



ITS AMERICA AV FREIGHT RECOMMENDATIONS TO NHTSA

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Freight Working Group

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**October
2024**

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In general terms, technical aspects of the National Highway Traffic Safety Administration (NHTSA) Automated Driving Systems (ADS) guidance, [Automated Driving Systems: A Vision for Safety](#), have been unchanged since 2018.¹ At that time, there were no driverless deployments and testing included safety drivers. Today, the United States continues to see testing on public roads with safety drivers, but also deployments of true driverless ridesharing and food delivery operations.

Commercial freight is set to emerge in late 2024 and 2025, and additional use cases like driverless shuttles and intercity trucking are also on the horizon. While much of the guidance is still relevant, there remain a few aspects such as remote assistance, emerging industry best practices, and response to public safety officials that could benefit from specific inclusion or updates in the ADS guidance. Based on technical input from a wide variety of stakeholders, including an ITS America member survey on the topic, the ITS America Automated Vehicle Freight Working Group makes the following recommendations regarding NHTSA's AV Guidance.

- The United States Department of Transportation (USDOT) should evaluate activities of State and local stakeholders and reinforce and clarify roles and responsibilities regarding automated driving equipment and operations. Some states have pursued, and others continue to pursue, AV-specific regulations. In addition, the American Association of Motor Vehicle Administrators (AAMVA) has updated its guidance as well in [Guidelines for Regulating Vehicles with Automated Driving Systems](#).² Federal guidance and clarification on roles would help avoid uncertainty for AV deployers and avoid a patchwork of local laws and regulations across the country.
- USDOT should determine whether specific guidance on infrastructure improvements is necessary to support AV Freight deployment and whether standardization is needed. USDOT should work with States and set up regional forums to understand if there are specific needs (for example, some States have made infrastructure changes such as widening lane markings or removing botts dots). This review should include whether infrastructure owner operators (IOOs) need to be in a state of readiness and whether any updates are needed to the Manual on Uniform Traffic Control Devices (MUTCD).
- USDOT should convene stakeholders to work towards a common set of definitions, information sharing, and other industry insights and make any appropriate updates to the AV guidance based on existing and emerging best practices and standards for AV Freight.³
- NHTSA should collaborate with companies to understand how they are using remote assistance and evaluate whether any technical safety updates are necessary to the AV guidance. Remote assistance is used by some companies to support the business continuity part of their operations and updating the guidelines for remote assistance will provide significant benefits to both

¹ National Highway Traffic Safety Administration, [Automated Driving Guidance 2.0](#) (2017).

² American Association of Motor Vehicle Administrators, [Guidelines for Regulating Vehicles with Automated Driving Systems, Edition 4](#) (2024).

³ Environmental Protection Agency [MOVES group](#) as an example of information sharing on the industry.

stakeholders and companies. For stakeholders, such as policymakers, regulators, and the general public, these updates will ensure a high level of safety and reliability in AV operations, fostering greater trust and acceptance. For companies, revised guidelines will offer a clearer framework within which to operate, reducing ambiguities and enhancing compliance. This can lead to more efficient operations and the ability to leverage remote assistance for business continuity without facing regulatory uncertainties.

- NHTSA should evaluate concerns raised by public safety officials with regard to AV operations at emergency scenes, in crowd control situations, and similar scenarios and consider updating its guidance in light of these concerns. NHTSA should evaluate these issues and consider any updated guidance for AV operations.

Recommendations outside of the ADS guidance include the following:

- NHTSA, the Federal Highway Administration (FHWA), and the Federal Motor Carrier Safety Administration (FMCSA) should continue to develop and implement several active rulemakings related to ADS safety and pending regulatory exemption requests from companies that would help accelerate safe deployment of automated freight in the U.S. (e.g., the January 2023 warning device exemption application before FMCSA⁴). Without action from NHTSA and other USDOT agencies, AV regulations are likely to become a patchwork of regulations across the states, slowing down the deployment of self-driving technologies.
- NHTSA and FHWA should lead a national discussion on standards for AV safety performance, data sharing protocols, and transparency.
- USDOT should collaborate with appropriate stakeholders and publish an annual assessment on the true impact of automated driving on the workforce and collaborate with other Federal agencies to plan for potential impacts to the workforce based on deployment data NHTSA and FMCSA are already collecting from industry.
- USDOT should collaborate with stakeholders to issue a quarterly report that provides additional context on the data reported by industry and make it more user-friendly and accessible to the public. Despite incident disclosure requirements for AV freight companies, there is a growing concern that the information is opaque and difficult to decipher. For example, USDOT could add insight on vehicle miles traveled and other metrics to the extent necessary for normalization of safety data.
- Federal, State, and local governments should support demonstration days, websites, public service announcements, social media posts, and other activities to engage the public as part of a broader communications strategy, while also highlighting how government and industry are working together to increase public trust. The public has limited access to AV technology as compared to the demonstrations provided to government officials at all levels. These efforts

⁴ [Parts and Accessories Necessary for Safe Operation; Exemption Application From Waymo LLC, and Aurora Operations, Inc., \(2023\).](#)

should also address connected vehicle technology and digital infrastructure, and utilize industry groups such as ITS America and Partners for Automated Vehicle Education (PAVE) for greater impact.

- USDOT should identify the Federal agency subject matter experts who can consult on coordination efforts with IOOs and other stakeholders. On safety matters related to infrastructure and other aspects of Automated Driving Systems, knowing who to talk to and coordinate within USDOT can be confusing. A resource that provides this information will be valuable to public transportation agencies and industry stakeholders.