

February 11, 2020

Chairman Pallone
Energy and Commerce Committee

Ranking Member Walden
Energy and Commerce Committee

Chairwoman Schakowsky
Subcommittee on Consumer
Protection & Commerce

Ranking Member Rodgers
Subcommittee on Consumer
Protection & Commerce

Re: Subcommittee on Consumer Protection and Commerce hearing on “Autonomous Vehicles: Promises and Challenges of Evolving Automotive Technologies”

Dear Chairman Pallone, Ranking Member Walden, Chairman Schakowsky, and Ranking Member Rodgers:

On behalf of Aurora, thank you for your leadership in addressing the policy challenges and opportunities that exist for the self-driving vehicles industry.

Aurora’s mission is to deliver the benefits of self-driving technology safely, quickly, and broadly. The status quo is not acceptable and we need to do something about it. Every day this technology is delayed, thousands of people die and billions of dollars in economic resources and time are squandered. We feel great urgency to turn this tide. To truly make a difference at scale, we partner closely with vehicle manufacturers, transportation networks, fleet management companies, and regional and local governments.

We are focused on building the Aurora Driver, a platform that combines hardware, software, and data services that allows vehicles to move people and goods safely through the world. When complete the Aurora Driver will enable a transportation ecosystem, bringing together automakers, logistics services, mobility services, and fleet management providers to deliver the benefits of this technology.¹ By working together, we are building a more scalable platform than any one of us could do alone.

Safety is our first priority and primary motivation for developing the Aurora Driver. We put safety top of mind with everything that we do, from the people that we hire to our development and decision-making process.² As our industry collectively brings self-driving vehicles to our roads, it is vital that autonomous technology companies partner closely to prepare our communities and our cities for this transformative moment.

Aurora’s primary concerns for any federal legislation are to, first, ensure that NHTSA retains its primary safety authority vis-a-vis the states regarding the design, construction, and

¹ <https://medium.com/aurora-blog/defining-progress-in-2020-5f5a4e241cb1>

² <https://medium.com/aurora-blog/putting-safety-into-practice-auroras-safety-approach-5297de2d8276>

performance of vehicles and, second, expand the ability of all companies to take advantage of critical exemptions in the development of their self-driving systems. While these two issues are central to the continued development of self-driving cars, there will be additional issue areas where Aurora can offer expertise and insight to the committees' future work.

NHTSA Authority

We are strongly supportive of the federal government maintaining its regulatory authority over the design, construction, or performance of automotive vehicles and applying that same authority to the regulation of highly automated vehicles. States can, and should, continue to regulate the testing and deployment of self-driving vehicles on their roads. In the current regulatory landscape, the ability to successfully deploy self-driving vehicles varies greatly from state to state. If states were to expand their domain and begin regulating the design, construction, and performance of highly automated vehicles, it would create an unnavigable patchwork of rules and regulations that would cause the United States to cede its leadership in developing and deploying this important, life-saving technology. As a start-up currently hiring new employees in California, Montana, and Pennsylvania, we have a clear view of the potential impact of regulations on the investment and business viability of this technology.

In addition, we believe the federal government has the opportunity to provide leadership encouraging uniformity of existing state rules of the road³. For example, in some jurisdictions it is required by law to use a bike lane to make a right hand turn while in others it is prohibited. We do not have a position on what is the safest option, but we do believe that uniformity across states would be beneficial to the roll-out of self-driving technology. While traffic law is clearly within state jurisdiction, Congress could provide valuable guidance to states and NHTSA on tackling this entrenched patchwork of laws that affects all drivers, regardless of whether they are human or autonomous.

Federal Motor Vehicle Safety Standards (FMVSS) and Exemptions

We support NHTSA's efforts to modernize the Federal Motor Vehicle Safety Standards (FMVSS) to encourage the development of new and innovative technologies. As you know, the FMVSS were not created with self-driving technology in mind. As such, the FMVSS do not currently contemplate the integration of self-driving technology, like the Aurora Driver, into vehicles, and should be updated to account for this new technology.

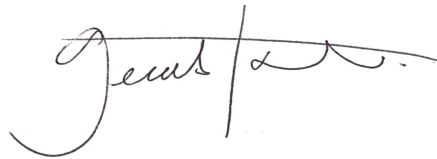
Aurora believes that by giving industry players the opportunity to provide additional guidance to Congress and regulatory agencies on the current state of the technology and anticipated developments, it will ultimately speed up the regulatory process. This would, in turn, permit industry to make meaningful investments in self-driving technology and accelerate the more widespread emergence of the technology. Aurora would welcome the opportunity to be included in a broad cross-section of stakeholders on Advisory Committees and in consultations on any legislation or rulemakings.

³ <https://medium.com/aurora-blog/state-road-rules-a-troubling-patchwork-of-regulations-f2b77629d523>

As your committees consider legislation, we encourage you to approach it from a technology neutral standpoint, including leveling the playing field for all developers of self-driving technology and ensure that innovative, job-creating companies like Aurora are not disadvantaged versus incumbents. Provided a level playing field is in place, we are supportive of language that would increase the number of vehicles that could qualify for an exemption and lifting the current cap of two years for each exemption and public road testing requirements. We believe that the current low vehicle number threshold disincentivizes both manufacturers and technology developers from continuing to make significant investments to develop new and safer vehicles.

We look forward to continuing this conversation and reviewing language as your committees go through the legislative process. Thank you for your leadership.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerardo Interiano". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Gerardo Interiano
Head of Government Relations

cc: U.S. House Committee on Energy and Commerce Members

Enclosure:

[Aurora's 2019 Voluntary Safety Self-Assessment](#)