO SAFETY

Mr. Brooks. Good afternoon, and thank you, Chairman Bilirakis, Ranking Member Schakowsky, and members of the subcommittee for holding this important hearing today. My name is Michael Brooks, and I am executive director of the Center for Auto Safety.

Since 1970, the center has served as an independent voice for consumers dedicated to improving vehicle safety and quality for the benefit of everyone on American roads. During that time, the center has continually pressed for the introduction of proven vehicle safety technology into the Nation's fleet as soon as possible.

Today's hearing focuses on a range of legislative proposals, the bulk of which are geared toward issues involving the safe development and deployment of new technologies by the automotive and autonomous vehicle industry. While a number of the legislative options presented for consideration in today's hearing would undoubtedly increase the safety of modern cars, other proposals are more accurately described as anti-consumer gifts to the auto and AV industry that would degrade current Federal safety authorities and eliminate State and local consumer laws that have long served to protect road users in our communities.

The United States is currently lagging far behind other developed countries in terms of fatality and injury rates on our roads, and loosening already weak Federal protections is an unacceptable solution to this failure. To do so while simultaneously crippling the ability of State regulators to react and respond to safety and other threats posed by unproven technologies is unprecedented.

And, while the auto industry is abuzz with the introduction of features to increase human

convenience and access to creature comfort features as well as highly aspirational but unproven claims about the future of automated vehicle utility and safety, automakers continue to drag their collective feet when it comes to the introduction of proven safety technology that could dramatically decrease the carnage on our Nation's roads in the immediate future.

Better automatic emergency braking that protects everyone on the road, active and effective speed prevention tech, impairment detection and prevention systems, and effective driver monitoring could be deployed broadly on new vehicles to address the contributing causes most often cited in the nearly 40,000 fatalities and 2.5 million injuries on U.S. roads annually.

Instead of actions that seek to prop up automaker economics at the expense of established consumer safety protections, congressional efforts should be focused on supporting the mission of the National Highway Traffic Safety Administration. Effective safety research, data collection, defects investigation, and standard setting are challenging assignments that have become even more difficult due to the complexity of modern vehicles.

This job won't get easier in the future, and rapidly evolving technology often overtakes the agency's ability to research and respond in a manner that is acceptable to both automakers and the safety community. Closing this gap is critical to reducing the toll of traffic crashes on our roads and ensuring that industry can work effectively with NHTSA.

There must be Federal involvement to create rules and oversight, fostering an environment that can iteratively introduce innovative vehicle technology safely to the market, thus laying the groundwork for consumer confidence. Creating and enforcing safety standards is one of the most useful tools at the Federal Government's disposal to assist in achieving the Department of Transportation and NHTSA's core mission of saving lives, preventing injuries, and reducing economic costs due to road traffic crashes. By writing minimum performance standards for vehicles and components, NHTSA can provide a baseline on which both manufacturers and consumers know they can rely.

Further, automotive history has repeatedly shown that, absent regulation requiring the adoption of lifesaving technology, safety is typically only available as an option or for an additional price, and that is a price that is frequently paid by everyone on the road. The promise of such technology, in combination with smarter infrastructure and a dedication to consumer rights, is a safer world for all starting right now. The perils are our continued acceptance of more than 100 deaths a day each year and trying to explain to our grandchildren why we ignored a public health crisis for which solutions were readily available. Thank you.

[The statement of Mr. Brooks follows:]

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Mr. Bilirakis. The gentleman yields back. Thank you very much for your testimony.

And now I will ask Mr. Fulton to give his testimony. You are recognized for 5 minutes.

STATEMENT OF FINCH FULTON, GOVERNMENT AFFAIRS ADVISOR, K&L GATES

Mr. Fulton. Thank you, Chairman Bilirakis, Ranking Member Schakowsky, chairman of the full committee Guthrie, and the Ranking Member of the Full Committee Pallone, and all members of this committee for holding this important hearing today. I am grateful and honored to come before you to testify.

My name is Finch Fulton. I am a government affairs advisor at K&L Gates where I lead our transportation and infrastructure policy practice. However, I speak on behalf of myself today and do not necessarily represent the opinions of my firm or any of my clients.

In addition to my time serving as a staffer in both the House of Representatives and the Senate, I previously served as the Deputy Assistant Secretary For Policy at the U.S. Department of Transportation and was nominated by President Trump to be Assistant Secretary during the first Trump administration. There, I led the development of key automated vehicle policies for the Department, including Automated Driving Systems 2.0, which focused on the safety of automated vehicles and continues to serve as the cornerstone for the efforts of the Federal Government in this area.

AV 3.0 expanded the scope of this effort to all on-road vehicles and clarified the role of the State, local, and Tribal governments in regulating these technologies.

AV 4.0, which is an effort led through the White House by Michael Kratsios, now advisor to the President, ensured a whole-of-government approach to ensuring American leadership in automated vehicle technologies and, finally, the Automated Vehicles Comprehensive Plan, which

brought together the research, the policies, the enforcement actions, and the efforts, including regulatory updates, to enable the full and safe integration of automated vehicles into our national transportation system.

I also helped support the development of the Department's draft rulemaking for Automated Driving System Safety -- the framework -- the first time the Department considered how to regulate the operations of the vehicle, not just the equipment on a vehicle. A key component to this rulemaking was the prioritization and consideration of requirements for a safety case to be completed for an automated driving system's operations. Safety cases are structured arguments supported by evidence that help prove vehicle safety before public road operations. Innovators can and should be able to meet these high performance-based standards. I urge the committee to continue supporting this work.

After my time in government, I worked as the vice president of policy and strategy at an autonomous vehicle start-up called Locomation. There, I personally worked on developing and publishing our voluntary safety self-assessments, a key safety tool very similar to the safety assessment letters endorsed by this committee and included in the first SELF DRIVE Act and passed by the House back in 2017.

I have served on the UL 4600 and J3016 standard development committees working to develop and standardize the approaches to safety cases for automated vehicles as well as the naming conventions for these technologies. Lastly, I served for years on the board of the Partners for Automated Vehicle Education, which focuses on educational efforts to inform the public on the capabilities and limitations of automated vehicles.

I have long been a supporter of the benefits that advanced vehicle technologies like automated driving systems can bring to the safety, efficiency, and accessibility of our transportation system. As you are all aware and have voiced, one of the greatest calamities facing our Nation is the number of crashes, injuries, and deaths occurring on our roadways every year. Approximately

40,000 roadway fatalities are occurring, and these are more than numbers. They are family members, friends, and loved ones whose deaths leave homes shattered and hearts permanently broken.

Speeding is still a critical factor in about a third of these fatalities, as is drunk driving, and statistics for distracted and drowsy driving are unreliable but also make up a significant portion. We have also seen that while unbelted passengers only make up about 8 percent of the driving population, they make up about 45 percent of the fatalities. There are overlap in these grim statistics, as drunk drivers may also speed and neglect to wear their seat belts, but we have seen that in 94 percent of crashes or roadway fatalities occurring on our roads the final critical factor. But for these reasons, these crashes would not have occurred.

We can debate what new issues may arise, but I have no doubt that responsible and thoughtful legislators, regulators, safety advocates, innovators, parents, families, and friends will find new ways to address new issues that could potentially arise with the introduction and integration of these technologies.

There are many critical provisions being considered by this committee today, and I look forward to discussing them all, particularly the SELF DRIVE Act. We need Congress to act assertively to support the safe and full integration of these lifesaving American technologies for the benefit of American people and people around the world. Thank you, and I look forward to your questions.

[The statement of Mr. Fulton follows:]

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Mr. Bilirakis. Thank you, Mr. Fulton.

I will begin the questioning and recognize myself for 5 minutes.

I will start off with Ms. Cain. Can you discuss how research into wheelchair securement systems can help improve safety of wheelchair users?

Ms. Cain. Yes. Thank you so much for this question and your interest in this issue. My mom was a wheelchair user, so I am particularly sympathetic to what you are trying to accomplish here.

So NHTSA's research has shown time and time again that the highest crash safety risk for wheelchair users is misuse of wheelchair securement systems. You know, when wheelchair users are properly secured in their wheelchairs, the users can benefit from existing safety features like airbags and seat belts. So, obviously, those things will significantly reduce injury and risk of death.

The thinking is, if you have an automated securement system, that you can address some of the misuse that happens when wheelchairs are manually secured. It also obviously increases the opportunity for wheelchair user independence. When we are talking about autonomous vehicles, not having to have somebody travel with them.

We are really supportive of all the work that has been going on on this at NHTSA and elsewhere. We support more research. We support all efforts to accelerate the development of this important technology and really appreciate your leadership on this topic.

Mr. Bilirakis. My pleasure. And it is very important to my constituents. I have a lot of wheelchair users in my family as well.

So, Ms. Cain, can you discuss how partnerships between OEMs, firefighters, and fire rescue can help address uncontrolled battery fires and ensure the safety of firefighters and the general public, please?

Ms. Cain. Yes. Thank you also for your interest in this topic. There is obviously a lot of

attention on it.

So available data shows -- just to level-set -- that EVs actually catch fire less often than gas-powered vehicles. However, the fires in EVs -- they burn differently than fires in gas-powered vehicles. They burn hotter. They burn longer. And so, as a result of that, it requires new training and new firefighting techniques.

We are focused on helping to disseminate that information to as many first responders as it can be disseminated to. We have worked with the National Fire Protection Association, for example, on the development of sort of best practices around firefighting techniques, training protocols, that sort of thing. We also work directly with first responders to disseminate that training information and help get them trained.

More needs to be done. There is no doubt that the solution to this issue is better training and more collaboration, and so we welcome any and all ideas that you or anybody else on the committee has about how to foster more collaboration.

Mr. Bilirakis. Okay. Let's stay on this again. I work with my State legislator, Meg Weinberger, and she does an outstanding job. But, again, this is a Federal issue, so we have got to stay on this, please.

All right. Mr. Fulton, AVs have a significant potential to provide independence to persons with disabilities and seniors. Can you discuss how the SELF DRIVE discussion draft will help increase mobility options for seniors and persons with disability?

Mr. Fulton. Thank you for the question, Mr. Chairman. Certainly, we see this as a valuable tool to increasing accessibility not only for others but for each and every one of us.

The average American -- the vast majority of Americans will live through transportation-limiting disabilities at some point in their life, whether because of something that happens to them, something that happens within them, or if we might be so lucky, just through the natural processes of aging.

Studies have shown that autonomous vehicles can provide -- can access to 4.4 million jobs for people with disabilities a year and 9.2 million jobs across the U.S. That would be a 4.1 percent increase in employment. When you combine all of the issues with bringing people off of rolls and putting them into jobs, the total Federal net improvement in revenue and savings is estimated to be over $120 billion a year.

As we look at ways to make this technology and to think about accessibility and to build on accessibility on the front, we need to be thinking through the cognitive, the visual, the mobility impairments that we -- may come into play, and by building towards a goal of universal accessibilities, we can take all the billions of dollars of investments being made today, focus them on this, and not wait for the future of a perfectly universally accessible vehicle to start incorporating these lessons learned today. We can use them to improve the accessibilities of our transportation systems today, not just in the future.

Mr. Bilirakis. Very good. Let's stay on that, too. And I have a lot of folks in my district that -- particularly in the rural areas, they have difficulty with public transportation. It is just limited. This could really help them out a great deal.

So I appreciate all of your answers to my questions, and I yield back.

I now recognize the ranking member of the subcommittee, Ms. Schakowsky, for her 5 minutes of questioning.

Ms. Schakowsky. So, Mr. Brooks, I know that your job is really to look how consumers can do the best that they can to make auto safety and the kinds of messages that we should be learning about, and that is -- and I am very excited about the work that you do and that you are focused most on.

What I wanted to ask you are what are the most important things that everyday people should know when they are driving their car and the things that they need to do to make sure that they are as safe as possible?

Mr. Brooks. Sorry. Well, I think if you look at the data, there are really great clues at -- primarily on what consumers should not be doing when they are driving a car. I mean, we know that speeding, that drunk driving and drugged driving, and that distracted driving contributes significantly to the fatality and injury tolls on our roads. And, you know, ultimately, that is something that consumers need to be aware of and avoid those behaviors.

And, also, you know, what we have recognized over time is that there are some drivers who are not going to obey the lessons that they could be learning. And that is where vehicle technology can step in and prevent speeding, prevent drunk driving, and make sure that if someone is distracted, their vehicle is able to stop for a pedestrian or for another vehicle in front of it.

And those are technologies that are available and could be installed on vehicles starting tomorrow, but they are not yet. And that is primarily because of a number of reasons. There is some resistance by the industry to putting those technologies into all vehicles on the road. The industry is often focused on selling some safety technologies as part of other packages. And, additionally, you know, the National Highway Traffic Safety Administration moves very slowly in putting rules into place and mandates into place that get this technology into vehicles, and that is probably something that most consumers should know about.

Ms. Schakowsky. So are we making progress in training drivers to do better, and what do we need to do to make sure that we are having more safety in the cars and that people should be aware of --

Mr. Brooks. Well, in terms of drivers, I think that we are lacking, you know, in State educational efforts for the drivers and licensing and training of new drivers and monitoring drivers as they go through life and ensuring that they are able to continue operating vehicles safely.

Beyond that and beyond the human element, we know that humans are going to fail and that there may -- despite the amount of -- no matter how much education you give them, there are consumers that aren't going to be able to respond to it and operate vehicles safely. And, in those

circumstances, we think it is, you know, very important, maybe more important -- and definitely, in our opinion, more important than getting, you know, autonomous vehicles on the road is getting technology into the vehicles that Americans operate in bulk now, as soon as possible, so that the next 50 years as, you know, autonomous vehicles come onto our roads, we are still protecting the great majority of folks that are driving on our roads and cars that aren't autonomous.

Ms. Schakowsky. So what are the most important things? This is really what your job is, too, is to inform consumers about some of the best things that they can do to make sure for the safety that they need.

Mr. Brooks. I mean, there are many things that consumers should do. I think most importantly would be focusing on following the rules of the road and the State traffic laws that are there to protect them. In addition to that, when they are buying cars or renting cars, make sure that they are looking at the safety information that is available about those vehicles to ensure that they are putting themselves in a safe vehicle.

Ms. Schakowsky. Since that is your job, what are the things that you emphasize when you are addressing consumers to make it safer?

Mr. Brooks. Mostly, I would emphasize -- and we talk to a lot of consumers about their purchase of a new vehicle. So we spend a lot of time pointing them in the direction of, you know, the National Highway Traffic Safety Administration's NCAP program results, the insurance for -- the Insurance Institute's ratings as well, mainly because we want folks to be able to empower themselves to purchase a vehicle that can keep them safe.

Ms. Schakowsky. Well, my time is up, but thank you so very much for the work that you do. I appreciate you.

Mr. Bilirakis. The gentlelady yields back.

I now recognize the chairman of the full committee, Mr. Guthrie, for his 5 minutes of questioning.

The Chair. Thank you, Mr. Chairman.

Thanks, everybody, for being here today. This is an important hearing.

I was just thinking as we were talking about -- of course, I have -- now, I have backing cameras, and I don't think I ever backed up ever without looking back and checking behind me until I got a backing camera. And I will just wonder if sometimes there is a moral hazard. Sometimes I will get somebody, and I am glad I looked. I guess I do it by habit, but sometimes I don't realize I do it. It is because we make it so -- we think it is so safe, but we still can't dismiss the human element that we have to do.

And I know when you talk with executives in the car industry, there are big concerns about affordability. How do we make products that people can afford to buy? We want them safe. We want them affordable.

So, Ms. Cain, how can excessive regulatory mandates on manufacturers and others in the automotive industry adversely affect automotive affordability and increase costs?

Ms. Cain. Yeah. Thank you for the question, and thank you for your interest in this topic.

There is no doubt that there are a number -- there are a variety of factors that go into the price of a vehicle and that impact affordability. I think there is also no doubt that antiquated, outdated, unnecessary, and duplicative regulations are one such contributor.

When we look at safety regulation, I think what we would urge for you all and for policymakers in general is to seek a balanced approach, a balanced approach that promotes safety but also strengthens consumer choice and affordability, and that is a very difficult balance to make. I am not implying that it is easy. So one of the things that we are very excited about is some of the reforms that you are actually proposing as part of the Motor Vehicle Modernization Act. We think that these reforms will give NHTSA the tools and the flexibility and the --

The Chair. Can you talk about the vehicle cap and the duration of the exemption, the shot clock? Can you talk about that specifically?

Ms. Cain. Yeah. Thank you for that. The exemption process is a critical program for getting new safety technologies into the market. The problem is the program isn't being used as much as it was used in the past because it has become opaque, unpredictable, and to your point, the caps on the number of vehicles and the length of those exemptions make it almost an unusable program for the industry right now, and we think it is a critical one for new innovative safety technologies.

The Chair. And also to you, Ms. -- and, Mr. Fulton, if you want to go first and let Ms. Cain catch her breath there.

Autonomous vehicles are the center of technology competition with China and have the potential to save lives and reduce traffic fatalities. Can you discuss how the SELF DRIVE Act will help achieve these critical objectives?

Mr. Fulton. Certainly. The SELF DRIVE Act would provide one Federal framework for automated vehicle companies to need to achieve before introducing automated vehicles onto the roadway, and I see this playing out very differently from how it plays out in China. If China has one superpower in this world, it is the ability to just direct where industries should go and they go. No debate, no discussions, a clear path forward. In the U.S., we have a much better system.

And the way I have seen this play out over the last decade is, for example, the Energy and Commerce Committee spoke definitively about a decade ago passing the SELF DRIVE Act, and the House of Representatives did the same. Key errors were included in there, and the example I would use are the safety assessment letters.

Now, the National Highway Traffic Safety Administration and DOT under the Trump administration incorporated that and then started promoting the voluntary safety self-assessments. Similar to the safety assessment letters, 12 key areas that manufacturers and innovators needed to hit as they tested and developed automated vehicles throughout the process. We saw that continue further in States like California and Pennsylvania, Arizona, Texas, and Florida as they

considered different ways to do this.

And so, as I look at the SELF DRIVE Act today, I don't see preemption. I see agreement. I see the Nation coming together on a clear path forward, endorsing the safety case approach to proving the safety of an automated vehicle before it is introduced into the national roadways and introduced into commerce.

We have done our job. We have worked in a federalist society to get an agreement on the right path forward, and this committee is leading the way once again. So, if this committee can come together and pass this bill, which includes this approach to it that we have been working on as a Nation for a decade, we will overcome China's superpower of simplicity in direction and we will be able to continue to beat them in this technology.

The Chair. Thank you. As we compete with them in so many ways, AI and all the other things -- and I consistently say we are not competing with Europe to regulate. We are competing with China to innovate. However, having said that, we don't want to be China in terms of just direct where you go. We want people to have a say.

And, obviously, there is -- I was going to let Ms. Cain go, but I will finish because I am about out of time. We clearly have a national standard that we need which is clearly within our jurisdiction with interstate commerce. Not many self-driving cars are made in -- or any cars -- made in one State and only sold in one State, so we are -- it is clearly within our purview, and we have to do it in a way that doesn't have -- we can't have 50 different patchwork standards. We can't compete with China if we do that. We need a national standard that is robust, gives people surety and safety, and allows us to compete.

So I will yield. That is what we are working on. Hopefully, we can work on it together. We certainly are trying to do that. And I will yield back.

Mr. Bilirakis. Very good. I appreciate it. I agree. And I understand Mr. Latta's bill a few years ago passed the House unanimously, so we can get this done in a bipartisan fashion.

All right. I will recognize Mr. Pallone for his 5 minutes of questioning.

Mr. Pallone. Thank you, Chairman Bilirakis.

Research by Consumer Reports and National Consumers League has found that lifesaving car safety features are often sold only on luxury models or as part of expensive add-on packages with other features like lavish seats and premium entertainment systems. So my bill, the Safety is Not for Sale Act, will let consumers choose the common safety features they want rather than effectively being forced to purchase non-safety options in order to access features that could reduce their risk of crashes and injuries.

My questions are at Mr. Brooks, and I have three, so I am going to try to get through all three. The first one, Mr. Brooks, is how will improving the accessibility of safety options for new car buyers and improve affordability and the safety of everyone on our roads?

Mr. Brooks. Well, I believe the way it will work effectively is that more consumers will be willing to buy safety equipment that is offered optionally when it is not tied to more expensive vehicle packages. So it allows individual consumers when they are buying a car to select safety options and not select a lot of junk that they don't want or need, which is going to increase the amount of optional safety equipment items that are in cars on the road, and that is going to make -- ensure that that safety equipment proliferates across the population of all vehicles on the road quicker than it would if consumers didn't have that ability.

Mr. Pallone. Thank you. NHTSA has the mandate to reduce traffic accidents and deaths by establishing safety standards and conducting research. Yet the Trump administration is impeding progress on this mandate. Three safety updates completed in 2024 that will save hundreds of lives each year have been delayed at the request of industry. Investigations into car safety defects dropped in half, and progress on new safety standards stopped completely. NHTSA needs a new path forward to deliver for the American people.

So the second question, Mr. Brooks: How does Congress need to reform NHTSA's processes,

authorities, staffing, or funding so it delivers those safety gains Americans were promised?

Mr. Brooks. NHTSA needs a lot of support. You know, they get significantly less support per fatality than the airline industry with the FAA or someone like that for interest -- for example.

So I think it is important that NHTSA receives a lot more funding as vehicles become more complex. Modern vehicles are more complex than ever. They are turning into computers on wheels. NHTSA needs more software experts. We have got artificial intelligence powering vehicles in the future, and there are a lot of questions around things like how do you repair a defect in an artificial intelligence that is controlling a vehicle's movement.

The agency is going to need this committee and Congress' support generally to be able to keep up with the new technology as it comes out, and I think their ability to keep up with new technology is going to make it easier for the industry to work with NHTSA and it is also going to prevent, you know, them -- the inevitable delays and lack of response that we often see coming out of the agency.

Mr. Pallone. All right. Thank you. And I am trying to get to my third question.

The New Car Assessment Program, also known as Five-Stars for Safe Cars, has been a priority of mine for years, and this program has helped consumers compare new vehicles when making a purchase and encourage motor vehicle manufacturers to make safety improvements. However, over time, it has not been as useful due to technologies changing faster than the ratings and nearly all manufacturers earning four or five stars.

So last question, Mr. Brooks: What needs to be done to reform this program and restore it as a valuable tool for consumers and a safety incentive for manufacturers, if you will?

RPTR KERR

EDTR ZAMORA

[3:13 p.m.]

Mr. Brooks. Right. I mean, the power of NCAP is setting new tests and standards frequently so that they can discriminate between vehicles and vehicle offerings from different auto companies. What has happened in the last couple of decades is we are seeing a very large number of vehicles getting four and five stars, and when that happens, consumers have less ability to discriminate between the manufacturers' offerings and manufacturers have less incentive to make improvements to their vehicles in order to achieve five-star ratings, which are, you know, kind of a coveted award for use in advertising and marketing of these vehicles. So that would be the number one thing I would recommend for NCAP.

Mr. Pallone. I mean, is it possible that it is because they are all doing better or it is just that the standard is low?

Mr. Brooks. Well, when you leave a test the same for, you know, 20 or 30 years --

Mr. Pallone. It needs to be updated.

Mr. Brooks. -- the manufacturers are going to be able to design to it.

Mr. Pallone. It needs to be updated.

Mr. Brooks. Yeah.

Mr. Pallone. All right. Thanks a lot.

Thank you, Mr. Chairman.

Mr. Bilirakis. The gentleman yields back.

And we will recognize the vice chairman of the subcommittee, Mr. Fulcher, for his 5 minutes of questioning.

Mr. Fulcher. Thank you, Mr. Chairman.

Ms. Cain, I envision a world where my insurance rates are increased because they get access

to data that says that I exceeded the speed limit X number of times or performed some driving behavior that was against their standards, or maybe a world where a rental car company refuses to rent me a car or requires me to purchase their insurance or gives me a higher rate because they have access to that same data. Are my fears worthy?

Ms. Cain. You are right to have these fears, but let me tell you a little bit about what we have tried to do as an auto industry to make sure that your fears aren't realized.

So back in 2014, the auto industry did a set of privacy principles, essentially privacy code of conduct that governs the collection and use of vehicle data. It is enforceable by the Federal Trade Commission, which is something that is very important to us. And one of the restrictions that is in that code of conduct is a prohibition on sharing sensitive vehicle data with any third parties in the absence of the affirmative consent of the vehicle owner.

And when we talk about sensitive vehicle data, we are talking about things like location information, driver behavior information, which is probably something you don't want your insurance company to have, and biometric data.

Mr. Fulcher. So as a followup to that, I think I understand what you are saying, but if I am an automaker and I know that I have to turn over that data or at least provide access to it, wouldn't I be concerned about intellectual property being leaked out?

Ms. Cain. Yeah, sure. I think that would absolutely be something that we would need to think about and be concerned about.

Mr. Fulcher. Mr. Hanvey, I am going to go back to that same question for you. My fears with the insurance companies and the car rental companies and so on and so forth, are those justified?

Mr. Hanvey. They are justified, Congressman, and thank you for your question. And that is why the REPAIR Act is a very limited piece of legislation that only includes vehicle repair and maintenance data. The automakers are compiling personal data and selling that in the

marketplace.

But from an insurance standpoint, the REPAIR Act is not an insurance bill. It simply allows for the consumer to be able to choose where, when, and how their vehicle is being repaired.

Mr. Fulcher. So can you talk to that? I think I understand what you are saying, but can you talk to me about controls a little bit?

Mr. Hanvey. Certainly.

Mr. Fulcher. What kind of controls are in place that realistically may ensure that what you are saying is true?

Mr. Hanvey. Certainly. And we take that very seriously. And this version of the REPAIR Act ensures that our industry would access the data using the same cryptographic and technological protections as an OEM dealer or any other third-party authorized recipient from the automakers. We are not asking for anything more. We are not asking for anything less. It is using the same secure protocols that the automakers are using. And let me reiterate that that is only for vehicle repair and maintenance data.

Mr. Fulcher. All right. Thank you for that.

I have got about a minute left, Ms. Cain. I am going to ask you on the innovation issue. Do you believe that the Motor Vehicle Modernization Act will actually enable NHTSA to keep pace with innovation at the rate that it is going right now?

Ms. Cain. We think these are critical reforms for being able to put the agency on the path to being able to do that, yes.

Mr. Fulcher. Okay. So, realistically, is that going to happen? I mean, I realize you say the tools, but I am looking for a little bit more here.

Ms. Cain. Yeah, I sure hope so. I really hope so. The industry does need a regulator that is keeping up with the pace of innovation, 100 percent.

Mr. Fulcher. Okay. Mr. Chairman, I do have more, but it is going to take more than

20 seconds to answer them, so I will submit those in writing, and I yield.

Mr. Bilirakis. The gentleman yields back. Thank you.

And I now will recognize Mr. Soto from the great State of Florida for his 5 minutes of questioning.

Mr. Soto. And what a great State it is, Chairman.

What an exciting day. We are finally here today discussing autonomous vehicles, a fascinating new trend in U.S. transportation, and as technology advances, it can improve mobility, vehicle safety, and more, and they are already here. In Florida's Ninth Congressional District, we have beat the longest running autonomous public transit in the Nation at Lake Nona.

And, you know, just a few weeks ago, my friend has a Tesla Model X, and I was very surprised. I saw his vehicle pull out of parallel parking, take local roads, then the highway, and end up at our destination nearly 9 miles away, and at no point did he actually need to touch the steering wheel. And I think not everybody understands how advanced some of these self-driving technologies are.

We also have Waymo that just announced its arrival in Orlando to help shuffle millions of tourists in the theme park capital of Orlando.

And I have three concerns that we have to continue to address as we are looking through this. First, ensure strong safety standards and collecting data in support. We have a couple of bills today to do that. Second, access; making sure our seniors, Americans with disabilities, young people, continue to get access. This is about getting Americans around the Nation. And then liability.

You know, in Florida, our State passed a law in 2019, which had both parts for the vehicle owner for liability if there is poor maintenance, misuse, or illegal modification; part products liability, if there was a defect in the vehicle or system that caused the crash; and then, of course, human operators, the drivers who failed to properly supervise their new EV. And I think that is really important that sometimes it could be the driver, but sometimes it might be the programming or the product, and so that is going to be important as we look forward on it.

There are other concerns in labor and transportation that don't involve this committee, but it is important as we look to improving mass transit in places like Central Florida where we are evolving SunRail and Brightline that these vehicles play a key role.

And then I was excited to see right to repair, a growing consensus in compromise, on the calendar. It feels like an epic as we are going through this. We have a lot of mom and pop shops in our district. We also recognize that manufacturers have intellectual property rights. So we will continue to work through it.

But what concerns me is the big ugly law cut electric vehicle incentives, and we also have a 25 percent cut to NHTSA's staff. So this is something, as we are helping lift up AVs, EVs and hybrids are getting cast aside, and that is concerning to me given the popularity of them.

Mr. Brooks, I want to talk a little bit about redundancy. You know, in a lot of these autonomous vehicles we have both cameras, radar, and LiDAR, and we do a lot of LiDAR research in Central Florida. How critical is it when you have bad weather, obstructions, like small children or debris, and expanding the range and improving the accuracy to have that three-fold redundancy in these sensor systems?

Mr. Brooks. It is very critical, and I think a lot of the issues we have seen with Level 2 vehicles, particularly Tesla, is their inability to distinguish during -- distinguish, you know, crash events and potential crash events when there is a, you know, low light conditions. You know, we have seen them miss flashing lights. We have seen them unable to detect emergency responders and fire trucks and vehicles, you know, that are pretty obvious to most of us.

Mr. Soto. Now, are there manufacturers that are using all three of these redundancies? Because I know that we see that in Beep and in Waymo and some of these others.

Mr. Brooks. Yes. And, you know, Waymo is operating at a much higher level of autonomy than Tesla would be. You know, Waymos aren't requiring human drivers to take over at a moment's notice when a problem occurs.

Mr. Soto. So when we are talking about minimum standards, this redundancy of having multiple different types of sensors is critical, then, what other elements do you think the performance standards should include?

Mr. Brooks. I think the performance standards certainly for SAE Level 2 and 3 vehicles should really look at the human takeover part of things. Both SAE Level 2 and 3 vehicles would be conditionally automated, which means, essentially, they are driving themselves until, you know, the human has to take over. Now, Level 3 might do that at a slightly higher level, but Level 2 is something we have got to make sure that humans are able to take over the operation of the vehicle when necessary.

Mr. Soto. Thanks. I yield back.

Mr. Bilirakis. And, Mr. Fulton, eventually I would like for you to comment on that too. I was in one of these 2 or 3s, and my good friend was driving just the other day in Tarpon Springs, and the car actually took us -- he put the program on, the self-driving program on, and the car actually took us -- well, he realized it and, again, he had the ability to change it. But with regard to how to get there, the program would have gotten us there like 15 minutes later, which I think -- you know, and we realized it. So that needs to be corrected if we have a full self-driving car where you don't have the ability to do so. So I guess maybe you can address that.

But let me get to -- let me go ahead and get to Mr. Goldman now. You are recognized for 5 minutes, Mr. Goldman.

Mr. Goldman. Thank you, Mr. Chairman. Thank you for this very important hearing.

Go ahead, Mr. Fulton. I am not going to use all my 5 minutes, so, please, you can respond to the chairman.

Mr. Fulton. You have got to be careful. Go ahead is the best question --

Mr. Goldman. Yeah, right. No, it is totally fine.

Mr. Fulton. So it is critically important to describe correctly the capabilities and limitations

of a Tesla and a Waymo or name your brands. Fundamentally, a Level 2 system, which is outside of the scope of what we are talking about in the Self Driving Act, only part of the driving task is done by the system. The human is still in charge of what is known as object and event, detection and response. If you are not paying attention and you get into a crash, it is your fault.

If you think about it the same way you think about professional drivers, truck drivers or otherwise, three-fourths of the crashes they are involved in are caused by other road users, objects, animals, other drivers. Professionally trained and routinely trained drivers work at such a high level. So amateur drivers, 94 percent of the time the critical factor is human error. Professional drivers, three-fourths of the time, so only 25 percent of the time is it -- well, even among that, three-fourths of the time it is something else.

So when we think about a Tesla that only does part of the systems and automated driving systems that do it all, including figuring out what is going on in the world around them and doing something about it, we absolutely must treat them differently in how we think about them, how we talk about them, and how we regulate them. And this is critically important because it ultimately boils down to what the consumer expects for their vehicle to do.

I was involved in a number of efforts, and I congratulate many of the safety advocates that have been involved in efforts like "My Vehicle Does What?", and really working to clarify the capabilities and limitations of the vehicle because we all have to get this right, and it impacts how we legislate these technologies.

Fundamentally, if you can fall asleep in it the same way you can with an Uber or taxi, then you are looking at a Level 4 vehicle. Otherwise, you are in charge and you are liable if something happens. So that is important as we look at the regulations of these vehicles and the legislations on them.

Mr. Goldman. Thanks for clarifying that very much.

Ms. Cain, considering the National Highway Traffic Safety Administration's resource

constraints, what legislative reforms could improve the agency's efficiency in addressing high-traffic fatalities, especially in districts such as my own that consist of urban and rural mixes?

Ms. Cain. Yeah. Thank you so much for the question. We really do think a number of the reforms that are laid out in the Motor Vehicle Modernization Act are precisely the sorts of reforms that are needed in order to make the agency more effective. A couple I will highlight.

We think the research in rulemaking plan that is outlined in the proposal is fantastic, a way to ensure alignment between NHTSA's research program and rulemaking program. The modernization of NCAP will be a critical component of getting new and innovative safety technologies on the road as well.

Mr. Goldman. Great. Thank you very much.

Mr. Hanvey, how do limited repair options affect rural communities or people without nearby authorized repair centers?

Mr. Hanvey. Thank you for your question, Congressman. Let's start with the numbers, shall we? So there is about 17,000 authorized repair dealerships -- GM, Ford, Chrysler -- about 17,000. There are 235,000 independent repair shops on the corner of every Elm and Main of every town in this country. So the shear numbers alone.

And number two, our industry typically, on average, the repair cycle is 36 percent less than the dealership. So economic, convenience, is number one.

And then, you know, if I live in a rural community, I will drive 100 miles to buy a new vehicle. But am I going to drive 100 miles to get my oil changed? Am I going to drive 100 miles because my check engine light is on? That is why our industry is so critical to the rural community that this is an important piece of legislation.

Mr. Goldman. Right. Thank you very much.

Mr. Chairman, I yield back the balance of my time.

Mr. Fulcher. [Presiding.] Thank you.

And the chair recognizes the gentlelady from Massachusetts, Mrs. Trahan, for 5 minutes.

Mrs. Trahan. Thank you, Mr. Chairman.

While there are many important bills on today's agenda, I am going to focus my limited time on autonomous vehicles, specifically Representatives Dingell's and Latta's SELF DRIVE Act. I think their discussion draft is incredibly important and, at a minimum, it will force our committee to deal with a real problem.

Autonomous vehicles, particularly Waymos, are showing early safety benefit but lack of coherent Federal framework to operate within. At best, the SELF DRIVE Act could create a single set of Federal rules for safely deploying AVs across the country while leaving room for local innovation. Like any draft bill, it needs improvements, that is expected, but we shouldn't use that as an excuse to do nothing. All of us should ask those hard questions, look at the facts, and make changes to improve the bill where needed.

So I want to focus on areas where the SELF DRIVE Act could be a little bit better. The bill's main tool is something called a safety case. Basically, a report arguing an autonomous vehicle is safe.

Mr. Brooks, are the safety case requirements in the SELF DRIVE Act strong enough? And, if not, what other information should be required?

Mr. Brooks. The safety case requirements in the SELF DRIVE Act are a little problematic for us mainly because they trigger the preemptive effect of the Act. But also, the safety cases are, you know, essentially a autonomous vehicle manufacturer doing their homework in secret. You know, there is no requirement in the SELF DRIVE Act for the safety cases to be submitted routinely in any form or reported to the Secretary of the DOT or to NHTSA. There is no real oversight of that process.

And even, you know, when the safety case structure is put together and a rule is made by the Department around it, you know, there are some optional features that don't have to be included in

the safety case that are difficult for us to understand why they are optional. For instance, one of them is around software upgrades and hardware updates. You would think that that would be a critical component of any safety case because hardware upgrades and particularly software updates are taking place all the time in autonomous vehicles, and to have that sitting out there as an optional portion of a safety case makes no sense to us.

Mrs. Trahan. Right. Well, like you, you know, I am glad the Act requires every manufacturer to complete a safety case for each autonomous vehicle. However, I too am worried that the current draft may not require companies to submit their safety cases to a Federal regulator until it is requested or updated when significant software updates are made.

Mr. Fulton, could you clarify what the bill -- draft bill requires from manufacturers regarding the safety case, and when must the safety case be finalized? And does a Federal regulator need to approve either the initial version or future updates?

Mr. Fulton. Thank you for the question, Congresswoman. It is very important that we make sure that there is a clear and consistent path for regulators to have access to the safety cases and for any issue that raises their attention. They do not have to wait for there to be a situation for them to proactively engage with any of the manufacturers or innovators that are part of the overall automated driving system.

The bill does clarify that before these vehicles are introduced into commerce, a safety case must be submitted to NHTSA for their review and, you know, presumably would also come and meet and explain it and discuss this with them. I do, you know, I do recommend all of the above. I recommend routine engagements with not only NHTSA but the NTSB.

When I was at my automated vehicle startup, we proactively engaged with the regulators, and we found many great lessons learned in ways that we could improve our system through this routine engagement with the regulators, and we found them to be more confident and understanding in what we were trying to do and why. So I do recommend that routinely.

But there is not a one-size-fits-all approach to this, and you certainly don't want to put in perverse incentives to prevent software updates, minor updates, you know, tweaks to the system, ways to improve the safety and the performance of the system.

So while I do agree that there should be a submission before entering it into commerce, I do think that there should be some routine touch points, but I don't know that there is one simple system and one simple way to do that.

Mrs. Trahan. Thank you.

I have a couple of questions on preemption that I will submit for the record. But before I conclude, I just want to associate myself with Representative Mullin's focus on requiring safety data from autonomous vehicle manufacturers and his work on the AV Safety Data Act. We need more data on autonomous vehicle deployments, especially on unexpected stoppages and how they affect first responders. And I am looking forward to working with Representatives Dingell, Latta, and Mullin, and the rest of the subcommittee as we move forward.

Thank you so much. I yield back.

Mr. Fulcher. Thank you.

The chairman recognizes the gentleman from California, Mr. Obernolte, for 5 minutes.

Mr. Obernolte. Thank you, Mr. Chairman, and thank you to our witnesses. I have really enjoyed the testimony today.

Ms. Cain, I would like to start with a question for you on advanced driver assistance systems. And, as we know, those ADAS systems are becoming increasingly sophisticated and increasingly critical to ensuring safety on the roads, and yet those systems, because they are so complex, require precise calibration and precise knowledge of exact vehicle geometry to be able to do what they do.

So the question has arisen, what happens when one of these vehicles is damaged and needs to be repaired? What happens when a vehicle owner wants to modify a vehicle by putting aftermarket parts, for example, on it? You know, how do we ensure that these ADAS systems

continue to operate the way they were intended to?

So in response to that, I am sure you are familiar with one of the bills that is a topic of our hearing today, which is a bill that I am very proud to colead with my colleague, Representative Harshbarger. It is H.R. 6688, the ADAS Functionality and Integrity Act.

And, basically, what we are trying to say is that we don't want to solve this problem with mandates. Instead, we want to direct NHTSA to develop some guidelines which are grounded in empirical testing to make sure that when an ADAS-equipped vehicle is damaged and needs to be repaired or when it is modified, that a repair shop will have something concrete that they can use to verify that the ADAS systems are still in compliance with their calibration and will still function the way they were intended.

So I assume you are familiar with the bill. Are we on the right track? Is this the right approach?

Ms. Cain. You are asking all of the right questions. So we appreciate --

Mr. Obernolte. I am so happy.

Ms. Cain. Yeah. We appreciate the fact that you are looking into this. I mean, there is no doubt -- I will just double-click on something you said. There is no doubt that ADAS technologies are making vehicles safer, and there is also no doubt that we need to make sure that those systems continue to be properly calibrated so they continue to work.

And you are right, repair is an issue, maintenance in terms of just over the life of the vehicle. You want to know that your system in year 11 is working the same as it was working in year 2, and then modification.

We appreciate the thoughtfulness that has been going into this. We understand the interest in the topic. We understand trying to find a path forward. I will just share for you that, just recently, we did send a letter up to NHTSA on this issue specifically. We do think that NHTSA needs to convene a conversation, a dialogue, a forum, between all of the various parties, the automakers,

the modifiers, to discuss what a path forward looks like here.

And we look forward to continuing to work with you and Representative Harshbarger on this bill.

Mr. Obernolte. Excellent. The point we are trying to make is that mandates is probably the wrong approach, and a better approach is to make sure that everyone is informed on what needs to be done when a vehicle is repaired or modified. And we think that if NHTSA develops that guidance, that, you know, that we will be able to achieve what mandates couldn't achieve.

Mr. Fulton, I am just fascinated by your background, and I am interested in your views on this intersection between State, local, and Federal law when it comes to autonomous vehicles, and you touched on it a little bit in your testimony.

You know, on the one hand, we currently live in a world where most of the vehicle standards are set at the Federal level, but roadway safety standards, for example, and the rules of the road are set at the State and local levels. As you said in your testimony, the advent of AVs is blurring these lines because, you know, these systems kind of spread themselves across both of those worlds.

How should we think about this in terms of preemption? I mean, are there lanes for both Federal and State lawmaking here? And, if so, what should be preempted and what shouldn't be?

Mr. Fulton. Thank you, Congressman. I appreciate that and appreciate your comments.

Fundamentally, I think we are only really looking for preemption in a few key areas. Narrowly scoped and that would play out over time is the Department of Transportation and National Highway Traffic Safety Administration put forth the rulemakings for the Federal Motor Vehicle Safety Standards around key areas, around just the operational competencies of the vehicles, around how you create and put forth a safety case, and the process for doing that.

I don't think anybody is looking to have to go to Congress to change the speed limit in their neighborhood. We are not looking for anything like that. State and local authorities would still have right to regulate the rules of the road and how operations can happen around them. And we

look at insurance, dealer distributor issues, safety and emissions inspections, sales distribution, repair and servicing requirements on vehicles. These are all done by the States and sometimes local authorities. We are not looking to change any of that.

We are saying we agree on what the States and this committee have put forth on terms of how you make a safety case and what you do with it. There should be access to a Federal data repository that is shared with State authorities, State DMVs so everybody has one place to submit information on these things.

We take care of the data submissions that we were talking about and have one database, one way to submit it, so that even if States agree, we are not dealing with all sorts of systems around the country. We have one place to put it, and they can access it there.

So what we are talking about with preemption is very narrow, and I think this bill does a good job with that.

Mr. Obernolte. Well, thank you very much for your testimony.

I yield back.

Mr. Fulcher. Thank you.

The chair recognizes Mr. Mullin for 5 minutes.

Mr. Mullin. Thank you, Mr. Chair. I would like to thank the chair and committee staff for carefully considering and putting two of my bills on today's agenda: H.R. 3360, the Driver Technology and Pedestrian Safety Act, as well as H.R. 4376, the AV Safety Data Act. Both of these are attempting to address knowledge gaps in automotive safety.

If you have been in a car made recently, you know that driver experience has been changing. Touch screens have been quickly replacing switches and knobs, requiring an increasing amount of driver attention. The user interface of these touch screens also vary widely from car to car, but there has been little research on the effects of these on driver distraction.

The Driver Technology and Pedestrian Safety Act would direct NHTSA to study the effects of

these technologies and other changing conditions on traffic injuries and fatalities. I am proud to have the support of the AAA Foundation for Traffic Safety, Advocates for Highway and Auto Safety, National Safety Council, and now the Center for Auto Safety.

So, Mr. Brooks, I want to thank you for your support for the bill, and could you share more about why you think this bill is, quote, necessary, as you put it in your testimony?

Mr. Brooks. I believe it is necessary because, currently, there is no research that has been conducted of these systems to determine whether or not we need to put more efforts into figuring out if they are creating distractions for drivers and potentially resulting in crashes. And it is a very difficult data collection, because you might have crashes where you are not sure what was taking place during that time period.

It is going to be, you know, a very difficult data collection to make, but it is necessary that it is done because, you know, the National Highway Traffic Safety Administration has been looking at distraction for a couple of decades now, and, you know, touch screens were never really on the menu then. They were looking at phones and some of the distractions that existed from the early 2000s.

But now, with touch screens being deployed, and, frankly, demanding a lot of driver attention, they are moving a lot of the features that operate various systems in the car to touch screens, migrating those from buttons that might be a little more intuitive for people who have driven for a long time. I think it is really necessary to identify whether touch screens are contributing to distraction but also, you know, whether the features and potentially some safety features, such as wipers and other things that have been migrated to touch screens, are posing difficulty for drivers accessing those functions while they are operating the vehicle.

Mr. Mullin. Thank you for that.

And switching topics, I would like to go back to the safety of autonomous vehicles which I mentioned in my opening remarks. My bill, the AV Safety Data Act would require reporting VMT,

vehicle miles traveled. Having this data is important because we essentially do not have the denominator to be able to calculate incidents per mile. This bill would also require reporting when AVs stop in the middle of roads and intersections, these unplanned stoppages causing safety hazards or preventing first responders from getting by.

For example, just last week, an AV in Miami stopped on a bridge, causing a major traffic backup. Human drivers had to go into oncoming traffic to get around it. Just a few weeks ago in San Francisco, there was a power outage. There was a widespread meltdown of hundreds of AVs operating in the city causing chaos and confusion as to how police, fire, and other agencies should deal with these new vehicles. These examples also highlight a lack of coordination between AV operators and emergency responders.

In addition to closing the data collection gap, I am developing legislation to address this, and I hope to work with the committee on it.

But there is no question that collecting safety data is an essential first step, and I applaud some industry leaders for being willing to share that data. But cherry-picking data in a one-off press release is not a stand-in for standardized data reporting to a government regulator.

So, Mr. Brooks, again, could you share more about why you think expanding NHTSA's data collection would help inform policymakers?

Mr. Brooks. Yes. The first thing I would say in that regard is that, currently, we are only receiving -- or NHTSA is only receiving, under the standing general order, reports of crashes or incidents that could produce injuries or vehicle tow-aways and that type of thing.

What I think is more important is to figure out what the problems are before they occur, and so looking at disengagements and other unplanned stoppages and things that AVs are doing that might be able to tell us about ways to prevent those crashes from occurring in the future is very important.

Mr. Mullin. Thank you for that. And thank you to the committee again for your work.

And I yield back.

Mr. Fulcher. Thank you.

And the chair now recognizes Mr. Kean for 5 minutes.

Mr. Kean. Thank you, Mr. Chairman. And thank you to our distinguished witnesses for being here today.

State Farm recorded over 20,000 claims of catalytic convertor theft in the United States in 2023. Since catalytic convertors are challenging to trace, they are often stolen and sold on the black market. As a cosponsor of the PART Act, I believe it is important to address this issue and better protect American consumers from theft.

This bill would inhibit the resale of stolen catalytic convertors and decrease the incentives for bad actors to continue committing this theft. And while I am encouraged to see the PART Act moving forward, I am concerned that one of the other bills being considered today may not factually protect citizens in my district, and I have concerns with the REPAIR Act.

On January 8, I received a letter from one of my constituents, Edgar Chavez, Junior. As the owner of an independent repair facility in New Jersey, he is concerned that the REPAIR Act might ultimately prevent his customers from receiving the parts that they want. Additionally, he does not believe that it will provide his company with access to any new tools.

And, Mr. Chairman, I have his letter here, and I ask that it be entered into the record.

Mr. Fulcher. Without objection.

[The information follows:]

******** COMMITTEE INSERT ********

Mr. Kean. Thank you.

And I look forward to discussing how some of the issues raised in this letter would impact my constituents.

Ms. Cain, New Jersey is an innovation State. Once home to America's renowned inventor Thomas Edison, new ideas have long fueled New Jersey's economy. With innovation playing such a vital role in New Jersey's economy, I want to be sure that any law that we pass protects innovators' intellectual property rights.

Can you discuss the REPAIR Act's impacts on intellectual property?

Ms. Cain. Yes. Thank you very much for the question. The REPAIR Act -- just take a little bit of a step back -- the REPAIR Act is complicated because it does two things at the same time. The first is making sure that independent repairers have access to the data and information and tools that they need to repair vehicles. That is something that automakers are aligned and wanting to achieve.

The second thing, though, that it does is it makes data and information available to aftermarket parts manufacturers so that they can manufacture parts that compete with the parts that the automakers make, and that is where things get sticky and where intellectual property is something that we need to be thinking about.

Right now, I think you -- and you know this -- that automakers are investing billions of dollars every year into research and development and to new parts, new components, new technologies, and I think we would all agree that that research, that development, and that intellectual property should be protected.

I will end on one last point because I think it is really important. Right now, if an aftermarket parts manufacturer wants to make a part that competes with an OEM part, they have two options. One is to license the intellectual property from the automaker and make an identical part, and the

second is to invest in their own research and development to develop a compatible part that differs enough from the automaker's part so as not to infringe on its intellectual property.

We think that construct should be preserved, and we are not confident that it is in the REPAIR Act.

Mr. Kean. Okay. The REPAIR Act includes a rule that some argue does protect IP, and I guess that is your point, which is that why isn't that rule of construction sufficient to protect intellectual property?

Ms. Cain. Yeah. And I will start by saying that there are intellectual property protections in the bill, and we appreciate Dr. Dunn's willingness to put them in. We fear they fall short. I will give you just two examples of where that is the case.

One is it is not clear in the REPAIR Act that automakers would retain the legal right to impose a licensing fee for the use of their intellectual property. It is also -- there is a car- -- there is a provision protecting trade secrets, but there is also a strange carve-out attached to it that makes it ultimately look like maybe it doesn't actually apply to aftermarket parts manufacturers.

Mr. Kean. And can you discuss how insufficient IP protections could steer consumers towards less tested parts manufactured overseas, particularly in China?

Ms. Cain. Yeah. It is a very critical point. We are seeing a lot of intellectual property theft and counterfeit parts coming out of China, and our fear would be that these -- reducing the intellectual property protections in the law may encourage more of that.

Mr. Kean. Thank you.

Mr. Fulton, innovation has long been a cornerstone of prosperity in New Jersey and across America. The SELF DRIVE Act takes important steps to ensure that America continues to lead by ensuring a safe regulatory framework for autonomous vehicles.

Why is a Federal AV framework essential for the U.S. to win the AI race with China?

Mr. Fulton. Thank you very much, Congressman, for your question.

I will be brief. It provides the certainty to innovators, manufacturers, and the entire ecosystem, including those who invest in the technology, so they can continue to flourish and be integrated safely into our ecosystem.

Mr. Kean. Okay. Thank you. I yield back.

Mr. Fulcher. Thank you.

The chair now recognizes the gentlelady from Michigan, Mrs. Dingell, for 5 minutes.

Mrs. Dingell. Thank you, Mr. Chair. I thank the witnesses for being here. There is a lot to cover, so I am going to jump right in and ask you to be short.

I want to touch on autonomous vehicles and the future of our auto industry. Since I have been in Congress, I have been committed to finding a bipartisan path forward on AV legislation. We have made very significant progress in this draft, but we still have got stakeholders that are concerned, so our work is not going to stop.

I am also looking forward to working with all the members of this committee to get it right, and welcome the feedback of everyone as we continue in this process. That is why Rep. Latta and I call it a working draft and not a bill, yet.

Every day we fail to act, our global competitors, including China, are racing ahead in AV innovation. Without a clear Federal framework, we are putting American leadership, jobs, and safety -- that is my biggest worry -- at risk. We are currently stuck with the patchwork of State laws and outdated Federal rules that do not reflect the realities of today's technology.

We need a comprehensive Federal AV framework that prioritizes safety, protects consumer privacy, supports innovation, strengthens domestic manufacturing, and ensures American workers are part of the future of this industry. And in every discussion I have, I say to my staff and Rep. Latta, we have to make sure that everyone is safe.

If we don't provide strong Federal leadership, we risk letting bad actors and foreign adversaries exploit gaps in regulation, which they are already doing, at the expense of consumer

safety, privacy, and fair competition.

Ms. Cain, does China play by the same rules as we do here in the United States?

Ms. Cain. No, it does not.

Mrs. Dingell. Ms. Cain, if we fail to safely innovate, do we risk losing our domestic auto industry and American jobs?

Ms. Cain. Yes, I believe we do.

Mrs. Dingell. Ms. Cain, if we don't lead in autonomous vehicle technology, who will?

Ms. Cain. China.

Mrs. Dingell. And, Ms. Cain, is China complying by safety rules the way we do in this country?

Ms. Cain. I think they have a very different approach to safety rules in China.

Mrs. Dingell. Thank you.

Mr. Fulton, does China play by the same rules as we do here in the United States?

Mr. Fulton. No, Congresswoman.

Mrs. Dingell. If we fail to safely innovate, do we risk losing our domestic auto industry and American jobs?

Mr. Fulton. Yes, ma'am.

Mrs. Dingell. And if we do not lead in autonomous vehicle technology, who will?

Mr. Fulton. China.

Mrs. Dingell. So, Mr. Brooks, my last question on AVs. Why is trust so essential for the safe and eventual widespread adoption of AV technologies?

Mr. Brooks. I think it is a very -- it is a situation where consumer confidence is very important to ensure that autonomous vehicles are trusted, you know. We have to ensure that -- you know, that is one reason we are a little critical of the safety case requirement is that it is not transparent. You know, consumers don't have the right to see how things are progressing, to

see what is going on, and to make sure -- even, you know, not just your regular consumers but all the way to the top. It is going to be very difficult for consumers to trust that companies have their best interest at heart unless they can see the results.

Mrs. Dingell. Thank you. And you will continue to work with us to improve this. Thank you.

Now, I also have a couple of other bills today. I am interested in all the bills, but the crime of drunk driving is 100 percent preventable. We passed the HALT Act. It is sitting over at NHTSA.

Mr. Brooks, what do you think the auto industry, NHTSA, and others can do to make the HALT Act a reality as soon as possible? And short, please.

Mr. Brooks. They need to work on what happens after the vehicle detects that there is a drunk driver in the vehicle to make sure that the process that takes place is acceptable to everyone.

Mrs. Dingell. Thank you.

And lastly, we have got a problem that is vehicles becoming increasingly connected. We have a responsibility to make sure these vehicles are not putting people in vulnerable situations, especially survivors of domestic violence. We know these technologies are being misused. I appreciate the support from both those in the survivor community and in the auto industry on this legislation, and I hope we get it across the finish line.

Ms. Cain, can you explain why legislation like the Safe Vehicle Access for Survivors Act is so necessary, especially as connected vehicle technologies get more advanced?

Ms. Cain. Yeah. Where this issue gets particularly challenging is when you have got an owner of a vehicle who is the abuser and you have a survivor who is using that vehicle to try to get out of the situation that they are in. So we need a Federal law that gives the auto companies the ability to cut off access to the vehicle by the owner of that vehicle.

Mrs. Dingell. Thank you.

Mr. Chairman, I have about 100 more questions and 15 seconds, so I will be submitting them

for the record.

Mr. Fulcher. Mrs. Dingell, I can relate. I am in the same position.

Mrs. Dingell. Thank you. I yield back.

Mr. Fulcher. It is an interesting topic. Thank you.

The chair now recognizes Mr. Evans for 5 minutes.

Mr. Evans. Thank you, Chairman, Ranking Member, and, of course, the witnesses for coming today for this conversation. It is super intriguing to me because of what I did before I came to Congress.

I was a cop for 10 years, and I got to do forensic accident reconstruction, so everything from little fender benders on the roadway all the way up to a full-blown reconstruction that spends the next 5 years going through litigation.

And so I have a lot of questions about a lot of the different things that we are talking about today specifically with some of the Level 4 and above autonomous vehicles. So we know that most of the time if an autonomous vehicle, fully autonomous, Level 4 or above, is involved in some sort of collision, it is more than likely going to be the result of human error. But we also know that these things are going to happen regardless of whether, you know, we like it or not.

So, you know, my question is that boots-on-the-ground cop whose got to go figure out how to unsort -- you know, sort out this whole mess in the middle of rush-hour traffic on a Friday afternoon is, can you talk a little bit about -- and I guess this first question is to Ms. Cain. Can you talk a little bit about just some of those basic things that a cop would do in a collision involving two manned vehicles? Driver's license, registration, proof of insurance, dash camera footage, things like that. Can you talk about how that process happens for the boots-on-the-ground cop with an autonomous vehicle that has no driver in it?

Ms. Cain. Yeah. It is a good question and it is an important question. It is essential. I mean, one of the things that I think I will point out to you is in the draft -- the discussion draft that is

under consideration, the SELF DRIVE Act, I think there is a recognition of the importance of getting this right.

And so as you look at the bill, you will see that there are a couple of places where this interaction with law enforcement is captured. It is identified, I think, as a key element of the safety case. It is also reflected as a key ADAS competency. So I think everyone is aligned in needing to figure out what this looks like and getting information into the agency about how it will unfold.

Mr. Evans. Awesome.

And I know I talked about, you know, crashes here. There are a lot of other categories that come to mind. You know, fender benders where the vehicles are drivable. We have all seen the signs on the roadway: move minor crashes out of the roadway. How do I do that with an autonomous vehicle?

I come from Colorado. We get snow. We have hills, so two-wheel drive cars get stuck sometimes, or somebody else's two-wheel drive car gets stuck, and then I have got to figure out how to open the roadway up here with a bunch of stalled vehicles scattered all over the lanes of traffic. So those are some of the things that I am thinking about, and so I just want to make sure that we continue to have that very, very intentional emphasis on how the boots-on-the-ground first responders who have to sort this all out, you know, that they are not going to be forgotten in this conversation.

Pivoting on from there a little bit to Mr. Hanvey. Last question is for you. We also have, today, the PART Act to address the scourge of catalytic convertor theft across the country. Again, I was a cop. I took lots of reports about these things here. It is a particular problem that Colorado has grappled with, being the number one State in the Nation for auto theft. Multiple times over the last 5 years being the number two State in the Nation for property crimes and having a major, major problem with catalytic convertor theft as a part of that crime tsunami in Colorado and, you know, quite often the result of some of these statewide Democrat soft-on-crime policies.

Our attorney general, Phil Weiser, just a few years ago on camera remarked -- and this is a quote here -- people should only be kept in jail after -- here is the quote -- someone commits a third or fourth car theft in 3 months, end quote. And then talking about catalytic convertor theft, you know, our sitting attorney general said -- this is a quote -- purchasing insurance that covers your catalytic convertor if stolen, end quote, is the best way to prevent this.

So I am heartened by the PART Act actually taking this problem seriously because I have seen the impact that this has on my constituents and real people who have a catalytic convertor sawed off and have to wait 9 months because of a parts backlog to go get a replacement catalytic convertor, and their vehicle is down the whole time, denying them transportation to jobs, healthcare, so many other things.

So can you talk from the perspective of the Auto Care Association, are you ready to go today with all of the logistics, helping drivers get VIN stampings on their catalytic convertors and other different procedures? Are you ready to go? Is the Auto Care Association ready to go if we were able to make these funds available?

Mr. Hanvey. We think that is a very important issue, and, as a matter of fact, as an association, we have had seminars on this catalytic convertor issue specifically.

Are we ready to go and have VIN stamping immediately done? We are not quite ready for that, but we are more than willing to work with the committee on rules, regulation, enforcement. We take it very seriously, and we would most certainly be a willing participant in that.

Mr. Evans. Awesome. Anything we can do to help you get ready to go is super important to me.

I yield back, Chairman.

Mr. Fulcher. Thank you.

I recognize the gentlelady from Illinois, Ms. Kelly, for 5 minutes.

Ms. Kelly. Thank you, Mr. Chair.

I am glad we are discussing important safety issues to keep our roadway safer for all Americans, and I am thankful that my bill, the SAFE Exit Act, is included in today's hearing. I look forward to discussing the importance of this bill and hearing from our witnesses about how we can strengthen vehicle standards to prevent unnecessary injuries and death.

Mr. Brooks, there has been extensive reporting on the dangers of electric door latches, particularly when a vehicle is involved in a crash or the battery loses power. Can you discuss the importance of establishing performance and labeling requirements for these doors?

Mr. Brooks. Yes. It is very important to establish both for access from outside of the vehicle by first responders or good samaritans, as well as on the inside of the vehicle. We have seen numerous situations, many of which involve Tesla vehicles, where there is a recessed door handle on the outside that can't be operated unless there is battery power going to it. That prevents firefighters and good samaritans from being able to operate the door handle from the outside when a crash doesn't disable the doors and they are able to access the interior that way.

Also, from the point of view of escape from passengers on the inside of the vehicle, Tesla and, I believe, Rivian had one model as well that did this. And there are previous models that aren't electric vehicles. I believe there were Corvettes in the past and some Chrysler vehicles that had electric door latches that played a role as well.

You can't find the emergency manual release to exit the vehicle unless you have studied your owner's manual and know exactly where they are. Examples: In Tesla vehicles, there were, you know, manual releases hidden inside of map pockets, under seats. Some of their vehicles in the rear seats don't even have a manual release.

And so we think it is incredibly important to standardize these types of systems. A lot of the auto industry has already done so and made handles easy to use and intuitive. You can pull on your handle once or twice and get out of the vehicle. I think we need to move in that direction versus consumers having to figure out what vehicle they are in and go look at its owner's manual, if they are

in a ride share vehicle or riding with a friend, to make sure they are safe if there is a crash and a fire.

Ms. Kelly. Thank you. And my bill will do just that by requiring the National Highway and Traffic Safety Administration to issue a final rule amending standard 206, establish those performance and labeling requirements.

Ms. Cain, what steps can automakers take to ensure the safety of passengers within their vehicles not only driving during an initial collision but also in the event of a occupant being trapped within a vehicle?

Ms. Cain. Yeah. Thank you. Thank you for the question, and thank you for your leadership on this topic.

You know, I do think it makes sense for NHTSA and for Congress, for you, to be looking at this. We are currently working with our members to figure out what we think makes sense as a next step. I will tell you in some of the preliminary conversations that we have had that we are generally open to some sort of door release redundancy in the event of a primary power loss.

One thing I will just flag for you as you are thinking about this going forward, is one thing we have heard is, while that may make sense to be a mechanical release, there also might be things like a backup power source that kicks in in the case of a primary power source. So those are the sorts of things. We will get you more, you know, constructive feedback in the coming days. I appreciate you looking at this, but I think that there is, you know, an opportunity for us to work together going forward.

Ms. Kelly. Well, thank you so much.

And let me be clear regarding my bill and others being considered. I strongly support innovation and American leadership in our automotive sector, but we must not compromise safety, as you have heard from all of my colleagues, in pursuit of style or convenience. And I look forward to further discussion of this SAFE Exit Act and working with my colleagues addressing this important issue.

Thank you, and I yield back.

Mr. Fulcher. You yield, Ms. Kelly?

Ms. Kelly. Yes.

Mr. Fulcher. All right. Thank you.

The chair now recognizes Rep. Schrier for 5 minutes, please.

Ms. Schrier. Thank you, Mr. Chairman, and thank you to our witnesses. This is a really interesting hearing.

And the crossover -- if everything were automated, I would feel super safe, but with the crossover between human behavior and automated cars, things are tricky.

I am really happy to see my bill, the Know Before You Drive Act, included in today's hearing. There has been a lot of discussion about autonomous vehicles, but the reality is that in the short term, we are going to have a mix of what is out there, and most Americans are going to continue to drive cars with much more limited automated systems, if any. My car is almost 20 years old. My household cars are not all.

But advanced driver assistance systems, the ADAS systems, are the automated supports that most American drivers are using in their car every day. These are things like collision warnings, collision interventions, driving control assistance. They can be incredible safety tools if used appropriately, and they, as we have heard today, can help prevent crashes and save lives, and we talked a lot about human error and depending on these.

So the tools can actually become quite dangerous when drivers don't really understand their limitations. And we have seen rising numbers of accidents where drivers were, like, completely on advanced assistance that failed to identify an obstacle or another vehicle. And you talked about exactly that, the outside things.

To make things worse, some manufacturers have misrepresented the capabilities of their assistance modes, suggesting that they can be true autopilot or fully self-driving. And I remember

test driving -- just anecdotal -- a Tesla Model 3 in 2018 when they were just about to come out and was so wowed by the fact that it could park itself. At that point, I believe you could summon it, although I never tried that in real life.

But the staying in the lane, the notion that it could just do that for me was wild. So we tried it out on straight streets. Worked great. Decided it would be fun to take it on a little spin on a winding country road and figured out very quickly that that had exceeded its limitations, and I am very glad that I had my hands on the wheel.

So that is where this bill comes in, because the person who was showing the car didn't give me that bit of information, that on a winding road it would not work.

The Know Before You Drive Act would prevent auto manufacturers from making false or misleading claims about a car's driver assistance system. And the bill also requires manufacturers to provide clear, easy to understand explanations of just what these systems are capable of and what responsibilities the drivers need to maintain even while using them.

Ms. Cain, can you talk about some of the technical differences between ADAS systems, cruise control, adaptive cruise control, those kinds of things, and a truly autonomous vehicle? And I know Mr. Fulton said, if you can go to sleep in it, it is truly autonomous, but could you expand on some of the ADAS systems?

Ms. Cain. Yeah, for sure. I mean, the key differential between just automated features and automated driving systems is the role of a human in the vehicle. If it is an automated feature, it requires the human to be paying attention to the driving environment at all times.

Ms. Schrier. Thank you. I appreciate that.

And, Mr. Brooks, what kind of data do we have on ADAS features and crash statistics? Like, which ones help most, so that we can prioritize some? And I also really appreciate your comments about packaging all the safety features together but not packaging them with other things. So I will let you talk.

Mr. Brooks. I mean, currently, I believe the Insurance Institute for Highway Safety has noted that ADAS features don't really have any proven safety benefits at the moment, which is something that could change for things like lane-keeping assistance and other things in the future. But for now, I think, you know, it is another area where I think we need a lot more data collection and research to be able to make a determination.

Ms. Schrier. So nothing with proof. Is that right? Even a little blinker on the rearview mirrors?

Mr. Brooks. Well, I don't think that would be considered, you know. That would be like a lower level, like not quite ADAS at this point.

Ms. Schrier. Thank you. Higher level than my 20-year-old car.

Last comment. I just want to say that I appreciate your discussion of the screens and the distraction of having a screen that is not directly in front of you, that is to the side, and that you might need for something like windshield wipers until you learn that there is a button that does the same thing, that we need really good instruction manuals right up front.

Thank you. I yield back.

Mr. Fulcher. Thank you.

The chair recognizes Mr. Veasey for 5 minutes.

Mr. Veasey. Mr. Chairman, thank you very much. I really appreciate it.

Today, I know that we aren't just discussing car safety; we are discussing the global technology race. The automotive industry is a cornerstone of the American economy, supporting over 10 million jobs and representing 5 percent of the GDP. But now we are at a crossroads. And while U.S. vehicle production has dropped since 2004, China has seen a 297 percent increase, and they are moving with incredible speed to dominate the global market in electric and automated technologies.

I believe the U.S. must lead in this race, but winning doesn't mean just moving the fastest. It

means also moving the smartest. I do believe that the U.S. asserting ourselves in a dominant way in these technologies is the only way to ensure that the future of transportation is inclusive. If we lead the world in AV and safety innovations, we, not our competitors, get to set the standards for quality, safety, and accessibility. Winning this race means expanding access to all communities.

As Mr. Brooks rightly points out in his testimony, Federal oversight is not a barrier to innovation; it is the foundation for it. By creating clear rules and minimum performance standards, we provide the baseline that both manufacturers and consumers need to move forward with confidence.

Mr. Brooks, China is aggressively pursuing leadership in automated vehicle tech. Some say regulation slows us down, but doesn't the absence of clear Federal safety standards make us more vulnerable to being leapfrogged by foreign competitors who are operating under a more unified national strategy?

Mr. Brooks. I believe so. I think we need something more than, you know, what is in the current version of the SELF DRIVE Act, which is just manufacturers developing safety cases. We need some clarity around all sorts of automation, first of all. I don't believe that -- you know, obviously, there are significant differences between a Level 2 Tesla and a Level 4 Waymo, but there is a lot of confusion in the public about what is the difference.

And if you don't have confidence in, you know, a car that can drive itself 10 to 100 miles without people touching the steering wheel, which is what many people do in Teslas, and people hear that automation is killing people in Teslas, then they don't really know the difference between the automated vehicle at Level 2 versus an automated vehicle that is fully automated where they don't have to continue to monitor the vehicle. So that is important.

Mr. Veasey. Yeah. Ms. Cain mentioned that AVs can expand transportation for people with disabilities. Mr. Brooks, I wanted to ask you, how can Congress provide the baseline of public trust needed to get these vehicles into underserved communities that currently lack reliable transit

options?

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[4:14 p.m.]

Mr. Brooks. I mean, I think the best way to do that is to get Federal standards on the books that can make sure that, once these vehicles are deployed, that they are actually serving disabled communities and making sure that that is not just, you know, part of the hype or the aspirationalism that goes along with pushing for the introduction of autonomous vehicles.

Mr. Veasey. Yeah. Yeah. I also want to ask -- there has been some discussion on how we can modernize the NCAP. I would like your input on what -- on the matter so that the NCAP better rewards companies that are winning the race on pedestrian detection and impairment tech.

Mr. Brooks. Yeah. We need NHTSA to effectively rate crash prevention features in vehicles. At the moment, they are, you know, giving out a -- you know, checking a box if you have it installed in the vehicle, but they are not discriminating between the performance of each of these systems. And so, ultimately, NHTSA needs to be testing these systems to discriminate between which ones work the best, which ones aren't working so great, to incentivize the manufacturers that aren't doing so well to, you know, up their efforts in those areas.

Mr. Veasey. Yeah. Yeah. No, absolutely.

Thank you, Mr. Chairman. I yield back.

Mr. Fulcher. [Presiding.] Thank you.

The chair recognizes Mr. Latta for 5 minutes.

Mr. Latta. Thank you, Mr. Chairman, and thank you very much for holding this important hearing on vehicle safety, and I also appreciate the opportunity to waive on today.

I will start by acknowledging that the preemption provision in our discussion draft, SELF DRIVE, does look different than previous versions. If there is one thing certain, the gentlelady from Michigan's Sixth District and I are working to get this legislation completed, and we believe that this

new structure provides the most nimble and narrowly targeted way of doing so.

Let me be very clear. We have no intention of upsetting current State and local laws related to issues that are well within State and local purview such as traffic, franchises, titling, and licensing. What we are concerned about is making sure on the bumper-to-bumper how vehicle preemption has always functioned and how it should continue to function for AVs.

Mr. Fulton, will you explain why the Federal preemption provision is necessary and how its intersection with safety case provision would foster the development of AVs here in the United States?

Mr. Fulton. Thank you for the question, Congressman, and thank you for your continued leadership on this issue. As I mentioned before, you and Congresswoman Dingell were right a decade ago, you are right today, and I hope you will continue to be right long into the future on these questions.

As we look at the development of safety cases, we are looking at the processes for setting up claims for how you are safely operating within the design of the domain in which the vehicle is operating, how you prove that, and the evidence that you use to prove that. Also, part of this is how do you make sure that this evidence actually proves what you think you are proving. All this comes together through a series of processes -- engineering processes and rigor -- to the point where it takes a significant amount of expertise to be able to put forth a safety case. It is not a quick and easy thing to do.

So, as we look at sending this to NHTSA -- sending these safety cases to NHTSA, it takes a lot of expertise to be able to understand these things and to be able to understand all of the standards that go into it, including, for example, the safety of the intended function. To address an issue that was raised earlier, what is the system intended to do; how is it intended to do it; and is it doing that? That is something that is built into the development of a safety case.

All of these things -- there are well-intentioned regulators around the country thinking, "I

have heard and I have read in the press that there is a Wild West. Nobody is out there regulating this technology. Nobody has finished the rulemaking. My God, somebody needs to do something." That is not the case.

What we are seeing is not only are we looking at different approaches around the country, but there is ultimately agreement with the legislation that came from a decade ago -- that you championed -- with the rulemakings that were started in the first Trump administration around a framework for automated vehicle safety and in the safety case provisions that you have got in your SELF DRIVE Act here. There is a grand agreement among Republicans, Democrats, State and local regulators, and the Congress and the executive branch itself across multiple administrations that this is the consensus, industry-driven way to do it that is fully understandable and can be executed upon.

Congressman, you are right on this question, and you will continue to be right, and I certainly hope that Congress once again agrees with you and passes this bill with the safety case provisions.

Mr. Latta. Well, thank you very much. Because someone said the legislation we have put forward would just leave AVs unregulated with no power for oversight of this technology, and I have been -- I have said it from the start and I have always said this: AVs must be as safe or safer than anything on the road today.

Ms. Cain, does the legislation that is currently drafted do anything to upset current NHTSA oversight authorities such as recalls and other information gathering?

Ms. Cain. No, it does not.

Mr. Latta. On the point of safety, the United States has averaged, unfortunately, 41,000 deaths per year due to traffic accidents over the last 5 years. And, according to NHTSA, you know, when you look at the accident numbers here, 94 percent of the traffic accidents are caused by driver error, and those are from recognition errors, decision errors, performance errors, and nonperformance errors.

So, you know, importantly, the SELF DRIVE Act directs the FMVSS rulemaking for ADS. We

know that FMVSS takes a while, and we don't want the technology to be unregulated in the meantime. That is why we have a requirement for a safety case for the date of enactment.

Mr. Fulton, how would the -- in my last 34 seconds, how would the safety case structure promote AV safety?

Mr. Fulton. Congressman, an AV safety case structure in the structure of this bill would give a consistent approach for innovators to reach the highest bar of safety that this Congress and NHTSA can develop and set today and improve upon over time. This gives a simple, clear way to do it and clear, consistent guidance that only Congress can give innovators around the country to meet those high levels of safety.

Mr. Latta. Well, thank you all for being with us today.

And, Mr. Chairman, I yield back the last 1 second I have.

Mr. Fulcher. All right. Thank you.

The chair recognizes Mr. Auchincloss for 5 minutes.

Mr. Auchincloss. Thank you, Chair, and I appreciate the testimony from the witnesses. I have learned a lot.

Mr. Brooks, I want to begin with you, sir. I appreciate your testimony today, and I want to highlight an important safety issue that impacts pedestrians, cyclists, and other road users, building off the comments from the gentleman from Texas.

Under the New Car Assessment Program, NCAP, NHTSA currently grants four- or five-star safety ratings to increasingly large vehicles because the program focuses only on the safety of those within a vehicle and not how those vehicles impact those around them, and we have seen a surge of pedestrian deaths. I am not going to go over the numbers. You all know them, and it is a tragedy, particularly children.

The Biden administration had proposed a crashworthiness pedestrian protection program to evaluate new model year vehicles' ability to mitigate pedestrian injuries, but earlier this year, NHTSA

announced it was delaying implementation of the program.

In your testimony, sir, you noted that the Motor Vehicle Modernization Act would weaken NCAP by allowing manufacturers to submit their own test results in place of NHTSA testing. Given this surge in traffic and pedestrian deaths, can you expand on the danger that this proposal to gut NCAP poses and why NCAP must take into account the safety of all road users?

Mr. Brooks. Yes. And I think that is an important point you bring up about the size of modern vehicles. As they grow, not only do they produce greater, you know, forces that are going to unfortunately injure and kill more pedestrians than smaller vehicles, you know, that is -- the larger vehicles also contribute to less affordability of a car.

Mr. Auchincloss. Yes. And, just to put some numbers on that, over the past 30 years, the average U.S. passenger vehicle is 4 inches wider, 10 inches longer, 8 inches taller, and a thousand pounds heavier. I think we can all kind of feel that. Like, you are crossing the street, and you are looking at the vehicles waiting at the red light, and you are like, every -- my head -- you know, I am 6'1. My head is at, like, the grill for a lot of these cars. And I look at my kids crossing the street, and it is just -- you can see what the danger is. Sorry. Continue.

Mr. Brooks. And that is not just a danger because of the vehicle weight. There are also, you know, significant blind zones that are created by that, and that is an area that needs to be addressed.

And, you know, the larger the vehicle is, the less drivers have the ability to see children or other vulnerable road users in front of it. I think there has been some really good research done lately by the Insurance Institute showing the patterns of areas where drivers cannot literally see anything on the road based on the design of some vehicles, and that is -- there has been legislation introduced in the past to address those issues, and I believe that is something that should be considered in the future.

Mr. Auchincloss. Ms. Cain, your testimony calls for revitalizing NCAP, including a robust and

sustainable 10-year road map. Would you agree that revitalizing NCAP must take into account the safety of pedestrians and other vulnerable road users?

Ms. Cain. Yes, we would.

Mr. Auchincloss. And so do you -- would you support having the NCAP have its four- or five-star safety ratings -- or any of the safety ratings, really -- take into account the effect of accidents on pedestrians?

Ms. Cain. If I understand your question, I think we are absolutely open to that.

Mr. Auchincloss. Good.

And, you know what, I will yield my time back.

Mr. Fulcher. Thank you.

The chair now recognizes Mrs. Harshbarger for 5 minutes.

Mrs. Harshbarger. Thank you, Mr. Chairman. Thank you to the witnesses for being here today. This is what happens when you waive on. You get to be the last one.

But, you know, it is -- this is fun stuff for me with vehicles and things of that nature. I am an independent retailer at heart, and, you know, it is all about vehicular technology. And, as it continues to grow and advance, it is clear we need a national framework for AVs, one that promotes safety, affordability, and, you know, innovation, and that is why I support the ADAS Act and REPAIR Act and the DRIVER Act.

So the ADAS Act will mean, for millions of Americans who modify their vehicle, that they can trust their car's lane assist or automatic emergency braking system works as intended, and the DRIVER Act makes clear that your car's data belongs to you, the vehicle owner.

So I commend my colleague, Dr. Dunn, for his hard work on getting the REPAIR Act ready for prime time. And the REPAIR Act is motivated to support consumer choice in a fair and open marketplace in the automobile repair industry, and much like with my DRIVER Act, if it is your car, then you own the data generated by your car.

And there are key supporters of these bills, and I would like to recognize them: The Specialty Equipment Market Association, the American Vehicle Owners Alliance, and Auto Care Association.

And, Mr. Chairman, I request that a statement from SEMA CEO Mike Spagnola in support of the ADAS Functionality and Integrity Act; a statement from AVOA executive director Richard Ward in support of the DRIVER Act; a statement from Dr. Dunn; and a letter from Seth Greenstein of Constantine Cannon in support of the REPAIR Act be entered into the record, sir.

Mr. Fulcher. Without objection.

[The information follows:]

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Mrs. Harshbarger. Thank you.

And I also want to thank the Auto Care Association for its support of my ADAS bill and for its willingness to work with me on the DRIVER Act.

In addition, I want to thank the Alliance For Automotive Innovation for continuing to work with me in good faith to find a constructive path forward on ADAS, and it is a complicated issue. Very complicated.

Mr. Hanvey, the ADAS Functionality and Integrity Act requires NHTSA to engage with stakeholders, including the independent automotive aftermarket. What types of data and real-world experience can your members contribute to help NHTSA develop effective practical guidelines?

Mr. Hanvey. Thank you so much for your question, Congresswoman. We are happy to work with NHTSA to provide any data that we need. Any data that we have, we would be happy to provide it. We provide an annual fact book that is a comprehensive view of the automotive aftermarket that they might find useful. We would be happy to work with NHTSA to do a survey of our membership and those folks that install those types of systems. So we are very willing and able to work with NHTSA on this very important piece of legislation.

Mrs. Harshbarger. Very good. You know, it used to be when you wanted to check your oil, you would just raise the hood and you got the dipstick, and you stuck it in there to check it yourself, you know, but the last vehicle I had didn't have a dipstick, and I almost ordered one so I could do it myself. But some new cars don't have them, and the dashboard screen alerts you to the oil level. You know, and I don't like -- I talked about this last time. When you get in -- ladies, you won't like this either. When you get in and that seat weighs you, that is a problem for me.

And so does this gatekeeping of data pose a challenge in the future, Mr. Hanvey?

Mr. Hanvey. It certainly does, Congresswoman. And, you know, right now, the restrictions

are on the data, but there is real two overriding factors for that. And, number one, for the OEMs to drive consumers back to the dealerships for repair. Number two, to monetize the data off the vehicles like Stellantis who have business units dedicated to selling that data.

And, with respect to whether blocking data is a future challenge, it is absolutely correct. The REPAIR Act protects consumers and their rights to affordable and accessible repair, and the DRIVER Act would extend those privileges and those protections for all vehicle data. So we are very in support of that. Thank you.

Mrs. Harshbarger. And I have looked at a lot of different things, but if I buy a car, I buy a car, and I want the data as well.

Mr. Brooks, every American relies on public fleet vehicles, whether operated by local police or fire departments or public work agencies. How could the lack of guaranteed access to vehicle data negatively affect State and local governments that manage these fleets?

Mr. Brooks. It prevents States from being able to track a lot of the data they need to manage their fleets appropriately.

Mrs. Harshbarger. Okay. Well, I have got 4 seconds, so I guess I will yield back, Mr. Chairman.

Mr. Fulcher. Thank you.

The chair recognizes Ms. Clarke for 5 minutes.

Ms. Clarke. Thank you very much, Mr. Chairman, and I thank our Ranking Member Schakowsky for holding this hearing, and thank you to all of our witnesses for joining us today.

I am going to be speaking about the Safe Streets for Everyone Act of 2026. So I want to take this moment to thank Jill and Michael White for being here today. They are the parents of Magnus, Magnus White. Magnus was a 17-year-old U.S. national cycling champion getting ready for some of the most exciting years of his young adulthood. While on his final training ride before representing United States at the Mountain Bike World Championships in the summer of 2023, a reckless driver

hit and killed him on a designated bike route.

Advanced safety features like automatic emergency braking systems could have prevented this tragedy, and that is why I, with Congressman Joe Neguse, plan on introducing the Magnus White and Safe Streets for Everyone Act of 2026, the discussion draft of which is included in today's hearing. The Magnus White and Safe Streets for Everyone Act would require the National Highway Traffic Safety Administration to amend the current motor vehicle standard for automated emergency braking systems to ensure these systems can detect cyclists and other vulnerable road users regardless of clothing, color, or skin tone in both day and night.

While nothing can bring Magnus back, this legislation could help prevent the unnecessary death or injury to countless other pedestrians, cyclists, or any vulnerable road users, and I applaud the White family's tireless advocacy for such essential protections to ensure no other family should ever experience such a loss. The White family's nonprofit, The White Line, has collected national, State, and local crash data to help identify vulnerable road user risk. They found that, from 2001 to 2023, the nationwide vulnerable road user fatality rate increased by nearly 30 percent. Even more alarmingly is that people of color face significantly higher fatality rates per capita. For every 100,000 fatalities, Black Americans are 2.24 times more likely and more at risk.

So here is my first question. There is a disparity in road fatalities, which is why I believe it is so essential to improve the accuracy of automatic emergency braking systems in all visibility conditions and for all skin tones.

Mr. Brooks, how do you believe the updated standards in the Safe Roads for Every -- discussion draft could improve safety and reduce the current disparity that we are seeing?

Mr. Brooks. I believe it would help significantly. You know, essentially, we are at a -- I would say a middle-school level on AV after NHTSA's last rulemaking. You know, cars are going to be able to detect cars at higher speeds, but they are not going to be able to detect pedestrians at higher speeds. They are not going to be able to do a lot of things that we think automatic

emergency braking is ultimately capable of doing.

And, you know, in the process, you know, avoiding problems like algorithmic bias can be overcome and particularly can be overcome using -- as we were speaking of earlier, with new and better types of sensors. For instance, infrared sensors that sense that -- you know, that thing that is the same about all of us, which is our body types.

Ms. Clarke. And, just quickly, I only have a few seconds, but how do you believe the Magnus White Safe Streets for Every -- Act would benefit all drivers and manufacturers?

Mr. Brooks. I think it would benefit drivers immensely by giving them the confidence to drive in areas where there are high pedestrian zones and that type of thing. You know, it can be very challenging to see and notice pedestrians in heavy pedestrian environments.

Ms. Clarke. Very well.

Mr. Chairman, I only have 9, 7, 6 seconds left. I am going to yield back.

Mr. Fulcher. Thank you.

Thank you to the panelists. As you can tell, there is a lot of interest in this. We probably could have done another full session and kept going. I know I could have. But your input is very much appreciated, and you are highly likely to get a whole slate of questions further here moving forward. So thank you for your contribution to our efforts here. We are trying to do the right thing.

I ask unanimous consent that the documents on the staff document list be submitted for the record.

Without objection, so ordered.

[The information follows:]

******** COMMITTEE INSERT ********

Mr. Fulcher. Thank you, again, to our witnesses. Members may have additional written questions. I will remind members they have 10 business days to submit questions for the record. I ask witnesses to respond to questions promptly. Members should submit their questions by the close of business January 28.

[The information follows:]

******** COMMITTEE INSERT ********

Mr. Fulcher. Without objection, the subcommittee is adjourned.

[Whereupon, at 4:43 p.m., the subcommittee was adjourned.]