LOOKING UNDER THE HOOD: THE STATE OF NHTSA AND MOTOR VEHICLE SAFETY

HEARING

BEFORE THE

SUBCOMMITTEE ON COMMERCE, MANUFACTURING, AND TRADE

OF THE

COMMITTEE ON ENERGY AND COMMERCE

HOUSE OF REPRESENTATIVES

ONE HUNDRED NINETEENTH CONGRESS

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C O N T E N T S

[1] Ms. Chase's statement has been retained in committee files and is available at http://docs.house.gov/meetings/IF/IF17/20250626/118433/HMTG-119-IF17-Wstate-ChaseC-20250626.pdf.

[2] Mr. Farrah's statement has been retained in committee files and is available at http://docs.house.gov/meetings/IF/IF17/20250626/118433/HMTG-119-IF17-Wstate-FarrahJ-20250626.pdf.

LOOKING UNDER THE HOOD: THE STATE OF NHTSA ANDMOTOR VEHICLE SAFETY

THURSDAY, JUNE 26, 2025

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON COMMERCE, MANUFACTURING, AND TRADE,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC.

The subcommittee met, pursuant to call, at 10:03 a.m., in the John D. Dingell Room 2123, Rayburn House Office Building, Hon. Russ Fulcher (vice chairman of the subcommittee) presiding.

Members present: Representatives Fulcher, Harshbarger, Obernolte, Fry, Kean, Goldman, Guthrie (ex officio), Schakowsky (subcommittee ranking member), Castor, Soto, Trahan, Mullin, Clarke, Dingell, Veasey, Kelly, Schrier, and Pallone (ex officio).

Also present: Representatives Latta and Dunn.

Staff present: Jessica Donlon, General Counsel; Sydney Greene, Director of Finance and Logistics; Megan Jackson, Staff Director; Noah Jackson, Clerk, Communications and Technology; Daniel Kelly, Press Secretary; Sophie Khanahmadi, Deputy Staff Director; Alex Khlopin, Clerk, Commerce, Manufacturing, and Trade; Giulia Leganski, Chief Counsel, Commerce, Manufacturing, and Trade; Sarah Meier, Counsel and Parliamentarian; Joel Miller, Chief Counsel; Evangelos Razis, Professional Staff Member; Jackson Rudden, Staff Assistant; Chris Sarley, Member Services/Stakeholder Director; Matt VanHyfte, Communications Director; Hannah Anton, Minority Policy Analyst; Waverly Gordon, Minority Deputy Staff Director and General Counsel; Tiffany Guarascio, Minority Staff Director; Lisa Hone, Minority Chief Counsel, Commerce, Manufacturing, and Trade; La'Zale Johnson, Minority Intern; Megan Kanne, Professional Staff Member; Phoebe Rouge, Minority FTC Detailee; Destiny Sheppard, Minority Intern; and Maxwell Stern, Minority Intern.

Mr. FULCHER. The subcommittee will come to order.

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

OPENING STATEMENT OF HON. RUSS FULCHER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IDAHO

Good morning, and thank you to our witnesses for joining us today—today's educational hearing on motor vehicle safety and the state of the automotive industry. And I look forward to a robust and informative discussion that will help Congress, and specifically this subcommittee, gain a clearer understanding of motor vehicle

safety issues and its regulator, the National Highway Traffic Safety Administration, or NHTSA.

Automobile safety has been a longstanding topic of this subcommittee, and we play a crucial role in ensuring the vehicles on our roadways are safe for families, workers, and the traveling public. Automobiles are deeply woven into the fabric of American life. From commuting to work, to picking up kids at school, to taking a cross-country road trip, automobiles are both a cultural icon and a pillar of the American Dream. That is why today's hearing marks the beginning of a bipartisan, Member-driven, and stakeholder-informed process to develop a motor vehicle safety title as part of Congress' broader efforts to reauthorize our surface transportation programs.

As part of this, the subcommittee is spearheading a bipartisan process to solicit stakeholder input to inform a motor vehicle safety title. Further, myself and Chairman Bilirakis will seek priorities from our committee members to ensure our product reflects the priorities of our diverse membership.

Our primary objective will be to find solutions to address the tragic reality that nearly 40,000 Americans die annually from motor vehicle crashes, a staggering and tragic statistic. These crashes also lead to hundreds of billions in economic losses and cost taxpayers tens of billions of dollars.

NHTSA plays a central role in addressing this pressure issue through its education programs, regulatory work, and enforcement efforts. Congress must ensure that the agency is equipped and needed to fulfill its mission and save lives.

Second, we must continue to recognize the economic importance of the automotive sector. This industry is America's largest manufacturing base, supporting tens of millions of jobs across the country and serving as a major driver of exports. As global competitors, especially China, seek to dominate the future of automotive innovation, Congress must examine how our regulatory structure can foster rather than hinder American leadership. This includes looking at ways to modernize and streamline regulations while maintaining our strong safety standards.

Third, we must embrace the future of mobility. The emergence of automated vehicle technology presents a generational opportunity to prevent crashes, restore independence to millions of elderly and disabled Americans, and bolster economic growth. Congress must use this opportunity to advance a robust regulatory framework for autonomous vehicle technology.

To achieve these goals, I look forward to working in a bipartisan manner with Chairman Bilirakis, Ranking Member Schakowsky, Chairman Guthrie, and Ranking Member Pallone. Together, we can craft smart, balanced policy solutions that save lives, strengthen American competitiveness, and shape the future of transportation for the better.

Thank you again to our witnesses for being here today, and I look forward to your testimony.

[The prepared statement of Mr. Fulcher follows:]

Vice Chairman Russ Fulcher
Opening Statement—Subcommittee on Commerce, Manufacturing, and Trade
"Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety"
June 26, 2025
As prepared for delivery

Good morning and thank you to our witnesses for joining today's educational hearing on motor vehicle safety and the state of the automotive industry. I look forward to a robust and informative discussion that will help Congress, and specifically, this subcommittee, gain a clearer understanding of motor vehicle safety issues and its regulator, the National Highway Traffic Safety Administration or NHTSA.

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Thank you again to our witnesses for being here today, and I look forward to your testimony.

Mr. FULCHER. With that, the chairman recognizes the ranking member, Ms. Schakowsky, for 5 minutes for an opening statement.

OPENING STATEMENT OF HON. JAN SCHAKOWSKY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Ms. SCHAKOWSKY. Thank you so much.

I want to congratulate and thank Cathy Chase, who is with—what is it—Advocates—it has got a longer name than that, except that it is advocates for safety.

And I want to say that we were able to pass a number of pieces of legislation, some that we will talk about later and some that we need to push forward on. But I do just want to say that it is true that about 70,000 people have died on the highway, and we have to do better than that. These are numbers that are going up, not down. And so we have to focus on what are the things that are going to save more people on the highway.

[The prepared statement of Ms. Schakowsky follows:]

Statement of Subcommittee on Commerce, Manufacturing, and Trade Ranking Member
Jan Schakowsky
Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade

Hearing on "Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety"

June 26, 2025

Car safety is a critical issue.

Road deaths are rising from drunk driving, speeding, and distractions.

Almost 40,000 people died on our roads last year alone.

The Bipartisan Infrastructure Law gave the National Highway Traffic Safety Administration (NHTSA) clear directions to improve safety.

We should be focused on fully staffing NHTSA and quickly rolling out lifesaving solutions.

Thank you, I yield back Mr. Chairman.

Ms. SCHAKOWSKY. So I am happy right now to call on Mr. Mullin to talk about highway safety and focus on his community. It is yours.

OPENING STATEMENT OF HON. KEVIN MULLIN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. MULLIN. Thank you, Ranking Member Schakowsky. Thank you, Mr. Chair. And thank you to the witnesses for being here today.

Recent transformative developments in vehicle technology have been exciting to see, and they speak to the need for congressional action. One topic of our hearing today will be autonomous vehicles. As someone who represents most of the San Francisco peninsula, which has been the epicenter of autonomous vehicle development, I have seen firsthand how rapidly this technology is advancing.

While other areas of the country are beginning to take note, Waymos have been cruising through my district for years now. It has truly been remarkable to see and experience this technology firsthand. I see its potential for transforming traffic safety and eventually leading to a rapid decline in injuries and fatalities. And I believe as it develops we have a responsibility to make sure it is safe and not causing unintended consequences. This is why my colleagues and I have been asking NHTSA to collect more information about AVs for years. But the agency has declined to do so, despite the fact that more and more AVs are driving on our roads.

And this is not a partisan issue. NHTSA could have done more under the previous administration. And now under the Trump administration, I am even more concerned about the agency's recent steps to reduce reporting requirements and cut staffing.

I look forward to speaking with our witnesses later today about why we need to be doing more and not less.

Another issue of safety that this committee has looked at for years is distracted driving, which in 2023 was responsible for more than 3,000 traffic deaths in the U.S. One technology that may pose new risk is the replacement of traditional tactile controls with dashboard touch screens, among other developments. Other countries are already exploring whether these new technologies contribute to distracted driving, and I believe we should be too.

That is why I recently introduced the Driver Technology and Pedestrian Safety Act to study how the driver experience, including the use of touch screens, affect driver attention and therefore pedestrian safety.

I want to thank Ms. Cathy Chase and Advocates for Highway and Auto Safety here today for their input and strong support of that bill. I look forward to discussing all of these issues in today's hearing.

And with that, I yield back.

[The prepared statement of Mr. Mullin follows:]

Statement of Subcommittee on Commerce, Manufacturing, and Trade Member Kevin Mullin
Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade

Hearing on "Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety"

June 26, 2025

Thank you, Ranking Member Schakowsky. And thank you to the witnesses for being here today.

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One topic of our hearing today will be autonomous vehicles: As someone who represents most of the San Francisco peninsula – which has been the epicenter of autonomous vehicle development – I've seen firsthand how rapidly this technology is advancing.

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And I believe as it develops, we have a responsibility to make sure it's safe and not causing unintended consequences.

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This isn't a partisan issue. NHTSA could have done more under the previous administration. Now, under President Trump, I am even more concerned about the agency's recent steps to reduce reporting requirements and cut staffing.

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therefore pedestrian safety. I want to thank Ms. Cathy Chase and Advocates for Highway and Auto Safety here today for their input and strong support of this bill.

I look forward to discussing all of these issues in today's hearing.

Thank you. I yield back.

Mr. FULCHER. Thank you to the ranking member.

The chairman recognizes the chairman of the full committee, Mr. Guthrie, for 5 minutes for an opening statement.

OPENING STATEMENT OF HON. BRETT GUTHRIE, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF KENTUCKY

Mr. GUTHRIE. Thank you.

Thank you, Vice Chairman Fulcher. Thank you for conducting this hearing today. And I want to say good morning and thanks to all of our witnesses for being here. We appreciate you being here.

This hearing provides an opportunity—an important opportunity for this committee to better understand the current state of vehicle safety, emerging trends, and the critical role of the National Highway Traffic Safety Administration, NHTSA.

The Committee on Energy and Commerce has long played a leading role in shaping automotive policy, and safety is at the core of that work. And as Chairman Fulcher noted, today's hearing marks the beginning of a thoughtful process, a bipartisan process, to develop a motor vehicle safety title as part of the broader surface transportation reauthorization efforts.

I understand the important role the auto industry plays in American manufacturing and competitiveness. My district is home to many automotive component parts manufacturers and create thousands of jobs, most famously home of the Corvette. So the Corvette comes from about 4 miles from my house. It is important to ensure motor vehicles and their components meet the highest safety standards to protect the public and support the millions of workers who build and maintain the vehicles on our roads.

Together, our committee will develop smart, safety-first policies that modernize regulations to meet the challenges and opportunities of the 21st century.

This is also a moment to lead globally in emerging technologies, particularly in artificial intelligence. Autonomous vehicles provide an important real-world application of AI to acknowledge these and demonstrate the substantial benefits AI can provide to the public through significant economic and social advancement. Whether through reduced traffic fatalities that my friend Ranking Member Schakowsky discussed and my friend from California, Mr. Mullin, discussed—reduced fatalities that obviously are shared by our side of the aisle—we need to support the mobility challenges, AVs can offer an opportunity and independence to millions of Americans.

Further, our work on AVs demonstrates how Congress, through existing regulatory frameworks, can appropriately regulate sector-specific AI applications.

And I want to thank Vice Chairman Fulcher for leading this hearing, and I look forward to working with Ranking Member Pallone and all of our colleagues on motor vehicle and safety issues in Congress. I appreciate the witnesses for being here. Look forward to your testimony and the questions.

And I will yield back.

[The prepared statement of Mr. Guthrie follows:]

Chairman Brett Guthrie
Opening Statement—Subcommittee on Commerce, Manufacturing, and Trade
"Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety"
June 26, 2025

As prepared for delivery

Thank you, Vice Chairman Fulcher.

Good morning, and thank you to our witnesses for providing your insights today on motor vehicle safety. This hearing provides an important opportunity for this subcommittee to better understand the current state of vehicle safety, emerging trends, and the critical role of the National Highway Traffic Safety Administration (NHTSA).

The Committee on Energy and Commerce has long played a leading role in shaping automotive policy, with safety at the core of that work. As Vice Chairman Fulcher noted, today's hearing marks the beginning of a thoughtful, bipartisan process to develop a motor vehicle safety title as part of broader surface transportation reauthorization efforts.

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Further, our work on AVs demonstrates how Congress, through existing regulatory frameworks, can appropriately regulate sector-specific AI applications.

Thank you to Vice Chairman Fulcher for leading this hearing and I look forwarding to working with Ranking Member Pallone and all of our colleagues on motor vehicle safety and NHTSA issues this Congress.

I yield back.

Mr. FULCHER. Thank you, Mr. Chairman.

The chairman recognizes the ranking member of the full committee, Mr. Pallone, for 5 minutes for an opening statement.

OPENING STATEMENT OF HON. FRANK PALLONE, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. PALLONE. Thank you, Mr. Chairman.

Fatalities and injuries on America's roads remain unacceptably high. Almost 40,000 people died on U.S. roadways last year. That is an increase of more than 10 percent from a decade ago. And the economic cost of this safety crisis is enormous, almost $1 trillion a year in medical bills, emergency services, lost productivity, insurance costs, workplace loss, legal expenses, and property damage. Drunk, distracted, and drowsy driving, as well as speeding, by a relatively small number of serial offenders are the leading causes of fatalities and injuries on our roads.

And right now, there are proven solutions to this safety crisis, but, unfortunately, they have not been widely adopted by automobile manufacturers.

Congress took action to address automobile safety issues with the Bipartisan Infrastructure Law in 2021, and it directs the National Highway Traffic Safety Administration, NHTSA, to adopt rules that deter drunk driving, avert child deaths in hot cars, and keep cars in their lanes. Unfortunately, many of these rulemakings are not yet complete, and the auto industry is suing to challenge one of the lifesaving rules that NHTSA completed last year. That rule requires new cars to warn the driver and apply the brakes when a collision is imminent.

As our Nation's auto safety agency, NHTSA has an important mandate to save lives by establishing safety standards, investigating vehicle defects, and enforcing recalls. We must ensure NHTSA has the staff and other resources as well as all the authority it needs to protect Americans on our roadways.

Unfortunately, rather than strengthening NHTSA, the Trump administration is undermining NHTSA's critical work to make our roads safer. Staff cuts at NHTSA have led to the departure of many of the highly skilled and experienced employees it needs to move forward with this lifesaving work. NHTSA is also hamstrung by the Trump administration's misguided Executive orders, requiring the repeal of essential auto safety rules before adopting new rules.

Instead of focusing on proven solutions to make cars being sold safer, the Trump administration is betting on the promise of autonomous vehicles. And while driverless vehicles have shown some potential, they are not by themselves a solution to dangerous driving, and they raise their own concerns.

So I call on my Republican colleagues to speak out against this administration's dangerous actions. The American people are counting on us to improve the safety of our Nation's roadways.

Statement of Full Committee Ranking Member Frank Pallone, Jr.
Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade

Hearing on "Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety"

June 26, 2025

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I call on my Republican colleagues to speak out against this Administration's dangerous actions. The American people are counting on us to improve the safety of our nation's roadways.

And I'd like to yield the remainder of my time to Representative Dingell.

Mr. PALLONE. But I would like to yield the last 2½ minutes of my time to Representative Dingell at this time, Mr. Chairman.

OPENING STATEMENT OF HON. DEBBIE DINGELL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Mrs. DINGELL. Thank you, Ranking Member Pallone.

As many of you know, I am a car girl, born and raised in Michigan, part of the American auto industry, and I worked for the industry for more than 30 years. Our auto industry needs certainty. For too long it has been treated like a political football, caught between administrations, with rules and regulations constantly changing. That is not how we support long-term investment, protect jobs, and stay competitive in a global marketplace that is moving full speed towards electrification and advanced vehicle technologies.

For decades, Congress has worked in a bipartisan way to strengthen auto safety. For us to do that, we need a fully functioning NHTSA, and it has been too long since we have seen it. That means finalizing long-overdue rules to require advanced impaired driving prevention technology in new vehicles.

NHTSA must also be proactive in addressing emergency vehicle technologies. Autonomous and connected vehicles are not a far-off future; they are here today. And without strong oversight, there are gaps now in regulation that bad actors and foreign adversaries are exploiting at the expense of consumer safety and privacy. And China is going to beat us in the marketplace to boot. Unacceptable.

Safety should never be partisan. We all drive the same roads. We all face the same threats. We need to get, as the ranking member said, a number of rulemakings done and out that passed this committee ages ago, like child safety and drunk driving.

I look forward to working together to support NHTSA advance vehicle safety and innovation, protect consumers, and keep the American auto industry globally competitive and number one in the world.

I yield back.

Statement of Subcommittee on Commerce, Manufacturing, and Trade Member Debbie Dingell
Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade

Hearing on "Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety"

June 26, 2025

Thank you, Ranking Member Pallone.

As many of you know, I'm a car girl — born and raised in Michigan, the heart of the American auto industry.

Our auto industry needs certainty. For too long, it has been treated like a political football, caught between Administrations, with rules and regulations constantly changing. That's not how we support long-term investment, protect jobs, and stay competitive in a global marketplace that is moving full-speed toward electrification and advanced vehicle technologies.

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Safety should never be partisan. We all drive the same roads. I look forward to working together to support NHTSA, advance vehicle safety and innovation, protect consumers, and keep the American auto industry globally competitive.

I yield back.

Mr. PALLONE. Thank you, Mr. Chairman. I yield back.

Mr. FULCHER. Thank you to the ranking member.

This concludes opening statements. The Chair reminds Members that, pursuant to committee rules, all Members' opening statements will be made part of the record.

We thank all our witnesses for being here today and taking the time to testify before the subcommittee. Our witnesses today are Mr. John Bozzella, president and CEO, Alliance for Automotive Innovation; Mr. David Harkey, president, Insurance Institute for Highway Safety and Highway Loss Data Institute; Ms. Catherine Chase, president, Advocates for Highway and Auto Safety; and Mr. Jeff Farrah, CEO, Autonomous Vehicle Industry Association.

Per committee custom, each witness will have the opportunity for a 5-minute opening statement followed by a round of questions from Members. The light on the timer in front of you will turn from green to yellow when you have 1 minute left.

And, Mr. Bozzella, you are recognized for 5 minutes.

STATEMENTS OF JOHN BOZZELLA, PRESIDENT AND CHIEF EXECUTIVE OFFICER, ALLIANCE FOR AUTOMOTIVE INNOVATION; DAVID HARKEY, PH.D., PRESIDENT, INSURANCE INSTITUTE FOR HIGHWAY SAFETY; CATHERINE CHASE, PRESIDENT, ADVOCATES FOR HIGHWAY AND AUTO SAFETY; AND JEFF FARRAH, CHIEF EXECUTIVE OFFICER, AUTONOMOUS VEHICLE INDUSTRY ASSOCIATION

STATEMENT OF JOHN BOZZELLA

Mr. BOZZELLA. Chairman Fulcher, Ranking Member Schakowsky, Chairman Guthrie, thank you—and distinguished members of the subcommittee, thank you for the invitation to share my perspective today on motor vehicle safety in America and policies to modernize the National Highway Traffic Safety Administration to achieve a shared mission: helping to save lives and make the roads safer for everyone.

Some context. A healthy, competitive, domestic auto industry is a prized asset among nations. Here at home, the auto industry underpins America's economic and national security. It is our largest manufacturing sector, 5 percent of GDP, 10 million American jobs, pumping $1.2 trillion into the economy every year. But the industry is experiencing headwinds. This includes China, where we are facing unfair competition from government-subsidized vehicles and technologies. And it also includes tariffs, which are a significant near-term challenge.

I know the President and his team are finalizing agreements with our automotive trading partners to deliver some clarity. That is positive. But I will say this: Automakers are committed to building and investing in America, but automaking is a long-lead-time, high-asset manufacturing business. And existing automotive facilities and global supply chains are massive and complex. They can't be relocated or redirected overnight. It takes time.

Against this backdrop of geopolitical and trade uncertainty, reforming NHTSA should absolutely be a top priority for Congress. When NHTSA works, it actually strengthens the industry's global competitiveness. It can help speed the deployment of lifesaving

automotive technologies. It can lead to innovation, increased affordability, and ensure the industry is competitive against China.

The auto industry wants—it needs—a functioning and effective safety regulator. We don't have that today. Here is what I have observed over the last several years.

NHTSA has become less transparent and less collaborative. The agency isn't nimble. Rulemakings take too long, if they come at all. NHTSA isn't rating new safety technologies fast enough or often enough to help consumers make informed purchasing decisions. Rules accumulate even when some are clearly obsolete.

Meanwhile, there were nearly 40,000 deaths on our roads last year. It is a shocking and tragic number that isn't acceptable to anyone. And it comes at a time when vehicles are safer and come equipped with more driver assistance technology and crash protection than at any time in history.

So why is this? What is happening? Where a safety partnership once existed, automakers today are surprised by NHTSA's actions. We shouldn't be surprising each other. Instead, we need a revitalized partnership, real dialogue, an aligned research agenda to achieve what I assure you is a shared mission to help save lives and make our roads safer.

I want to note here that we have had good and important dialogue with Secretary Duffy, and I have seen some significant actions to advance safety and balance fuel economy regulations.

So how do we modernize and fix NHTSA? Here are a few ideas.

One, move beyond vehicle equipment mandates. Reducing traffic fatalities requires a systemic and behavioral approach to safety.

Two, modernize the New Car Assessment Program to promote innovation, encourage constant safety improvements, and empower customers with clear information about vehicle safety. NHTSA should rethink NCAP, take oversight of the program out of rulemaking and look at how similar programs are working better around the world.

Three, streamline outdated rules. NHTSA should take a look at all Federal Motor Vehicle Safety Standards and ask this question: Are they reducing fatalities and increasing crash survivability, or are they obsolete regulatory roadblocks that hurt innovation and delay deployment of lifesaving technologies?

Four, Congress should establish a national autonomous vehicle framework. AVs represent the next leap in personal mobility. They will reduce crashes and congestion, provide transportation for people with disabilities, and transform how we work and live. Countries around the world are racing to dominate autonomy. America should be leading and operating under a set of national standards for safer and immediate AV deployment.

As I have said, we want a functioning and modern NHTSA, an agency that is properly staffed, with enough resources to carry out its primary mission—vehicle safety—and is a partner in American innovation and progress.

Thank you. I am happy to take your questions.

[The prepared statement of Mr. Bozzella follows:]

WRITTEN TESTIMONY OF JOHN BOZZELLA
PRESIDENT AND CEO, ALLIANCE FOR AUTOMOTIVE INNOVATION
BEFORE THE U.S. HOUSE ENERGY AND COMMERCE COMMITTEE
SUBCOMMITTEE ON COMMERCE, MANUFACTURING, AND TRADE HEARING:

"LOOKING UNDER THE HOOD: THE STATE OF NHTSA AND MOTOR VEHICLE SAFETY"

JUNE 26, 2025

Chairman Bilirakis, Ranking Member Schakowsky, and Members of the Subcommittee:

Thank you for the opportunity to testify today on behalf of the Alliance for Automotive Innovation. We represent manufacturers that produce nearly all vehicles sold in the United States, along with every domestically manufactured battery. Our membership also includes major suppliers, semiconductor companies, and technology firms that form the foundation of an industry supporting 10 million American jobs across all 50 states and contributing nearly 5% of U.S. GDP.

I appear before you at a consequential moment for motor vehicle safety and the future of the American auto industry. The global environment in which this industry operates is more complex and uncertain than it has been in decades. The current trade and tariff landscape—combined with ongoing negotiations between the Administration and key trading partners—has introduced instability for our sector. The auto industry is uniquely exposed: our supply chains are global, our lead times are long, and our capital investments are high-risk. As trade policies evolve, it is more important than ever that the domestic regulatory environment is predictable, collaborative, and modernized. That starts with NHTSA.

At the same time, the competitive landscape is shifting dramatically. Around the world, nations are racing to lead in next-generation mobility technologies—electrification, automation, and connectivity. China, in particular, has made massive strategic investments in electric vehicles and battery supply chains, positioning its manufacturers for long-term advantage.

Two decades ago, the U.S. was the world's top auto producer. Today, China manufactures 30 million vehicles annually—compared to roughly 10 million in the U.S.—with one-third of that

volume being new energy vehicles. China's EV production alone now rivals the entire U.S. industry's output.

This matters not just for geopolitical reasons, but because the auto industry remains a pillar of American manufacturing and middle-class job creation. If we fail to lead in the technologies of tomorrow, we risk losing the industrial base that has long supported American workers.

To remain globally competitive, automakers and suppliers are making unprecedented investments across the U.S.. In just the past few years, the industry has committed more than $130 billion to electric vehicle and battery-related projects—ranging from advanced battery cell manufacturing to next-generation assembly plants—laying the foundation for over 110,000 new American jobs.

And that's just part of the story. Over the past 15 years, the auto industry has directly invested more than $274 billion in U.S. operations, according to the Center for Automotive Research—reaffirming its role as a cornerstone of American manufacturing, innovation, and economic growth.

Meanwhile, American consumers are feeling the strain. The average age of vehicles on U.S. roads has reached a record high of 12.6 years, according to S&P Global Mobility. With the average cost of a new vehicle hovering around $48,000, many households are holding on to their cars longer than ever before. This trend underscores the need for regulatory policies that not only foster innovation and safety but also support long-term affordability and access for everyday drivers. Automakers are working to address this by investing in next-generation technologies that will improve efficiency, reduce costs over time, and expand consumer choice.

But these investments must be matched by a modern, stable, and forward-looking regulatory framework. If the United States is to remain the global leader in automotive innovation—while preserving affordability, promoting safety, and supporting domestic jobs—we must get our regulatory house in order. That starts with strengthening and modernizing the National Highway Traffic Safety Administration (NHTSA).

NHTSA may not always be mentioned alongside national security or international competitiveness—but it should be. Because its actions, or inaction, shape the trajectory of American automotive innovation. And today, the system is not working as intended.

The relationship between the industry and its chief safety regulator has become fractured. Innovation is being stymied. And as NHTSA struggles to modernize its standards and procedures, the risk grows that the U.S. will fall behind in the global race—ceding leadership to others.

I. NHTSA's Role in Innovation and Global Competitiveness

NHTSA is best known for its critical mission of improving motor vehicle safety, and that mission remains as vital as ever. But in today's rapidly evolving global marketplace, NHTSA also plays a pivotal and underappreciated role in shaping the pace and trajectory of automotive innovation in the United States.

Unfortunately, the current state of the agency is impeding progress at a time when urgency is required. Its fractured relationship with the industry, decades-old safety regulations, and lack of a clear strategic roadmap for emerging technologies are stifling innovation and threatening U.S. global leadership.

Our international competitors, especially China, are not standing still. They are moving aggressively to set global benchmarks and dominate supply chains. To compete and win, we must modernize the institutions and regulatory frameworks that underpin our industry; and that includes NHTSA.

The Alliance for Automotive Innovation believes that regulatory reform at NHTSA is one of the most critical levers to ensure American competitiveness. By streamlining outdated rules, embracing a holistic approach to safety, and fostering a more collaborative relationship with industry, NHTSA can unlock innovation, accelerate the deployment of life-saving technologies, and ensure that the next generation of vehicles is designed, engineered, and built here in the United States.

II. Technology Alone Isn't Enough: A Holistic Approach to Roadway Safety Must Include Behavioral Change and Enforcement

Today, vehicles are safer than ever[1]. Thanks to decades of engineering advances, crash survivability has improved dramatically, and vehicles come standard with more safety technologies than at any point in history.[2]

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[1] https://www.nhtsa.gov/sites/nhtsa.gov/files/documents/newer-cars-safer-cars_infographic_010320_2-tag.pdf

[2] https://www.nhtsa.gov/parts-partnership-for-analytics-research-in-traffic-safety

Yet despite this progress, overall traffic fatalities in the United States remain far too high. In 2023, almost 40,000 people lost their lives on American roadways with many more seriously injured. This disconnect between safer vehicles and persistently high fatalities demands a serious recalibration of our national approach to road safety.

It is no longer sufficient to rely on vehicle mandates alone. The path to meaningful reductions in roadway deaths lies in a holistic, systemic approach that includes:

- Safer vehicles
- Better infrastructure
- Informed and accountable road users
- Stronger enforcement of traffic laws
- Enhanced post-crash care

NHTSA should adopt this systems-level view and explicitly prioritize behavioral safety as part of its core mission. Addressing the behaviors that contribute to speeding, distraction, and impaired driving-related crashes must become central pillars of our national safety strategy. This also means empowering and supporting law enforcement.

Speed limits, seatbelt laws, and distracted driving statutes only matter if they are enforced and if there are visible consequences for dangerous behavior behind the wheel. Law enforcement officers must be equipped, supported, and encouraged to carry out this role in a fair and effective manner.

New safety features can and should continue to play a role, but we cannot regulate our way to zero fatalities through technology alone. From mandate to deployment, new vehicle safety technologies often take 5 to 7 years to develop, and even then, it can take an additional 30 years for that technology to fully penetrate the fleet, given the pace of vehicle turnover. Behavioral change, on the other hand, has the potential to save lives today. The best outcomes will come when technology, policy, and enforcement work in concert, not in isolation.

III. Transforming NCAP to Drive Innovation and Consumer Awareness

The pathway to modernizing NHTSA and our approach to motor vehicle safety begins with a little-known but vital program: the New Car Assessment Program (NCAP). With the right

reforms, NCAP can promote innovation, encourage continuous safety improvements, and empower consumers with clear, comparable information about vehicle safety.

But today, NCAP is underperforming. It lags behind similar programs in other countries, hasn't kept pace with the speed of innovation, and fails to reflect the many technological advancements that are reshaping vehicle safety. Just as concerning, this program exemplifies a deeper issue: a breakdown in transparency and collaboration between NHTSA and the auto industry.

Where partnership once existed, the industry is increasingly caught off guard by agency actions. Automakers are making major voluntary safety improvements, yet too often, NHTSA appears indifferent to this progress—issuing proposals in isolation rather than through an iterative, collaborative process. A strong NHTSA is one that works hand-in-hand with industry, not around it. Rebuilding that relationship must start with NCAP.

To bring this program into the 21st century and make it a strategic driver of safety and innovation, we recommend the following reforms:

- **Establish a Dedicated NCAP Office within NHTSA**, led by a new Associate Administrator focused exclusively on the program's administration and improvement—and immediately remove it from the traditional rulemaking framework.
- **Create a Federal Advisory Committee** to provide expert input, technology assessments, and strategic guidance on future NCAP updates.
- **Develop a 10-Year NCAP Roadmap** in collaboration with the Advisory Committee and a newly formed nonprofit entity to identify and evaluate emerging technologies worthy of inclusion.
- **Enable Self-Reporting by Manufacturers**, with appropriate audit authority retained by NHTSA, to streamline the ratings process, reduce delays, and improve efficiency. In addition, testing done by NHTSA and contractors must be finalized and published quickly, for maximum effectiveness for consumers.
- **Expand Consumer Education Initiatives** to ensure NCAP ratings are understandable, accessible, and influential—driving market demand for the safest, most innovative vehicles.

These recommendations are not new, many of them were outlined before in public submissions. But what's needed now is action. A reinvigorated NCAP should not merely serve as a compliance mechanism. It should be a cornerstone of America's safety and

innovation leadership—a transparent, collaborative tool that encourages continuous improvement and reflects the shared goals of industry and government.

IV. Reforming and Modernizing FMVSS to Enable Innovation and Advance Safety

The Federal Motor Vehicle Safety Standards (FMVSS) have served as the regulatory backbone of U.S. vehicle safety for over half a century. They've played a crucial role in dramatically reducing roadway fatalities and improving crash survivability. But many of these standards were written for an era of carburetors and analog dashboards; not today's vehicles, let alone tomorrow's.

As automotive technology evolves at a breakneck pace, NHTSA must keep up. Unfortunately, many of the current standards are outdated, overly prescriptive, or simply misaligned with modern vehicle design, safety data, and international best practices. Rather than enabling progress, they increasingly serve as regulatory roadblocks that stifle innovation, delay deployment of life-saving technologies, and erode U.S. leadership in the global auto market, while prices for new cars climb higher.

This is not a call to weaken safety. It is a call to strengthen safety by modernizing the tools we use to regulate it and to create a system that encourages innovation while preserving core safety outcomes.

The Alliance for Automotive Innovation has conducted a thorough review of FMVSS and submitted a detailed deregulatory proposal to the Department of Transportation and the Office of Management and Budget identifying dozens of standards that should be repealed, revised, or updated. Some of the most urgent examples include:

- **Automatic Emergency Braking** (AEB): Under the Biden Administration, NHTSA finalized a rule on AEB. It is a case study in how well-intentioned regulation can go awry and it raises substantive technical and legal concerns. We believe in the life-saving potential of AEB technology and support an AEB mandate. We are challenging this rule because it prescribes AEB and PAEB in such a way that may ultimately hinder, rather than help, motor vehicle safety.
- **Lighting Standards**: U.S. regulations continue to restrict the use of adaptive driving beam (ADB) headlights and other advanced lighting systems that are already in wide use across Europe and Asia. Broadly, the standards have not been updated since the 1970s, and they are due for an overhaul. Newer technologies improve nighttime

visibility, reduce glare, and enhance pedestrian detection, yet U.S. rules effectively prevent automakers from deploying them here.

- **Bumper Standards and Unbelted Occupant Tests**: These legacy requirements reflect outdated assumptions about human behavior, which have a direct impact on vehicle architecture and crash dynamics. For example, the unbelted occupant test introduced at a time when seatbelt use was far less common is no longer aligned with real-world conditions, where seatbelt usage exceeds 90 percent nationally. These kinds of misaligned tests divert engineering resources and create trade-offs that don't reflect today's risk landscape.

Each of these examples illustrates a broader truth: regulatory inertia has consequences. When rules remain frozen in time, safety improvements are delayed, competitive advantages are lost, and innovation slows. That's not the future we want and it's not the future we need if we hope to outpace global competitors like China, keep auto jobs in the U.S., and make cars more affordable.

Modernizing FMVSS is not just a technical necessity; it is a strategic imperative. It will:

- Facilitate the **faster deployment** of advanced driver-assistance systems (ADAS) and other safety technologies;
- Provide **greater flexibility for automakers to innovate** while meeting real-world safety goals;
- Better **align U.S. standards with international regulatory frameworks**, reducing compliance burdens and enhancing global competitiveness;
- **Preserve public confidence** by ensuring that our regulatory system remains data-driven, transparent, and up to date.

V. Autonomous Vehicles (AVs): A Framework for the Future

Just as outdated standards hold back today's safety technologies, they pose even greater challenges for the deployment of tomorrow's breakthroughs, including autonomous vehicles.

Autonomous vehicles represent the next great leap in mobility. They have the potential to reduce crashes, improve congestion, expand accessibility for underserved communities, and transform how Americans live and work. Countries around the world are racing to shape this future, and the United States should be leading.

Unfortunately, federal inaction is holding us back. Despite years of dialogue, there is still no comprehensive federal framework for AVs. In the vacuum, states have stepped in with their own laws, creating a patchwork of inconsistent and sometimes conflicting rules that hinder innovation, slow deployment, and increase regulatory and investment risk.

American companies are ready to lead in AV development, but we need clear, consistent federal policy. **To that end, we urge Congress to take the following actions:**

- **Establish a comprehensive federal AV regulatory framework** that preempts the current patchwork of inconsistent state laws, provides regulatory clarity, and sets national standards for the safe deployment of autonomous vehicles.
- **Establish a national AV pilot program** to enable safe, scalable AV deployment while NHTSA undertakes longer-term rulemaking efforts.
- **Modify the "make inoperative" provision** in the Motor Vehicle Safety Act to clarify that temporarily disabling or altering the functionality of a vehicle's manual controls or design elements to enable safe autonomous operation by the automated driving system (ADS) does not violate the Act.

These steps are critical. Without them, we risk falling behind in a sector that will shape the next century of transportation and industrial leadership.

As Congress considers the building blocks of a national AV framework, it must also address two key enablers of AV innovation: **consumer data privacy** and **access to spectrum**. Autonomous vehicles rely on vast amounts of real-time data to operate safely. A **comprehensive federal privacy law**, one that protects consumers across sectors and recognizes the unique role of vehicle-generated data in advancing safety, will be essential to build public trust, avoid a patchwork of state-level laws, and ensure the continued development of life-saving technologies.

Similarly, **reliable spectrum access is critical to the future of AVs and advanced safety systems**. Vehicle-to-vehicle (V2V) and vehicle-to-infrastructure (V2I) communications require protected, interference-free spectrum bands to function as intended. We were also pleased to see that the Senate Commerce Committee title in the current reconciliation package includes provisions to protect certain ultra-wideband frequencies from auction; frequencies automakers use for essential safety and convenience functions like remote start, keyless entry, and crash avoidance technologies. We applaud this development and encourage its inclusion in the final package.

Of course, building out a full federal AV framework will take time. In the meantime, there is an immediate step Congress and NHTSA can take to keep innovation moving forward: **improving the existing vehicle exemption process.**

VI. Exemption Reform: Unlocking Innovation Responsibly

As we work toward a full AV framework, there is one tool NHTSA already has: the exemption process. This process exists to allow deployment of vehicles that do not meet current FMVSS, particularly those standards written for human-operated vehicles, but are proven to be at least as safe.

Unfortunately, the exemption process is slow, opaque, and limited in scope. It can take years for NHTSA to review applications, and the annual cap of 2,500 vehicles is far too low to support meaningful commercial deployment.

We recommend the following reforms:

- **Extend exemptions to at least five years** to match vehicle lifecycle and deployment timelines.
- **Increase the cap to 100,000 vehicles** per manufacturer per year to allow true scale.
- Require **timely agency review**, with a decision within **one year** of submission.

NHTSA's recent announcement of updates to the AV exemption process is a welcome step, but we need Congress to finish the job. The exemption pathway must function as a true enabler of innovation, not a bureaucratic bottleneck.

VII. Corporate Average Fuel Economy (CAFE): Coordination, Clarity, and Competitiveness

The Corporate Average Fuel Economy (CAFE) program has long played an important role in improving fuel efficiency and reducing emissions. But today, the regulatory structure surrounding CAFE is creating unnecessary complexity, market distortion, and real compliance challenges for U.S. automakers.

NHTSA's dual responsibilities, overseeing both motor vehicle safety and fuel economy, have, at times, placed competing demands on the agency. This tension has become especially acute in recent years, as the pace of regulatory activity on fuel economy and greenhouse gas (GHG) standards has accelerated without sufficient interagency coordination.

The result is a confusing and burdensome regulatory environment, in which automakers are expected to comply with overlapping—and at times conflicting—regulations issued by:

- NHTSA, under its CAFE authority;
- EPA, through its GHG emissions rules;
- DOE, through its petroleum equivalency factor; and
- Individual states, particularly California and those following its criteria and greenhouse gas emission standards and zero-emission vehicle (ZEV) mandates.

These programs are all targeting the **same tailpipe**, but using **different methodologies, timelines, and enforcement tools**. This fragmentation not only increases compliance costs that are passed off to consumers, it also introduces significant investment uncertainty, stifles planning, and reduces consumer affordability. It is becoming a significant obstacle to our ability to deliver cleaner, safer, more advanced vehicles to American drivers.

The most glaring example of this misalignment and the challenge it presents for automakers were the recent Advanced Clean Cars II regulations implemented by California and adopted by 11 other states. Beginning this year, those rules would have mandated that manufacturers sell a specified percentage of electric vehicles, leading up to a complete ban of new vehicles containing internal combustion engines by 2035 in those states.

While our members are investing heavily in advancing adoption of cleaner powertrains, including EVs, we cannot have a regulatory environment that so aggressively outpaces the consumer. As such, I must acknowledge and thank Representative John Joyce, Chairman Brett Guthrie and every member of Congress who supported H.J.Res.88, including the 30 Democrats who crossed over to put an end to the unrealistic ambitions of the ACCII EV mandate. California may have a right to set their own standards, but this action sent a critical message: vehicle mandates must be grounded in consumer realities, not aspirational targets, and vehicle policy must remain transparent, collaborative, and technically achievable.

The 2027 and later CAFE rulemaking from NHTSA offers a similar illustration of what happens when regulatory ambition is not grounded in statutory authority or market realities. The rule imposes aggressive new requirements for Model Year 2027 and beyond that are not only misaligned with consumer demand and current technology adoption rates, but also duplicative of EPA's separate GHG rules.

This kind of misalignment is not sustainable, and it's not competitive. While our global competitors are building unified national strategies to reduce emissions and promote innovation, we are increasingly asking U.S. manufacturers to navigate a regulatory maze.
To improve coherence and support both climate and industrial goals, **we recommend the following reforms:**

- **Mandate stronger coordination between NHTSA, EPA, and DOE** to ensure that all vehicle emissions and efficiency regulations are harmonized, efficient, and non-duplicative.
- Move toward a **single national standard for tailpipe emissions** that eliminates the patchwork of federal and state-level requirements, giving manufacturers a clear and consistent framework for compliance.
- **Reassess near-term CAFE targets**, particularly those beginning in Model Year 2027, to ensure they reflect actual market conditions, including consumer behavior, and global supply chain pressures.
- **Review and reset CAFE civil penalty rates**, which have more than tripled since 2018 due to automatic inflation adjustments. Left unchecked, these increases will impose unnecessary costs on manufacturers and consumers, undermining the affordability and accessibility of more efficient vehicles. Congress should consider decoupling civil penalties from inflation indexing to avoid future volatility.
- **Remove the minimum domestic passenger car standard**, which discourages the production of larger passenger cars in the United States and which had led to hundreds of millions of dollars in civil penalties assessed to domestic producers in the past few years.
- **Remove caps on the transfer of credits between a manufacturer's compliance fleets,** allowing manufacturers to focus on improving fuel economy where it is most cost-effective and in demand by consumers while still meeting regulatory objectives for reducing energy use.
- **Require DOT to continue the CAFE credit trading program**, which has improved vehicle affordability by reducing compliance costs, but which is currently optional for DOT and under consideration for removal.

CAFE should be a catalyst for innovation, not a compliance quagmire. We believe that smart regulation can and should support cleaner, more fuel-efficient vehicles. But to do so effectively, it must be coordinated, realistic, and aligned with the broader industrial strategy for the U.S. automotive sector.

Finally, while not the subject of today's hearing, I want to take this opportunity to make clear that the auto industry **fully supports drivers of electric vehicles paying their fair share to the Highway Trust Fund to maintain our roads**, just as drivers of internal combustion engine vehicles, including hybrids, do when paying federal gasoline and diesel taxes.

Earlier this year, Auto Innovators submitted testimony to the House Transportation and Infrastructure Subcommittee on Highways and Transit outlining our support for a weight-based electric vehicle fee, collected annually by State Departments of Motor Vehicles alongside standard registration. Under our proposal, heavier EVs would contribute proportionally to the upkeep of our nation's infrastructure.

We look forward to working with Congress and federal agencies to create a streamlined, durable policy framework that supports innovation, protects consumers, and ensures the U.S. auto industry remains globally competitive for decades to come.

VIII. Conclusion

The American auto industry stands at a generational crossroads; one defined by rapid technological transformation, intensifying global competition, and the urgent need to modernize our regulatory foundation.

We have the talent, the technology, and the vision to lead the world into the next era of mobility. But to fully realize that potential, we need a coordinated federal regulatory framework that keeps pace with innovation and reflects today's industrial and geopolitical realities. That includes a revitalized NHTSA; one that serves not only as a steward of safety, but as a proactive partner in innovation and progress.

With the right policies in place and with Congress and regulators working in partnership with industry, we can position the United States not only to win the global race for the future of mobility, but to do so in a way that creates American jobs, enhances the U.S. geopolitical leadership role in the automotive industry and ensures vehicles remain affordable for the families who depend on them.

Thank you again for the opportunity to testify today. I welcome your questions and look forward to continued collaboration.

Mr. FULCHER. Thank you, Mr. Bozzella.
Dr. Harkey, you are recognized for 5 minutes.

STATEMENT OF DAVID HARKEY, PH.D.

Dr. HARKEY. Vice Chairman Fulcher, Ranking Member Schakowsky, and members of the committee, thank you for the opportunity to share the perspective of the Insurance Institute for Highway Safety on the current state of road safety in the U.S. and the role of NHTSA to address our challenges.

Simply put, the United States is in the middle of a road safety emergency. Crash deaths increased nearly 30 percent between 2014 and 2022, from 33,000 to 42,000. This spike is not—I repeat—is not a global trend. The U.S. is an outlier. Among 29 high-income countries, we rank at the bottom based on per capita fatality rate, and our rate is more than double the average.

Since its creation in 1966, NHTSA has played a key role in moving safety forward through its consumer safety, data, and research programs. The most direct impact on consumer safety is regulation and the issuance of safety standards.

For example, the requirement that all vehicles be equipped with frontal airbags is estimated to have saved at least 70,000 lives. Beyond regulation, NHTSA's New Car Assessment Program, which produces the five-star safety ratings, is an important source of information for consumers shopping for the safest vehicles. The Office of Defects Investigation is also critical for providing consumers with defect notifications and working with the auto industry to make sure problems are resolved quickly.

It is important to understand, however, that NHTSA's role in the safety ecosystem extends beyond the motor vehicle itself. One cannot separate the design and capabilities of a vehicle from the driver who operates that vehicle or the roadway environment in which it is driven. More than a third of our fatalities on our roadways can be attributed to risky behaviors: speeding, impairment, distraction, and seatbelt use.

NHTSA's Behavioral Research program has historically been the only large source of funding in the country to help us understand these challenges and then develop, implement, and evaluate interventions through demonstration projects.

One of the most influential demonstrations that the NHTSA research program engaged in years ago was Click It or Ticket, a high-visibility seatbelt enforcement program that began as a public-private partnership involving IIHS, NHTSA, and other stakeholders in North Carolina in the 1990s.

Funds from NHTSA allowed for nationwide expansion of the program by 2003, and this campaign was a key component of a remarkable cultural shift, increasing front seatbelt use from 67 to 84 percent. Having robust safety data is critical to understanding what is and is not working and where to invest limited resources.

NHTSA's data collection enables much of the research that IIHS and other organizations conduct. This includes the Fatality Analysis Reporting System and other crash databases, as well as the national roadside survey on impaired driving and the National Occupant Protection Use Survey. Despite its many important roles

and significant past achievements, NHTSA is failing to meet the moment by lack of action.

We have repeatedly called on NHTSA to require antilock braking systems for motorcycles, a proven technology that saves lives. We have petitioned NHTSA twice in 10 years to require a motorcycle ABS. Thus far, no response. In the meantime, more than 30 countries have all mandated the lifesaving technology.

In the 2021 Bipartisan Infrastructure Law, NHTSA was instructed to issue a rule requiring impaired driving prevention technology on new vehicles. The deadline of 2024 for a final rule has passed, and NHTSA has only issued an advance notice of proposed rulemaking. A mandate from NHTSA would likely provide just the push it needs, potentially saving nearly 11,000 lives each year.

In many cases, IIHS has found ways to fill gaps left by NHTSA. While we lack regulatory authority, we have substantial influence with consumers and vehicle manufacturers. Our IIHS Top Safety Pick awards complement the five-star ratings, pushing automakers to improve vehicle structures, airbags, seatbelts, and other safety equipment.

As automakers introduce more automation in vehicles, new safety concerns are being raised. Given the lack of regulation or guidance from NHTSA, IIHS has developed partial automation safeguard ratings to help ensure drivers stay engaged while using these systems.

At IIHS we are alarmed by the rising toll of crashes on our Nation's roads and dismayed by an apparent lack of urgency to fix the problem. For this reason, we recently launched an initiative we are calling 30 by 30, a goal to reduce U.S. fatalities 30 percent by 2030. We hope all stakeholders will rally around this vision and pledge specific actions to contribute to the effort.

For our part, we are going to focus on risky behaviors, commercial vehicles, and safety inside and outside of the vehicles. NHTSA specifically has an essential role to play in confronting our current road safety emergency, but doing so requires stronger leadership, a sense of urgency, and a greater willingness to act.

Thank you for your time and interest this morning.

[The prepared statement of Dr. Harkey follows:]

Testimony by David Harkey

President, Insurance Institute for Highway Safety

Submitted to the House Committee on Energy and Commerce:

Subcommittee on Commerce, Manufacturing, and Trade

For the hearing "Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety"

June 26, 2025

Thank you for the opportunity to share the perspective of the Insurance Institute for Highway Safety (IIHS) on the state of motor vehicle safety and the role of the National Highway Traffic Safety Administration (NHTSA).

IIHS is an independent, nonprofit scientific and educational organization dedicated to reducing deaths, injuries and property damage from motor vehicle crashes through research and evaluation and through education of consumers, policymakers, and safety professionals. Our work is wholly supported by U.S. and Canadian auto insurers.

Today's hearing is timely because the United States is in the middle of a road safety emergency. Crash deaths have risen nearly 30% since 2014, from below 33,000 to more than 42,000 in 2022. This spike in fatalities, which follows decades of progress, is not a global trend; in fact, the U.S. is an outlier. Today among 29 high-income countries, we rank at the bottom based on per capita fatality rate, and our rate is more than double the average.[1] While fatalities inched down 4% in 2023, it's too early to say whether this is the beginning of lasting progress.

At IIHS, we are alarmed by the rising toll of crashes on our nation's roads and dismayed by an apparent lack of urgency about fixing the problem. For this reason, we recently launched an initiative we are calling 30x30—a goal to reduce U.S. fatalities 30% by 2030.[2] We hope all stakeholders will rally around this vision and pledge specific actions to contribute to the effort. For our part, IIHS has laid out a series of concrete research, testing, and education actions in the areas of risky behaviors, commercial vehicles, and safety for everyone inside and outside of vehicles. But we absolutely cannot do this alone. To make

30x30 a success and change our current road safety trajectory, we will need all hands on deck. NHTSA, in particular, will need to help.

NHTSA's predecessor agencies were founded in the 1960s. Over the next several decades, NHTSA played a key role in moving safety forward, most directly by issuing safety standards. For example, the requirement that all vehicles be equipped with frontal airbags is estimated to have saved 70,000 lives through 2019.[3] A more recent regulation mandating electronic stability control has saved nearly 30,000 lives.

But NHTSA's safety leadership goes well beyond regulation. The agency is the only large source of funding in the country for behavioral research, helping us understand key topics such as impaired driving, distraction, and speeding.

NHTSA also assists state and local governments with their critical road safety work by providing research and guidance on safety problems and countermeasures. Most critically, it funds demonstration projects that are crucial for showing other states and communities what safety interventions work and helping them decide where to focus their efforts with their limited resources.

One of the most influential demonstrations that NHTSA backed was a program called Click It or Ticket, a high-visibility seat belt enforcement program that began as a public-private partnership involving IIHS, NHTSA, and other stakeholders in North Carolina in the 1990s.[4] Funds from NHTSA allowed the program to expand to new states beginning in 2000, bringing the program nationwide by 2003. This campaign was a key component of a remarkable cultural shift: From 1999 to 2009, front seat belt use increased from 67% to 84%.[5] Nationwide expansion of Click It or Ticket would not have been feasible without NHTSA's support.

NHTSA's data collection also enables much of the research that IIHS and other organizations conduct. This includes the Fatality Analysis Reporting System and other crash databases, as well as surveys such as the National Roadside Survey on impaired driving and the National Occupant Protection Use Survey, which measures seat belt and motorcycle helmet use as well as electronic device use by drivers.

Finally, the 5-Star Safety Ratings produced by NHTSA's New Car Assessment Program have been an important source of information for consumers shopping for the safest vehicles.

Despite its many important roles and significant past achievements, NHTSA is failing to meet the moment. In recent years, it has approached its job with a lack of urgency, using flawed methodologies that underestimate the safety benefits of obviously beneficial interventions.

One example of an action that we have repeatedly called on NHTSA to take is to require antilock braking systems (ABS) for motorcycles. Multiple IIHS studies have shown that this technology saves lives. Our most recent analysis, published in 2022, found that fatal crash rates for motorcycles with optional ABS are 22 percent lower than for identical models without the technology.[6]

We first petitioned NHTSA to require motorcycle ABS in 2013. Ten years later, we submitted a new petition with updated evidence. To date, we have not received any response to either petition. In the meantime, the 27 member states of the European Union, the United Kingdom, Brazil, Japan, Taiwan, Australia, New Zealand and India have all mandated the life-saving technology.

NHTSA sometimes drags its feet even when Congress has directed it to act. A case in point is the 2021 Bipartisan Infrastructure Law's instructions to NHTSA to issue a rule requiring impaired driving prevention technology on new vehicles. The law stipulated a deadline of 2024 for a final rule, but so far NHTSA has only issued an advance notice of proposed rulemaking.

Unlike motorcycle ABS, advanced alcohol detection technology is still in development, but it is closer to reality than many people realize. A mandate from NHTSA would likely provide just the push it needs, potentially spelling the end of a persistent road safety problem and saving nearly 11,000 lives a year.[7]

In many cases, IIHS has found ways to fill gaps left by NHTSA. While we lack regulatory authority, we have substantial influence with consumers and vehicle manufacturers. Our IIHS *TOP SAFETY PICK* awards complement the 5-star ratings, pushing automakers to improve vehicle structures, airbags, seat belts and other safety equipment. In some cases, regulations have caught up, while in other cases, such as headlight performance, it is our ratings alone that are driving improvements.

We have also welcomed opportunities to work cooperatively with NHTSA. In 2015, IIHS and NHTSA joined forces to challenge the auto industry to make automatic emergency braking standard on all vehicles. The resulting voluntary commitment by 20 automakers helped bring this technology into the mainstream more quickly than was possible under the regulatory process.[8]

As a privately funded nonprofit, we have the freedom and flexibility to look for creative solutions. For example, when NHTSA was moving too slowly on updating the standard for rear underride guards for tractor-trailers, we began conducting our own underride tests and inaugurated the IIHS **TOUGH**GUARD award for trailer manufacturers.[9] In 2015, just 1% of trailers sold in the U.S. met the **TOUGH**GUARD criteria. Today, more than two-thirds do.

As with other issues, we cannot completely make up for NHTSA's lack of substantive action on underride. The agency finally updated its rear underride rule in 2022, but it remains much less stringent than the **TOUGH**GUARD criteria. The rule also exempts many types of trucks. Until NHTSA fixes these problems, trucks with weak guards will remain on the road, posing a danger to people in smaller vehicles. This is just one of many areas where action by NHTSA could make an important difference.

Another is automation. As automakers introduce more and more automation in vehicles, the current regulatory gap leaves many drivers in the dark about what their vehicles can and cannot do. We have all seen the crashes that have resulted from drivers over-relying on partial automation systems that fall well short of self-driving. IIHS has developed partial automation safeguard ratings to help ensure drivers stay engaged while using these systems.[10] Still, we need active oversight from NHTSA to help guide innovation and ensure it does not introduce new driving risks.

In closing, NHTSA has an essential role to play in confronting our current road safety emergency, but doing so requires stronger leadership, a sense of urgency, and a greater willingness to act.

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Key points

The United States is in the middle of a road safety emergency. Crash deaths have risen nearly 30% since 2014, from below 33,000 to more than 42,000 in 2022. Among 29 high-income countries, we rank at the bottom based on per capita fatality rate, and our rate is more than double the average.

IIHS has launched the 30x30 initiative—a goal to reduce U.S. fatalities 30% by 2030. We invite all stakeholders to contribute to this effort and hope NHTSA will take a leading role.

Historically, NHTSA has played a key role in safety progress by issuing regulations, funding behavioral research, providing guidance to state and local governments, funding demonstration projects, and collecting data used in a wide range of research by IIHS and others. The 5-Star Safety Ratings produced by NHTSA's New Car Assessment Program have been an important source of information for consumers shopping for the safest vehicles.

Unfortunately, NHTSA is failing to meet the moment. In recent years, it has approached its job with a lack of urgency, failing to take action on a variety of important issues. For example, IIHS has twice petitioned NHTSA to require lifesaving antilock braking systems for motorcycles. We have received no response. In another example, NHTSA has missed a congressional deadline to issue a final rule requiring impaired driving prevention technology on new vehicles. Such technology could save nearly 11,000 lives a year.

IIHS lacks regulatory authority, but we have found ways to fill some of the gaps left by NHTSA through our *TOP SAFETY PICK* awards and other efforts. Nevertheless, in issues ranging from truck underride to vehicle automation, NHTSA's lack of action has left a void.

NHTSA has an essential role to play in confronting our current road safety emergency, but doing so requires stronger leadership, a sense of urgency, and a greater willingness to act.

Mr. FULCHER. Thank you, Dr. Harkey.
Ms. Chase, you are recognized for 5 minutes.

STATEMENT OF CATHERINE CHASE

Ms. CHASE. Good morning, Chair Fulcher, Ranking Member Schakowsky, and subcommittee members. I am Cathy Chase, president of Advocates for Highway and Auto Safety.

Advocates is a national alliance of leading property casualty insurance companies and agents and public health, consumer, law enforcement, and safety groups working together to prevent crashes, save lives, reduce injuries, and curb economic costs.

Thank you for holding this hearing at a critical time when motor vehicle crash fatalities are at historic highs.

America's roads move an ever-increasing number of people and goods. We all rely on some form of motor vehicle for commutes and carpools, for e-commerce packages to be delivered, and for summer family vacations. Unfortunately, we also experience tremendous tragedies on our roadways.

More than 40,000 people were killed and 2.4 million people were injured in crashes in 2023. More than 7,000 were pedestrians, over 6,000 were motorcyclists, and more than 1,000 were bicyclists. And for all of these groups, we have experienced significant increases over the last decade. The leading contributing factors are impaired driving, speeding, unrestrained vehicle occupants, and distracted driving. These are not just statistics, they are family members and friends throughout the country.

Many victim advocates are joining us today in person or virtually. I want to extend my condolences for their losses and thank them for their perseverance to advance effective solutions to prevent crashes.

So while this is the tragic news, the good news is that proven solutions are available and actionable. Since Advocates' inception in 1989, we have worked to advance a holistic approach, focusing on safe vehicles, safe road users, and safe roadway environments. This approach is akin to what is known as the Safe System Approach. Our annual Roadmap to Safety report provides a blueprint for how Congress and State-elected officials can eradicate the motor vehicle crash fatality and injury toll, which by the way comes with a substantial price tag.

The annual economic cost of crashes is approximately $340 billion. This means that every person living in the U.S. essentially pays a crash tax of over $1,000.

One of the most effective strategies for preventing deaths and injuries is proven vehicle safety technologies which meet minimum performance standards. From 1968 through 2019, NHTSA's safety standards have prevented more than 860,000 deaths, 49 million nonfatal injuries, and damage to 65 million vehicles.

When consumers go into auto dealer showrooms to purchase one of the largest items in their family budgets, many prioritize safety. Yet what they might not realize is there are no safety standards for the newer safety technologies. Minimum safety standards are essential because they ensure that auto manufacturers all have to meet a baseline of safety by a certain date.

Additionally, these technologies are building blocks for autonomous vehicles, or AVs. An AV will need to detect and respond to all road users, vehicles, and infrastructure in all conditions—that is automatic emergency breaking; to monitor and react to blind spots—that is blind spot detection with intervention; to stay within its traffic lane—that is lane keeping assist; to follow speed limits, which is intelligence speed assistance; and to know if the vehicle is occupied, which is occupant detection, among other responsibilities.

Also, until and if we reach the day when everyone is in an AV, drivers will continue to make poor decisions. This is why Ranking Member Schakowsky's leadership with the 21st Century Smart Cars Act, Congresswoman Dingell's leadership on drunk driving with the HALT Act, and other issues must be brought over the finish line by the U.S. Department of Transportation or advanced in the next Transportation reauthorization bill.

In that vein, auto manufacturers and proponents often claim that AVs are safer because they don't drive drunk, distracted, or tired. No one is disputing that. But AVs also may cause crashes that sober, alert, and engaged drivers would routinely avoid. AVs, which are essentially billion-dollar pieces of equipment with years of research, should not drive better than only the worst drivers on our roads.

Especially with all this new technology, NHTSA is an essential agency to be the watchdog and cop on the beat to keep everyone on the roadway safe. The agency conducts important research, collects and analyzes imperative crash data, institutes vehicle safety recalls, and issues minimum safety standards. Its ability to effectively protect the public necessitates sufficient funding and resources.

Thank you.1A[1]

Mr. FULCHER. Thank you, Ms. Chase.

Mr. Farrah, you are recognized for 5 minutes.

STATEMENT OF JEFF FARRAH

Mr. FARRAH. Chair Fulcher, Ranking Member Schakowsky, members of the subcommittee, thank you for the opportunity to testify this morning.

My name is Jeff Farrah, the CEO of the Autonomous Vehicle Industry Association, which represents the leading AV companies and is committed to American leadership on autonomous technology.

In recent years, autonomous vehicles have gone from science fiction, to aspirational, to commonplace. Last month, AVIA reported that our members have driven more than 145 million autonomous miles on U.S. public roads, the distance between Earth and Mars. The number of autonomous miles driven by AVIA members has more than doubled in the past year alone, which underscores the tremendous progress our industry has made.

But I will be frank: This progress has occurred in the absence of a Federal policy framework and is therefore leaving U.S. companies

[1] The prepared statement of Ms. Chase has been retained in committee files and is available at http://docs.house.gov/meetings/IF/IF17/20250626/118433/HMTG-119-IF17-Wstate-ChaseC-20250626.pdf.

at a disadvantage to competitors in China and other countries. For that reason, earlier this year, AVIA released detailed Federal policy recommendations called "Securing American Leadership in Autonomous Vehicles."

Today, policymakers are faced with a choice. We can continue to leave a void at the Federal level, which helps China's ambitions to dominate the global AV market and also puts U.S. States at the forefront of policymaking that is desperately in need of Federal direction.

Alternatively, this committee can lead the way on a Federal framework for AVs across all vehicle classes, regardless of vehicle weight or size. In doing so, Congress must answer key questions on vehicle design, construction and performance, and promote safer roads, more accessible vehicles, and strengthen supply chains. Putting in place a Federal policy framework will have the support of an American public that is increasingly riding in autonomous vehicles and loving the experience.

Data shared in my written testimony demonstrates what we have long known to be true: Those who are passengers in autonomous vehicles quickly become comfortable with the technology and want to experience it again and again. Even those who are not passengers in AVs but live in areas where AVs operate become convinced of their safety and benefit.

Our industry is eager to engage with Congress on AV-specific Federal policies that supplement the broad authority to regulate vehicles on public roads that is currently held by the Department of Transportation.

I commend Secretary Duffy and his team at the Department for their early and significant attention on autonomous vehicles. In April, Secretary Duffy announced a new automated vehicle framework as part of his innovation agenda and has included early action items that are a welcome down payment. It is imperative this progress continues, and we are optimistic that with confirmed administrators at NHTSA and FMCSA that more is yet to come.

Department of Transportation action must be paired with activity from Congress. I want to highlight a few critical policy items that are needed in Federal AV legislation or from the U.S. DOT.

First, we believe that public trust in AVs is essential to their acceptance and that the industry must earn and maintain that trust every single day. We are an engagement-first industry and provide public education on the technology and work closely with local first responders and law enforcement.

Last year, we released the AVIA TRUST Principles, which announced industry commitments and new initiatives to build and sustain public trust in AVs. But the AV industry can't do this work alone, and the Federal Government has an important role to play in building trust in AVs, such as a rulemaking from NHTSA to require commercially deployed AVs manufacturers to develop a safety case; creation of a national AV safety data repository which houses AV incident data and allows NHTSA to share information with State transportation regulators; and a rulemaking from NHTSA to require a core set of autonomous driving system behavioral competency tests to which each AV's manufacturer would need to certify.

Second, Congress and the Department of Transportation must also modernize the Federal Motor Vehicle Safety Standards to address requirements for manually operated driving controls and certain indicators that should not be applicable to level 4 or level 5 AVs.

Autonomous vehicles are an opportunity to reimagine what motor vehicles look like and how they are designed, paving the way for greater accessibility, safety, and social utility. AVs will be game changers for the elderly and people with disabilities.

My written testimony provides additional policy recommendations that should be included in Federal legislation.

To conclude, the AV industry is excited to get to work with members of this committee to put in place a Federal policy framework that supports American leadership. The time is short, and it is now.

Thank you for your attention, and I look forward to any questions. 1A[1]

Mr. FULCHER. Thank you to everyone on the panel for your testimony. I will begin the questioning and recognize myself for 5 minutes.

Mr. Farrah, this question is for you, but I also want to go to Mr. Bozzella for some comments. As autonomous vehicles continue to advance, much of the testing and deployment occurs in dense urban regions. However, there is a lot of rural and remote areas, including in my State of Idaho. Most of the geography would be considered rural or remote, and that presents some unique challenges with connectivity, tracking capacity and so on, and also with road markings, which can be obscured, nonexistent in some cases.

So can you comment how the industry is working to address some of those challenges in the AV industry?

Mr. FARRAH. Thank you very much for the question. I would be glad to address that.

I think the first thing to note is that, when we talk about autonomous vehicles, we are taking about level 4 autonomous driving systems. These are vehicles that, insofar as there is a human in the vehicle, it is merely a passenger. And one of the characteristics of a level 4 autonomous driving system is that it is confined to what we call an operational design domain. This is a set of safety limiting factors that really apply to where the vehicle is, what types of circumstances that it can ultimately operate in.

And so when the industry is looking to go into a new geographical area, the first thing that they do is very extensive testing and mapping to understand many of the unique characteristics of where it is they are going to operate. So this is why you see a very deliberate and steady deployment that is going on, sometimes city by city, highway by highway. We are not in a hurry to ultimately deploy these vehicles. We want to make sure that safety is always at the forefront.

And so as we look to expand the footprint of autonomous vehicles into more geographies across the country, we need to make sure that we are taking into account the special circumstances that—

[1] The prepared statement of Mr. Farrah has been retained in committee files and is available at http://docs.house.gov/meetings/IF/IF17/20250626/118433/HMTG-119-IF17-Wstate-FarrahJ-20250626.pdf.

you know, whether it is markings, whether it is rural roads that sometimes have their challenges. Obviously, sometimes when you are operating in highways, it is different than operating in city environments. And so we have been successful with these deployments across many different modes of transportation, but we have to be sensitive to all the localities and what they have to offer.

Mr. FULCHER. Thank you for that.

Mr. Bozzella, comments on that?

Mr. BOZZELLA. Yes. Thank you, Mr. Chairman.

Just to build on what Mr. Farrah just talked about, I do think it is important to recognize, when we talk about highly automated vehicles, we are also talking, in addition to level 4 vehicles, level 3 highly automated vehicles.

In this case, we do think that there are use cases that will support rural drivers and passengers who, for example, take long distances and could benefit from the hands-off, eyes-off, safe AV vehicle in a personally owned context. But what this comes down to, and I think Mr. Farrah would agree, is that we need a national framework to make sure that we are building use cases that support all consumers—rural, suburban, and urban.

Mr. FULCHER. Thank you for that.

Dr. Harkey, the vast majority of Americans are avid users of cell phones, as you know, other mobile technology. Can you share some comments on research that you might have access to on mobile phones use while driving, including texting, social media, and what are the broader safety implications of a technology-enabled distracted driving?

Dr. HARKEY. Yeah, we know that distracted driving is a growing problem. It is one that the official numbers from the National Highway Traffic Safety Administration are in that 3,000 to 4,000 range in terms of fatalities that have been assigned as a result of distracted driving. Our research and others have shown that the number may be as high as 10,000, and so we know this is a serious problem that needs to be addressed.

No doubt that mobile phone, that device in our hands is a big part of that and something that needs to be addressed. It has to be addressed in a couple ways. Of course, we can do as much as we can with awareness and education of the general public, and that works to some extent. But one of the things that we have seen in our research is there are some policy changes that can be implemented.

And so changing those laws from a hold-and-use to simply hold, it gives law enforcement greater capability to be able to actually pick out the violators of the particular law and then be able to have that adjudicated properly in the courts.

And so I think this is something that is going to be really important moving forward. It is going to be a combination of, what can we do from an awareness standpoint, what can we do from an enforcement standpoint? And more importantly as we think to the future, what can we do from a technology standpoint in the vehicle itself? There are ways that we can limit use, and I think that is going to be really, really important.

Mr. FULCHER. Thank you for that.

Mr. Farrah, I don't have time for another question, but I want to just give you notice I am going to send you a written question having to do with opportunities for elderly and disabled. You touched on that. I would like to drill a little bit deeper, but I don't have time right now.

So with that, I yield it to the—Ranking Member Schakowsky for 5 minutes.

Ms. SCHAKOWSKY. Ms. Chase, I would like to ask a few questions of you. There are plenty more things that we could do to make auto safety, but I want to talk about some—two at least that have already passed and yet they have not been implemented. For example, we passed kids—what we do for kids—kids in hot cars, we passed that. And I thought we were going to be able to save the children. So what can we do about that?

And also drunk driving. I know that is really hard, but we still haven't succeeded. So what more could we do on those two issues?

Ms. CHASE. Thank you for the question, Ranking Member Schakowsky. And thank you so much for your leadership on the issue of hot cars. It is just devastating that we are still losing children who were either forgotten in the backseat, maybe they fell asleep during a family trip, or maybe they climb into a car when adults aren't looking at them. And especially at a time when this panel is talking about autonomous vehicles, surely we can get the detection systems into vehicles so that these children don't suffer, both fatalities and injuries.

So as you mentioned, the Bipartisan Infrastructure Law directed the U.S. Department of Transportation to issue a final rule to have equipment in vehicles that would alert people if a child is left in a car. We have not seen action on it. And we implore this committee and Congress to continue oversight efforts so that that rule can be brought over the finish line.

Our organization has held numerous demonstrations, of which you have been a part of over the years, showing that the technology exists and works. So this is not something that a new technology has to be invented for. It is there and we need to get it into cars.

Ms. SCHAKOWSKY. We really do need to work on it, yes.

Ms. CHASE. Absolutely. And then you brought up impaired driving. That is another issue where approximately 10,000 people are being killed every year on our roadways. And again, there is technology. I personally have been in cars that have had some of the passive impaired driving technology systems. In fact, Mr. Bozzella's organization held a demonstration about a year ago, I believe, where they showed that the passive systems can detect small amounts of alcohol and prevent people from getting behind the wheel, and that is really what we need.

But until that technology is required, as required in the Bipartisan Infrastructure Law, there are steps that can be taken. There is a bipartisan End DWI Act, which should be enacted. And that would require all offenders have ignition interlocks in their cars if they are convicted of drunk driving. And people who have had the IIDs in their cars have admitted that it has stopped them from driving while impaired and changed their driving behaviors. And that is what really we need and want to do in terms of getting impaired drivers off the roadways.

Ms. SCHAKOWSKY. Do we need to talk to the drivers, the manufacturers to get busy on these?

Ms. CHASE. Oh, absolutely. There is no reason to wait for the U.S. Department of Transportation to require these systems into cars, although we do support minimum performance standards, because we don't want a situation where some systems are underperforming when a consumer is expecting them to act a certain way. But, for example, right now there are already automatic emergency braking systems with pedestrian detection in cars, and that is not required until 2029.

So cars have the ability to be saving lives right now, and we do urge auto manufacturers to continue their work to get these systems into cars.

Ms. SCHAKOWSKY. Thank you so much. We can definitely do better. And I appreciate all the work that you do.

Ms. CHASE. I really appreciate your work.

Ms. SCHAKOWSKY. I yield back.

Mr. FULCHER. Thank you to the ranking member.

The Chair recognizes the chairman of the full committee, Mr. Guthrie, for 5 minutes.

Mr. GUTHRIE. Thank you very much. And so—thank you for yielding.

Mr. Farrah, autonomous vehicles account and utilize AI for sensing classification, prediction, decision making. In many ways AVs present a real-world application of AI with transformative potential. One of the themes that we have had—or the theme, I guess you want to say, defining theme of this first 6 months of most of the committee has been American global leadership in AI. Our values or China's values in AI.

Could you talk about how continued advancement in deployment of AVs can help America's global leadership in AI?

Mr. FARRAH. Mr. Chairman, thank you very much for the question. And thank you for all your leadership on autonomous vehicles and AI generally.

I will start by saying that I think that autonomous vehicles are a really useful example of what we can do with artificial intelligence. I think that for a lot of Americans it sometimes can be hard to conceptualize how it is that AI is going to transform our economy and contribute in many ways. And when you see this physical manifestation of AI through autonomous vehicles where people can be passengers, they can see that their goods are being safely delivered and see that we can make huge strides on roadway safety and accessibility. These are all really wonderful things that I think that AVs can ultimately do.

But I am very, very concerned that we have not had a Federal policy framework in place that is allowing the United States to globally lead, because we do know that many of our strategic competitors, including China, they are very serious about dominating globally when it comes to both AI and on AVs. And right now, we are fighting with one hand tied behind our back.

We need to have a Federal policy framework in place that allows for private-sector investment, private-sector innovation in this space. And so we are very eager to work with you and members

of this committee to pass AV legislation and also work with the Department of Transportation.

Mr. GUTHRIE. Thanks. And so, Mr. Bozzella as well, and Mr. Farrah as well, so I guess to another kind of thing we have been dealing with, and being the Commerce Committee, we are the protectors of the Commerce Clause of the Constitution, but we also have the 10th Amendment of the Constitution. And so matter of fact, Mr. Fry and I were just kind of talking about just a second ago as we were talking about this, and sometimes you have to determine where it goes.

We are also a laboratory of democracy with our 50 States. And something—when we leave a vacuum, then States try to fill that in. One is they just want to—but to me, AVs are clearly Commerce Clause. Unless you are just going to regulate what just happens within your State, you are going to build a car in one State and it is going to travel to another. This obviously needs to have a national standard.

So the lack of that puts pressure on us, and the States put pressure on us by doing it themselves, because if you are not going to do it, we are. And that is what we have to be mindful of.

So Mr. Bozzella first and then Mr. Farrah: Can you outline the major trends you are seeing in State-level AV legislation, explain how inconsistent State laws—or a patchwork of State laws, that they are inconsistent with each other—can impede safe nationwide deployment and NHTSA's role in regulating motor vehicle safety?

Mr. BOZZELLA. Yes, Mr. Chairman, thank you very much for the question.

You know, we just heard an important dialogue between Ranking Member Schakowsky and Ms. Chase about the importance of Federal motor vehicle standards on vehicle equipment. That is precisely the challenge in the AV space that we are facing today. A customer in an AV should be able to understand that that vehicle that they purchase or that they lease or that they are in is the same vehicle going from State to State, and it works the same way.

What we are seeing in States is, as you said, nature abhors a vacuum. States are actually considering and putting in place equipment requirements for AVs. This is clearly the—the purview of the Federal Government, and if Federal Motor Vehicle Safety Standards existed, those States would be clearly preempted from doing so.

And so I think the most important thing that this committee needs to consider as it works on this legislation is the preemptive importance of having a robust AV policy at the Federal level that is focused on safety.

So, example: In California right now, four different equipment standards are being considered by the Department of Motor Vehicles in California that would be imposed on vehicles. This is the vacuum that has to be filled by the Federal Government.

Mr. GUTHRIE. Thank you.

Mr. Farrah?

Mr. FARRAH. Mr. Chairman, thank you.

I would say that it is important to emphasize here that there is a very strong role in autonomous vehicle regulation for State governments. There is a very, very strong role for the Federal Govern-

ment. What is most important is that each stay in their respective swim lanes.

You have 26 States that have passed autonomous vehicle deployment statutes, accounting for more than 57 percent of the population. Those are a welcome trend. We have worked diligently over the course of the last 10 or so years to put those in place. But they are speaking narrowly to State issues. They are authorizing level 4, level 5 AVs on the roads. They are speaking to insurance minimum requirements. They are speaking to law enforcement and first responder engagement. But the Federal Government needs to be the one speaking to vehicle design, construction, and performance.

And to Mr. Bozzella's point, we are seeing States creep in, especially on vehicle design issues. That is not appropriate. That is why we need the Federal Government to step in. That is why we need Congress to ultimately pass a Federal AV statute.

Mr. GUTHRIE. Thank you, Mr. Farrah.

And I will yield back. My time has expired.

Mr. FULCHER. Thank you, Mr. Chairman.

The chairman now recognizes the ranking member, Mr. Pallone, for 5 minutes.

Mr. PALLONE. Thank you, Mr. Chairman.

Protecting American consumers by ensuring the safety of the products they buy, the websites they visit, and the cars they drive is the essential responsibility of this subcommittee. Helping NHTSA, our Nation's auto safety regulator, to fulfill its mission is a key part of this subcommittee's work.

Now, there have been reports that as much as 35 percent of NHTSA's expert staff have been laid off or otherwise left the agency this year. So I am concerned that this loss of expertise, along with the Trump administration's proposed reallocation of resources at NHTSA, will make it impossible for NHTSA to adopt the safety rules that Congress has mandated and do other work crucial to fulfill its mission to ensure the safety of Americans on the roads today.

So I have two questions, both of Ms. Chase. First, do you share my concerns? And just feel free to elaborate, if you will, but I do have a second question.

Ms. CHASE. Thank you for the question.

As a fellow New Jerseyan, I appreciate talking with you today. And I just want to say it is very interesting that one commonality of all of the panelists' testimony—written testimony, that is—is that we have all called upon NHTSA to do more work. And yet, as you rightly point out, there has been a significant reduction in the workforce and some very important talent has been lost. And I am very concerned that this is not only a short-term concern, but it will have long-lasting ramifications in terms of attracting talent at a time when cars are getting more complex.

We need to have the expertise at this agency which is charged so importantly with protecting all road users. They need to have sufficient resources and sufficient talent to make sure that our roadways are safe for everyone. So I absolutely share your concern.

Mr. PALLONE. Oh, I appreciate that. You know, over the years—not to take away from this issue—you know, we deal with the

healthcare system. And I remember for the first, you know, maybe 20 years that I was here, I hear from everybody. It wasn't just a Republican-Democrat thing, you know. Nursing homes would come in and doctors would come in, and they would say, "Oh, we can do more with the healthcare system and, you know, help more people and provide more services with less—you know, with less money." And I would say, "OK, but at some point that is not going to be true anymore." And I think we have reached that point in the healthcare system.

And I think, generally speaking, you know, you can't give an agency more work or provide more patients or provide more services and then give them less money. It just doesn't work. Or less staff. It just doesn't work.

But let me get to my next question. NHTSA's five-star safety rating system, also known as the New Car Assessment Program, or NCAP, is intended to help consumers compare the safety of vehicles when they shop. Now, while the rating system has been updated in recent years, there is general agreement that the ratings have become woefully outdated and we have fallen behind other countries.

So, Ms. Chase, is the current five-star rating—safety rating system working for consumers, and what should NHTSA do to make sure that the five-star safety rating program is helpful to consumers who want to understand and compare the safety features of different cars? If you would.

Ms. CHASE. Thank you for the question.

This actually is a place where the United States has fallen behind other countries, which is very shameful because we, the United States, started this program. In fact, one of my board members, Joan Claybrook, when she was the head of the National Highway Traffic Safety Administration, was instrumental in starting the NCAP program. But it has devolved over the years, and it now really has become like a participation award, if you will.

We have come—fallen subject to starflation, if you will, where everyone gets five stars. It is like Oprah, you get five stars, you get five stars. And we need to rein that in. There needs to be delineation so that a consumer knows, if that person goes into a car and, as I mentioned earlier, expends one of the biggest parts of their family budget and wants a safe car, they know that five stars means something.

And in the absence of NCAP stepping up, I have to say the Insurance Institute for Highway Safety has done an exceptional job in terms of rating and crashing vehicles so that consumers can be informed. But this should be the role of our Government and of the agency that is NHTSA.

Mr. PALLONE. No, I appreciate that. And, you know, I think that more than any other area that I can think of that we have jurisdiction over, when you deal with automobiles, the idea of consumers', you know, right to know and their ability to shop and make decisions if you provide them with information, you know, shopping for a car I think is—this is all very important, so that is why I appreciate what you said. Thank you.

Thank you, Mr. Chair, I yield back.

Mr. FULCHER. Thank you to the ranking member.

The Chair now recognizes Representative Harshbarger for 5 minutes.

Mrs. HARSHBARGER. Thank you, Mr. Chairman. Thank you to the witnesses here today.

I want to start with you, Mr. Bozzella. In the past decade or so, we—new vehicles have been equipped with advanced driver-assistance technology called ADAS, which is designed to prevent deadly crashes. But while it can improve vehicle safety, it is important that these safety features work not only when the vehicle comes off the assembly line but for the life of the vehicle.

So do drivers know if the ADAS system in their vehicle is fully functional and properly calibrated?

Mr. BOZZELLA. Yes. Thank you. This is a very important question about advanced safety systems like ADAS. I want to make a very important point in the outset. ADAS systems are not autonomous driving systems. The driver must be fully attentive and fully in control at all times. So ADAS is there to aid the driver, support the driver, and provide assistance. So that is point number one.

Point number two, we work on these systems, the durability of these systems, and the effect of these systems, and warrant these systems like we do for every other part of the car. So it is really important that they work and they work all the time.

And the last point I would make about ADAS is, when you build an ADAS vehicle that combines two different types of technologies, like adaptive cruise control and sort of lane centering or lane keeping, it is also important that we monitor the driver and make sure the driver is attentive. Those systems all do work and need to work over the life of the vehicle.

Mrs. HARSHBARGER. OK. So my understanding is that there isn't a universal way for vehicle owners to see that that system is working properly. Should there be a standardized maybe EML on vehicles so owners will know that their system is functioning properly?

Mr. BOZZELLA. So I would love to learn more about your concern. The vehicles that I am familiar with make the customer aware of when the system is working and when it is not, when it is on and when it is off. I do think it is important that we educate customers about how the systems work and what their limitations are. So I do think education is an important part of this.

Mrs. HARSHBARGER. Do the automakers provide independent automotive businesses with information on how to maintain that ADAS functionality?

Mr. BOZZELLA. Yes. This is critically important. The manufacturers provide all of the data necessary to diagnose and repair vehicles to everyone, both dealers as well as independent repair shops.

Mrs. HARSHBARGER. OK. That was my next question.

Mr. BOZZELLA. Sorry.

Mrs. HARSHBARGER. That is great. No, you answered it. You saved me 3 seconds.

You mentioned how vehicle manufacturers need to jump through two, three, four hoops when it comes to complying with the mission requirements. So explain just very briefly how CAFE standards, which benefit smaller cars, how they can actually hinder safety standards.

Mr. BOZZELLA. The challenge with emissions and fuel economy regulations is we have four different agencies and seven different rules regulating one vehicle, and so there is an enormous amount of confusion and waste in the system that doesn't produce emissions benefits, and so that is really the biggest challenge. For the most part, manufacturers can achieve both more safety and more fuel efficiency at the same time. The key is aligning all of the agencies on one national program.

Mrs. HARSHBERGER. Man, I know what you are talking about when it comes to agencies.

Mr. Farrah, I have got about a minute left. I keep reading reports hailing AVs for their safety benefits, but you mentioned how some of NHTSA's safety requirements should be modified or removed. So can you briefly clarify in more detail which safety requirements need to be changed for AVs, and how will that not jeopardize patient—passenger safety, or patient safety?

Mr. FARRAH. Congresswoman, thank you very much for the question. I appreciate it.

I will say a couple of pieces. I will say the first thing to note is, when we all get in our cars and we are leaving at the end of the day, if you look around, you see all these things that are put around you. They are put there because, to date, a human has been the one driving a vehicle, and so our vehicles are all very human-centric. And why we have a steering wheel and a brake pedal and a rearview mirror in certain places and whatnot, it is there to help you to be able to safely operate the vehicle.

But, if you step back and think, "OK, what happens in a world where an autonomous driving system can do all the driving?," you would design the vehicle in an entirely different way. We need to make sure that we are modernizing the rules that NHTSA has in place to account for that situation where we are now going to have this autonomous driving system that will ultimately do the driving. It is going to help us to make vehicles more accessible, make them more safe in the future, and so this is an exciting opportunity we can speak to that in Federal AV legislation.

Mrs. HARSHBERGER. That is good because I drive back and forth to DC, and it is 6 hours.

Mr. FULCHER. Thank you, Representative Harshbarger.

The Chair now recognizes Representative Castor for 5 minutes.

Ms. CASTOR. Well, thank you, Mr. Chairman, for calling this hearing, and thank you to our witnesses for being here today.

Automobile safety touches everyone, everyone across the country. It is so important. And, unfortunately, I represent a community where it is actually one of the most deadly places in the country to be a pedestrian. On average, at least one person walking and one person biking are involved in a crash every day with many resulting in serious injury or death. This is a costly and tragic problem.

In fact, my hometown newspaper, the Tampa Bay Times, has really been pressing the issue. They wrote earlier this year the Tampa Bay metro area has been one of the most dangerous places to walk in the United States. A pedestrian is far likelier to die in Tampa Bay than in much—the much busier, much larger New York City, three times as likely when accounting for the Big Ap-

ple's larger population—three times. In a typical year in Pinellas and Hillsborough Counties, drivers hit more than 1,000 pedestrians. About 100 of them die.

Thank you, Ms. Chase, for recognizing that these are all individuals and not just statistics. It is a stark reminder that pedestrians stand little chance when things go wrong.

Now, we tried to do some things in the Bipartisan Infrastructure Law. We sent large grants back home to address the backlog of safety for bicyclists and pedestrians, the way we develop our roadways. Under the Biden administration, NHTSA started a substantial number of safety rulemakings and finalized several rules that will save lives.

But I share the concern that Ranking Member Pallone raised that you confirmed, Ms. Chase, that these arbitrary cuts and taking the cops off the beat, firing experts, delaying rulemakings is not going to do anything to help save lives, ultimately.

But we benefit back home from the expertise. At the University of South Florida, we have a Center for Urban Transportation Research. They have been—they do a lot on safety practices, and they highlighted to me the most important things we can do are technological and behavioral changes. I think distracted driving right now is such a problem. Everywhere you go, people are—you look at—I often count cars of people that are on their phones as they drive.

Now, we have directed NHTSA to address this, but where are we with this, Ms. Chase? Where are they?

Ms. CHASE. Thank you for your question, and I just want to commend you for bringing up pedestrian safety. Going for a walk should not mean a death sentence, and that is what is happening in our sidewalks and roadways right now, and it doesn't have to be. There is technology available, automatic emergency braking with pedestrian detection that is in some cars and should be in all new cars that prevents people from getting killed.

Additionally, cars can be designed so that they are more forgiving if they are in a crash with a pedestrian so that the vehicle absorbs the energy, instead of the person, who is obviously more vulnerable.

But, in terms of your question of where are we, NHTSA is behind. NHTSA needs more resources to bring needed rulemakings over the finish line in a very—in a number of areas, and I would like to focus specifically on advanced driver-assistance systems, which Mr. Bozzella brought up. These are systems that we know, according to the Insurance Institute for Highway Safety, can reduce crashes, and they can reduce crashes whether someone is distracted, impaired, drowsy. And all of these things are happening behind the wheel.

So, if a car—if a driver, you know, falls prey to one of these characteristics, the vehicle can take over. It can brake. It can center a lane. It can capture a blind spot and take action so that a bicyclist or a pedestrian isn't hit. So we really need NHTSA to get going on these rulemakings and——

Ms. CASTOR. Didn't NHTSA finalize a rule in 2024 requiring automatic emergency braking on all new cars sold after September 2029? I note that it is being challenged in the courts by the Alliance for Automotive Innovation.

Dr. Harkey, is the institute involved in that litigation?

Dr. HARKEY. No, we are not directly involved in that litigation. Our role in AV testing and evaluation is strictly to figure out, are these systems performing at a level that will prevent the kind of harm, both for vehicle-to-vehicle incidents as well as vehicle to pedestrian and now moving into vehicle to bicyclists. So we are looking at all aspects of that.

Ms. CASTOR. And does your data show that that would save lives, that rule on braking being integrated into vehicles?

Dr. HARKEY. What our data shows is that the systems that have been built are resulting in a 50 percent reduction in front-to-rear vehicle-to-vehicle strikes and a 27 percent reduction in vehicle-to-pedestrian strikes currently, and those are for lower speeds. Our most recent testing, we have now increased those speeds, increased the number of targets that they must address, and so—and we are seeing better performance from the automakers. And so the auto industry is working hard to continue to improve performance with respect to those systems, and we are going to see them get better and better over time.

Ms. CASTOR. Thank you very much. I yield back.

Mr. FULCHER. Thank you to Representative Castor.

Representative Obernolte is recognized for 5 minutes.

Mr. OBERNOLTE. Thank you, Mr. Chairman.

Mr. Farrah, I was interested in your discussion with Chairman Guthrie about the fact that 26 different States have already created regulation of autonomous vehicles, and you stated that it is important that regulation of AVs be a partnership between Federal regulation and State regulation and that each entity needs to stay in its lane. And I was struck by the fact that we have a very similar situation that has developed with respect to artificial intelligence in general. I chaired the House AI Task Force, and we included in our task force report an entire chapter on the issue of preemption because this balance of regulation is so important.

So I wanted to ask specifically about something that we are considering right now in Congress, which is a temporary moratorium on State regulation of AI. And we think that that is necessary to avoid 50 different State regulators going in 50 different directions on something that is clearly interstate commerce. And, very similar to AV, we think that ultimately regulation of AI will require a partnership between Federal and State regulation.

In your opinion, I mean, that moratorium is specifically for AI. So general-purpose regulation of AVs, as long as it doesn't specifically touch AI, should be exempted. Do you see the moratorium as a positive or a negative to the development and adoption of AVs?

Mr. FARRAH. Congressman, thank you very much for the question. We have obviously been close observers of that discussion on the moratorium, and there is a discussion going on in the Senate as we speak. And so what I can say is that our read of the rule of construction related to that moratorium would preserve the State AV deployment statutes that would advance the safe operation of autonomous vehicles on our roads.

Our organization has worked very diligently for about a decade to pass the 26 AV deployment statutes. We want to make sure they remain in place because, as you say, there is a really excellent op-

portunity here for partnership, for federalism to exist, where States are having a lot of jurisdiction around specifically authorizing vehicles on the roads, regulating things that are within their purview. But the fact of the matter is the Federal Government has not caught up. They are not doing what is needed around vehicle design, construction, and performance. That is what we are looking for.

Mr. OBERNOLTE. Right. I would say a similar situation exists with respect to AI in general, and we are going to try to fix both of those things here.

Another question for you. In your testimony, I was very interested when you talked about the fact that public trust is going to be essential for the success of AVs and all of the benefits that that technology can bring to our society, particularly with respect to lowering accident rates. And you talked about some things like the creation of safety data, repositories, and behavioral competency tests that can enhance public trust, but I am wondering if the problem isn't much bigger than that.

And the reason why I say that is that, when there is a bad vehicle accident, locally you might see something about it on the local news, but when there is one accident in a Tesla on auto pilot in Florida, we hear about it in California. So, you know, the public has adopted this risk model with AVs that is very dissimilar to the risk model that they accept when they drive their own vehicle on a highway, and it would seem to me, as a society, from a logical standpoint, as soon as the safety level of AVs exceeds the safety level generally of human-piloted vehicles, we ought to celebrate that as a success. But, instead, you know, the attitude is that one accident is too many, and someone must be at fault, and it must be fixed.

So how do we reconcile those two different risk models? Because it seems to be like that is a lot more critical than the other things you mentioned.

Mr. FARRAH. Congressman, I think you really touched on an important issue, and we are very eyes-wide-open about the reality that this is a new technology. It is something that most Americans have not had the opportunity to experience. That is going to—increasingly that they will have access to this in the coming years, but this is something that is very new and fresh to a lot of people. They have a lot of questions. It is why I said in my opening statement we are an engagement-first industry. We want to get out and talk to first responders, talk to mayors, talk to local community members, talk to citizen groups, explain who we are, explain what the technology can do, what the safety benefits are, the accessibility benefits.

And so we need to continue to lead on that public education piece of everything, and so that is just a reality of what is going to be the case. And so I think that it is very clear that we need to do more to explain this, but I also think that Congress can be a partner to all of us in trying to really pursue more public trust.

Mr. OBERNOLTE. I would agree.

Dr. Harkey, I just have a few seconds here, but we are going to have a problem parceling out liability for accidents when autono-

mous vehicles are involved. What is the current thinking on how we do that? Because it is a very complex topic.

Dr. HARKEY. It is a complex topic, and I am not sure we have the answers yet. I don't know until we actually get cases in the courts and actually see the litigation to understand how that is going to be parsed out and where it is going to fall in terms of the vehicle manufacturer, the insurer that is responsible, or the particular driver that owns the vehicle. I think all are going to be part of those lawsuits, obviously, and so we just don't know the answers as to how that litigation is going to play out at this time.

Mr. OBERNOLTE. Right. Well, I wonder if Congress could be part of that solution rather than leaving it to rooms full of lawyers. Thank you very much for your testimony.

I yield back.

Mr. FULCHER. Thank you, Representative Obernolte.

The Chair now recognizes Representative Soto for 5 minutes.

Mr. SOTO. Well, geez, talking about Florida and lawyers? That is like a double threat, sir. I ought to get our Chair down here to talk about Florida pride. I know Gus Bilirakis and my other two Floridians on the committee would be coming to my aid on this.

In all seriousness, we know autonomous vehicles' crash-avoidance systems continue to evolve across America. Safety, mobility for—I think about young people, seniors, folks with disabilities, what this means for them. Central Florida has been a big part of this. We have helped develop LiDAR, one of the redundancy systems for autonomous vehicles. We have the longest-running autonomous public transit, Beep, way back in 2019—just shows you how new this technology is—in Lake Nona in our district, and then SunTrax, which is a partnership with the Florida Department of Transportation for autonomous commercial vehicles.

You know, when we look at fast-growing Central Florida, we see I–4 expansions we are working on, turnpike, Poinciana Parkway, SunRail, Brightline, expansions to help with commuter rail and high-speed rail, electric links buses. And, when you see these autonomous vehicles that last mile or that last few miles, it is going to play a critical role in getting folks where they need to go.

I know, having worked with Beep on first—their first NHTSA waiver, now their second one, we are essentially in a waiver system right now, which is kind of gray, right? It doesn't really help too much when we are trying to do autonomous vehicles that there is a lack of rules and an inaction by Congress. So I am hopeful that this committee will move on this.

Contrast that to FAA rules on eVTOLs, otherwise known as flying cars. We are actually doing a vertical eVTOL flying car area for Orlando International Airport because that rulemaking came out. But, as far as I could see it, we had NHTSA rolled out their first national framework in December 20th under the Biden administration that had a proposed voluntary view in reporting. We saw, about 5 months later, the Trump administration came out with a second framework that incorporated those safety aspects and added in innovation and commercial deployment, but I have got to say it is still a little light, right? It is not really particularly substantive.

Mr. Farrah, you know, we haven't seen a lot of movement on rulemaking, and you add in the 50 percent of the autonomous vehi-

cle department being axed under DOGE. How is NHTSA doing on rulemaking right now? It has been slow, right?

Mr. FARRAH. Congressman, thank you very much for the question, and I wanted to really make a point of commenting on something you talked about, which really—the opportunity especially around shared mobility for the elderly and people with disabilities, and that is really an opportunity, I think, for all of us in front of it. And, obviously, Florida has been a national leader when it comes to regulation for a very long time.

Mr. SOTO. But how is NHTSA doing? Are they slow? Is the cuts affecting them?

Mr. FARRAH. I think, early days, we have seen some very encouraging signs. Obviously, we are only a handful of months here into the administration. We have seen Secretary Duffy talk about his Federal framework and the need to take action there. We are hopeful that, with a confirmed NHTSA Administrator and a confirmed Administrator from CSA, we will see additional activity, but I really think it underscores the need for this committee to be acting on Federal AV legislation to give those nudges to the Department of Transportation.

Mr. SOTO. Do they have authorization already to do regulation on AVs under their existing authority?

Mr. FARRAH. NHTSA and the Department of Transportation has a tremendous amount of latitude to initiate new rulemakings. That said, they have been slow to do it historically, and I think——

Mr. SOTO. So they could. Thank you so much.

Mr. Bozzella, tariffs. Right? We saw 10 percent across the board, 50 percent on steel and aluminum. We know it is raising the prices of vehicles. Is it also affecting innovation in areas like autonomous vehicles?

Mr. BOZZELLA. It could. And really it depends on how long this environment lasts and to what—and how expansive it is, but certainly with regard to not only tariffs, import tariffs, but also export controls, those types of policies could affect the pace of innovation.

Mr. SOTO. And we already saw USMCA. We had established a framework. We even lifted the percentage that it needs to be built in the United States for it to be an American car, and so how are automakers feeling right now in the certainty of their business?

Mr. BOZZELLA. Yes. So—and Congresswoman Dingell touched on this in her opening remarks. I mean, the industry does best with certainty, where we have clear running rules and we know what those rules are, and we adjust to manage them. So what we are hopeful of is that these rules will be clarified, that negotiations will be completed, and we will understand what the rules are. We will make the adjustments necessary, and we will move forward. That is what we need, is the clarity to make the adjustments.

Mr. SOTO. Thanks, Mr. Chairman. I wanted to submit the Specialty Equipment Marketing—Market Association, SEMA's, letter in support of the efforts we are doing here today.

Mr. FULCHER. Sorry, repeat that, Mr. Soto.

Mr. SOTO. The Special Equipment Market Association. It is actually a courtesy to Ms. Harshbarger.

Mr. FULCHER. Without objection.

[The information appears at the conclusion of the hearing.]

Mr. SOTO. I yield back.

Mr. FULCHER. Thank you, Representative Soto.

Representative Fry, you are recognized for 5 minutes.

Mr. FRY. Thank you, Mr. Chairman.

Thank you to the witnesses for being here.

Dr. Harkey, in your testimony, you reference international trends, and in terms of crash prevention and vehicle safety, what countries have good models that we should look at when it comes to that?

Dr. HARKEY. Thank you for the question. It is a great question. Trying to parse out what makes other countries better than us is sometimes a challenge, but there's some themes that are there. The first is that you hear a few of us talk about is systemic approach to safety that has been integrated into all elements of government in a number of countries. And so, whether it is Sweden, the Netherlands, there are a number of countries where they have done this, and they have done it well.

You know, we adopted the Safe System Approach as part of the National Roadway Safety Strategy, the USDOT did back in 2022, but we have failed to implement it in this country. And so it is an example, one example of something that happens in other countries that we are not doing here. And I actually do think that Congress could help encourage the USDOT to do that and provide more support for them to be able to do that at the State level, at the local level.

Culture is also a big thing. You do not see impaired-driving problems in other countries the way that we have those here, and so this is where technology in vehicles like passive alcohol detection can help address those problems moving forward, and we need to be thinking about how technology can help.

Technology on the other side, the other thing I would say is action in these countries to do things like speed safety cameras is very aggressive, and speed is a huge problem. It is more than a quarter of the fatalities in this country, and so that is another area where you see that.

And then the final thing I would say about what is happening in these other countries is policy. They have the ability, because they are much smaller than we are, they have the ability to federalize and put policies in place that go across the entire country, and it is easy for them to do that. We still have States that are putting policies in, but we can encourage things at the Federal level for States to do and incentivize things at the Federal level for States to do to address the risky behaviors that you see on our roadways.

Mr. FRY. Thank you for that. In your written testimony—you talked about just a second ago as well—you talked about overreliance on automation systems becoming a problem. What does your data show about how consumers interpret features like lane keeping or adaptive cruise control?

Dr. HARKEY. So we—our work on those systems has generally been on the performance side in terms of how well those systems work with respect to keeping the driver in their lanes or adjusting the throttle and braking and keeping them out of crashes. What we are seeing in terms of our research is, when we survey drivers on

the use of these systems and their understanding of what these systems can do, the thing that is the most frightening about the partial automation systems is that the lack of understanding, as was referred to earlier, that these systems are not self-driving. The drivers are interpreting these in some cases to be self-driving systems, and that is where you get into the overreliance problem.

And so we need to do a better job, NHTSA needs to do a better job of helping get us drivers to understand what these systems are and, more importantly, what they are not.

Mr. FRY. Yes, what their limitations are. That is kind of important.

Mr. Farrah—thank you, Dr. Harkey, I appreciate your testimony—in your view, what is the most realistic timeline for level 4 autonomous vehicles to be deployed at scale in urban developments, and what factors increase or decrease that timeline?

Mr. FARRAH. Congressman, thank you so much for the question. Level 4 autonomous vehicles are here. Our members have driven more than 145 million autonomous miles on U.S. public roads. That is ever increasing. And so what you are seeing is different types of autonomous vehicles are being deployed in different fashions. There are many robo taxis that are being deployed in various U.S. cities, and so that will likely increase over the course of the next several years.

And so I anticipate that, as you see more cities having autonomous vehicles deployed, you also see the footprint of those vehicles expanding out into more suburban areas and hopefully then rural areas, and then obviously you see autonomous trucking, which is a huge aspect of the autonomous vehicle industry, which is moving cargo today across different parts of the southwest, southeast United States.

Mr. FRY. You spoke about AV accessibility, and I think the chairman actually was going to go on this before he ran out of time, but regarding elderly people and people with disabilities, can you give some concrete examples of where AVs have closed that gap or where technology shows the most promise?

Mr. FARRAH. Absolutely. And I will say, Congressman, my grandmother is going to turn 95 years old on Saturday, and so I have watched as she——

Mr. FRY. You better there be for the birthday.

Mr. FARRAH. As she has gotten older, I have seen her independence wane. I have seen her not have the opportunities, and thankfully, she has a very strong family that is able to take her to things, but not every American has that. We need to find a way to have people be able to get to jobs more easily, get to social settings more easily. We have seen a lot of the negative effects of that, and so autonomous vehicles can drive down the cost of transportation, make it so that ownership of vehicles is not as necessary. You have that shared mobility. You have ride share that can ultimately help. And so the elderly in the United States are really going to be one of the main beneficiaries of this technology.

Mr. FRY. I see the hammer has come down. My time has expired, but thank you guys for your testimony.

Mr. FULCHER. Thank you, Representative Fry.

Representative Trahan is recognized for 5 minutes.

Mrs. TRAHAN. Thank you, Mr. Chairman.

It is no secret that modern automobiles have become computers on wheels powered by millions of lines of code and outfitted with hundreds of sensors. Today's cars are smart. But, just like any other computer system, they carry tremendous privacy and security risks.

On a single ride to the grocery store, the average car might collect real-time data on a driver's location, detailed information on their driving habits, even physical information like the driver's height and weight. It is clear from some of this data can help make our roads safer, and I am certain it often does. But, without guardrails, this data can be secretly transferred to third parties for purposes that are wholly inconsistent with the driver's understanding or expectations.

Like most Americans, I feel strongly about the need to control my data. The suspect in the recent shooting deaths of Minnesota State Representative Melissa Hortman and her husband had in his position a list of so-called people search websites. Reports suggest that he may have used these sites to determine his victims' home addresses. The harrowing ordeal has renewed calls for privacy protections, especially the right to be deleted, an idea that I have championed in legislation like the DELETE Act.

So, Mr. Bozzella, more and more car companies are collecting sensitive data, tracking visits to psychologists, places of worship, even revealing when Americans cross State lines to seek abortion care. Alarmingly, an investigation by Senator Wyden last year found that several car companies do not require a warrant before they turn over location data to law enforcement. He also found that several car companies sold data to data brokers, some for pennies on the dollar.

So what responsibility do you believe car companies have to protect the privacy of vehicle owners, including handling requests from law enforcement and the sale of consumer data?

Mr. BOZZELLA. Yes. This is a very, very important issue for the reasons you mentioned. These are computers on wheels. They collect this data for very important critical and necessary reasons. Much of this data is used to manage the safety systems of the vehicle, for example. The biometric data that you mentioned, my weight, for example, indicates the power of the air bag, for example. Telematics data allows a first responder to know where my car is, even if I can't respond to a phone call. So these are important things.

Now, manufacturers are responsible. We have, since 2014, had privacy principles, voluntary privacy principles, which were groundbreaking at the time, where companies committed to protect the data of their customers, especially this sensitive data. Context is important. Transparency is important. And consent is important. Those principles are enforceable by the Federal Trade Commission. We expect our members will follow them, and there are consequences when they don't.

Mrs. TRAHAN. I appreciate that.

Mr. BOZZELLA. Last point: We need a Federal privacy law.

Mrs. TRAHAN. I couldn't agree with you more. I couldn't agree with you more, and I am happy that the principles included data minimization, transparency, and choice.

Now, while today's computers are moving—I mean, while today's cars are moving computers, I think it is fair to call autonomous vehicles moving supercomputers. AVs rely on abundance of external sensors to operate safely and effectively, including LiDAR, radars, and cameras. And these sensors introduce novel privacy concerns to top the risks to individuals present in today's car. The continuous video feeds collected by AVs could in theory be fed into a larger centralized network alongside other data sources. To be blunt, I am concerned that we could create a mobile surveillance data if we aren't careful.

Mr. Farrah, in your testimony, you state that Congress should include in any comprehensive legislation regulating AVs language, quote, "requiring AV manufacturers to develop cybersecurity and privacy plans for their technologies."

Do you believe that a robust AV privacy plan must include data minimization, transparency, and consumer control?

Mr. FARRAH. Congresswoman, thank you very much for the question, and I share a lot of the feedback that you received from Mr. Bozzella. I would say that we very much want to be a part of a Federal data privacy dialogue that is going to go on. I share Mr. Bozzella's views on that, and so I think that we need to make sure that we are not singling out autonomous vehicles. There are many concerns out there in terms of data and use of a lot of different type of sensors on vehicles, and so we want to be part of that conversation.

Mrs. TRAHAN. Great. Thank you so much. It is clear that this committee should be working in a bipartisan fashion on comprehensive privacy legislation that covers every sector, including AVs, and I look forward to working with my colleagues on that. Thank you.

I yield back, Mr. Chairman.

Mr. FULCHER. Thank you, Representative Trahan.

Representative Mullin, you are recognized for 5 minutes.

Mr. MULLIN. Thank you, Mr. Chair.

As I alluded to earlier, I truly believe that advanced driver-assistance systems and autonomous vehicles will one day dramatically reduce crashes and traffic deaths, and I agree that we need to innovate and move quickly to realize those safety benefits. As I have discussed both publicly and privately, we must ensure that emerging vehicle technologies are actually delivering on their promise to reduce crashes and save lives. Right now, we are flying blind.

As NHTSA itself has explained, we aren't able to evaluate relative safety performance of AVs or how they interact with road users because we don't have the data. As Ms. Chase mentioned in her testimony, there have been numerous incidents in and around my district, including situations where AVs entered construction zones, sped through crosswalks, drove erratically, blocked traffic and transit lanes, and interfered with first responders, including blocking the path of fire trucks. But we simply don't know the extent of the problems.

Now, I get it. I understand this technology is in its early stages and will keep getting better over time. But how will we know when it is better? These are exactly the kinds of situations that make the case for stronger oversight and standardized reporting.

I have been encouraged by recent conversations with industry leaders, including many represented here today. There is a growing agreement that more transparency around this potentially transformative technology is both necessary and responsible. And I know human drivers can be erratic, too. So let's make sure we have the data so we can be assured that AVs are performing safely or maybe even more safely than humans. We just don't know yet.

So, Mr. Farrah, you mentioned in your testimony that AVs have now driven, I believe the number was 145 million miles in the U.S., although it is important to note for comparison that Californians alone drove 340 billion miles every year. So we need to collect much more data to draw any conclusions. But could you tell me who is collecting and validating AV driving data right now?

Mr. FARRAH. Congressman, thank you very much for the question. Right now, the autonomous vehicle industry is doing data reporting under the standing general order that NHTSA is collecting information, so we are providing information about AV incidents to NHTSA at the Federal level. That information is publicly shared on the website, and there is, you know, obviously a robust amount of information there. Sometimes it gets misunderstood and needs to be cleaned up. We need to make sure we don't have duplication.

But what we have said as an industry is let's step back from the standing general order. Let's put in statute a national AV safety data repository that will capture that AV incident data. Let's improve it, and let's make State regulators a part of the process because when we—in our travels to various State capitals, many State departments of transportation, departments of motor vehicles, they want to be a part of the equation. They want to get more information from the Federal level. And so what we have said is, let's share that information out through this national AV safety data repository. Let's allow that information to be shared with relevant State regulators about incidents in their district, and so that is something we would be very eager to work with you and your office on.

Mr. MULLIN. I am encouraged to hear about this progress, and I understand that NHTSA collects data about collisions, but beyond that, is there any requirement to report vehicle miles traveled, for example, VMT, or how AVs are performing in complex high-risk environments like near schools and work zones or around first responders, for example?

Mr. FARRAH. The incident data that is shared via the standing general order right now does talk about a lot of—any incidents that are occurring. In terms of vehicle miles traveled, that is something that we would support the AV safety data repository expanding to. I think that is a relevant point. Obviously, we as an industry have taken that on in terms of producing the data point that you mentioned around 145 million miles, but that is something that we would very much like to do that in partnership with our regulator.

Mr. MULLIN. And let me just emphasize, I have been heartened by the discussions I have had with industry leaders, including

AVIA. Do you still agree, though, that there is a need for more transparency in this arena?

Mr. FARRAH. Congressman, right now, there is more data known about autonomous vehicles than any other type of vehicle that is on our public roads, and so, if you combine what is available at the Federal level in conjunction—obviously, in your home State of California, the Department of Motor Vehicles is a very robust regulator, the CPUC in California for fared passenger service is a robust regulator.

So there is a tremendous amount of data that is available, and it is providing a lot of great insights about the safety record of autonomous vehicles, which is extraordinary, and so we need to find ways to make sure that that is more easily consumable, avoid some of the duplication that is out there, make sure that we are putting this in a spot where people can easily understand this because we want public trust in autonomous vehicles. We know that goes hand in hand with their deployment, and we are very committed to that.

Mr. MULLIN. Thank you for that.

I yield back.

Mr. FULCHER. Thank you, Representative Mullin.

Representative Dingell, you are recognized for 5 minutes.

Mrs. DINGELL. Thank you, Mr. Chair.

I guess I am glad that all my colleagues are focused on autonomous vehicles. So I am going to submit questions for the record. But, on top of everything my colleague just said, I hope everybody understands China is collecting data right now and using it against us. And some day we are going to do something about it.

But, having made that, I want to start by touching on consumer safety, specifically on how crash test standards are failing women. We know that today's crash test dummies still don't reflect the real-world risks women face in car crashes. Crash test dummies used in U.S. safety tests are still largely modeled after the average male from the 1970s, and I don't even look like my colleague Rep. Mullin today, even though women are 73 percent more likely to be injured in frontal crashes.

This doesn't seem to be a technology problem. Advanced female crash test dummies exist and are being used in other countries.

It seems it may be a regulatory and implementation problem. And, while bipartisan legislation has been introduced to require NHTSA to adopt the modern female test dummy, experts argue that NHTSA already has the authority to act, but they are not.

So, Mr. Bozzella, given that NHTSA has not yet incorporated a modern female crash dummy into its testing, can you speak to what the auto industry is doing to close that gap and ensure vehicles are safe for all drivers?

Mr. BOZZELLA. Yes. Thank you, Congresswoman Dingell. First of all, every driver, every passenger is entitled to the same safety. Every human, period, paragraph. And we absolutely have to have a regulatory system and a product development system and a research and development system that recognizes and respects that.

Now, what we are doing already as an industry is we continue to advance crash worthiness, and we continue to advance air bag technologies and seatbelt and restraint technologies. That is going

well. Here is a place where we can—and, by the way, there is work being done on advanced dummies, as you recognize.

But, today, NHTSA does not test its current female dummies in every driver position that it tests male dummies. Why is that? We wrote a letter this week to the National Highway Traffic Safety Administration asking that question. I think it is very important that, in their rule test, in their FMVSS testing, and in their end cap testing, that they do so.

Mrs. DINGELL. I am going to send you more questions on that so we get you on the record, but I also want to talk about CAFE standards because nobody else has yet. Today's vehicles are much cleaner and more efficient than those of yesterday, and that is not by accident. That is because of decades of innovation and smart regulation. There is still more work to do if we are serious about reducing emissions, protecting public health, and keeping our auto industry globally competitive.

What the auto industry needs now more than anything, though, is certainty. Certainty is how we can support long-term investment, protect jobs, and stay competitive. To do that, we need to bring all the stakeholders to the table, set fuel economy standards that are forward looking but also practical and achievable. Any future standards must push innovation, protect workers, and give manufacturers the predictability they need to plan for the future.

But, as we sit here today, the Department of Transportation is planning to reset these CAFE standards, potentially—I am afraid likely—taking us backwards, while also redirecting resources away from the fuel economy rulemakings. At the same time, my Republican colleagues are also trying to eliminate penalties for failing to comply with these standards and removing any real enforcement mechanism from the equation.

Mr. Bozzella, how do we expect U.S. automakers to lead in a competitive global market if we keep changing the rules? What does this uncertainty do to the long-term planning and investment needed to stay ahead?

Mr. BOZZELLA. Yes. It is very important that we have one set of aligned standards for vehicle emissions and fuel economy going forward. I said earlier we have four different agencies—three at the Federal level, one at the State level—with seven different regulations regulating one tailpipe. This is very challenging. And, frankly, it produces no incremental benefit. So the first thing we have to do is get alignment.

The second thing—and I agree with your comment that we have to have balanced, achievable standards that reflect market conditions and keep us moving forward. That is the place we need to be, and that is the auto industry's ambition. We are actually heartened by the initial dialogue that we have had with the Department of Transportation in recent weeks because we do think that there is a recognition that we do have to have a balanced standard.

Let's be honest: The market for electric vehicles is not what we thought it was going—today—what we thought it was going to be a few years ago when very, very aggressive standards were set. Adjustments should be made. They need to be made, but they should be balanced, and they should continue progress to reduce emissions and improve fuel economy.

Mrs. DINGELL. Thank you.

Mr. Chairman, I have to yield back, but I do want to make the point that there is a demand for some electric vehicles.

Mr. BOZZELLA. I agree 100 percent with that. There is, and there is progress, and that is clearly a critical part of a competitive automotive industry and our future.

Mr. FULCHER. Thank you, Representative Dingell.

Represent Schrier, recognized for 5 minutes.

Ms. SCHRIER. Thank you, Mr. Chairman.

Despite significant safety improvements and innovative technologies to improve vehicle safety, you have all called attention to the fact that driving remains dangerous in the United States, and rates of roadway fatalities have actually increased in the last decade.

Of course, one thing I don't think any of you have touched on yet is pedestrian, cyclist, and scooter safety, injury, and death. And so, perhaps, if you could incorporate that into your next answer, I would be very grateful.

So some increasingly automated and autonomous systems hold this great promise for making our roads much safer, hopefully for everybody, and preventing severe crashes and deaths. But, Mr. Harkey, you mentioned in your testimony that we are seeing crashes happen when drivers are overreliant on partial automation.

Like, I can see something on the screen, and I still look over my shoulder. I haven't gotten to the trust place yet.

I don't think people truly understand the limits of what their vehicles can and can't do on their own. And we have already talked about better communications. But, if you could add some specifics to that, not just in terms of sensing cars but sensing pedestrians, cyclists, and scooters and how that factors in.

Dr. HARKEY. Thank you for that question, Congresswoman. Let me start with what was some stats that kind of back up your point about we didn't address it. I certainly didn't in my opening comments. Pedestrians, bicyclists, motorcyclists, those are three groups of vulnerable road users where the number of fatalities, the rate of increase in fatalities, has risen much more than others, vehicles in the fatality picture. Pedestrian fatalities are up more than 80 percent since they hit a low point in 2009. So it is a serious problem and it is one of the reasons that we are very much focused on safety not only inside the vehicle for the occupants in the vehicle, but we are very much focused on how do we protect those most vulnerable outside the vehicle in our testing and evaluation program and in our research programs.

I think two things to make points about here. We are seeing technologies like automatic emergency braking systems for pedestrians working. And so, as I said earlier, there—we have seen a 27 percent decrease in those kinds of crashes, vehicles striking pedestrians, with AV systems that are designed to prevent that. So that is encouraging, and I think we are going to see that moving forward. We are going to see that get better as we move to higher——

Ms. SCHRIER. Thank you. That is good to hear. Also, I just want to, you know, take some of that blame off the cars. Humans carry a lot of that responsibility, too, when people are stepping into streets looking at their phones and not listening for oncoming traf-

fic. I just want to be clear: You don't have all the responsibility for that. It is just that the driver is not going to get injured.

I was also wondering—we talked about cell phones a little bit. If you could talk about the safety of touch screens. I have found, and this is not my primary car, but the ones I have used require me to take my eyes off the road for too long than I am comfortable for. I mean, I cannot even turn on the radio until I am at a stoplight. I was wondering if you could talk about what you have found about the safety of the touch screen to the right of the driver.

Dr. HARKEY. Yes, aAnd we have not done direct research on that, but I will give you opinions from my team who worked with others who have worked in this, and it is a huge human factors issue and a design issue in vehicles, and so we are very much concerned about anything that takes your eyes off the roadway for an extended period of time.

And the most problematic screens that we have seen are the ones where you have to drill through menus to be able to get to the right function to turn something on or off or adjust, and so it just—the longer your eyes are off the roadway, the more risky the situation, the more danger you are putting yourself in and your fellow road users in.

Ms. SCHRIER. That sounds like just dumb engineering to me, maybe engineering done by nondrivers.

OK. Last question. I have 30 seconds. Expanding on what my colleague Representative Trahan talked about with privacy issues: There was a story maybe a year ago that a whole bunch of people's car insurance rates went up because car companies were sharing data about their driving with the insurance companies without the drivers being at all aware of this. And you can say that this would make things safer—although, if you are not telling the driver that they are being monitored, that doesn't help their safety, it just makes them angry when they get their bill.

You talked about voluntary privacy commitments. I have 8 seconds. Which car companies decided to reveal this information about their drivers without telling them?

Mr. BOZZELLA. So every car company has agreed with these principles, and they are enforceable at the Federal Trade Commission. So they are not voluntary. They are enforceable. But I believe—I—100 percent agree with you that we need a Federal privacy framework, a Federal privacy law to clarify all of this. But context is important, and most important is consent. Consumers should get consent.

Ms. SCHRIER. Can you name the companies just so the people watching are aware?

Mr. BOZZELLA. Of the companies, there was—this is—there was one company that you are referring to, General Motors, that was the subject of those—that news article.

Mr. FULCHER. The gentlelady's time has expired.

Ms. SCHRIER. Thank you. I yield back.

Mr. FULCHER. Thank you, Representative Schrier.

Representative Clarke is recognized for 5 minutes

Ms. CLARKE. Good morning—for about 10 more minutes—and thank you to Chairman Fulcher and Ranking Member Schakowsky for holding this hearing today.

I want to thank our witnesses for testifying and sharing your expertise with us as well.

I want to talk about the intersection between the irresponsible 10-year moratorium on State and local laws regulating artificial intelligence that my Republican colleagues supported in the reconciliation bill they all voted for and State and local regulation of autonomous vehicles or AVs.

AVs are a promising technology that, with adequate regulation and rigorous testing, can potentially be very useful in curbing roadway fatalities and offering more transportation options to persons with disabilities and really to all of us. Autonomous vehicles are artificial intelligence to—use artificial intelligence to operate and to make decisions about how to navigate our roadways.

It is no secret that there is no Federal framework regulating AVs, nor is there a broad Federal law regulating AI. So States and local governments have stepped up to protect the public and oversee AVs on our public roads. In New York City and State, we have laws regulating that specifically allow—excuse me, regulations that specifically allow for the safe testing of autonomous vehicles. These are not general purpose laws. They do not apply equally to AVs and to cars driven by people.

The Republican AI moratorium in the House's version of the reconciliation bill would prohibit New York City and New York State from adopting and enforcing laws governing AVs, stripping the city and the State of their oversight of AV deployment on New York roads, making AV deployment that much less safe in New York. The version in the current draft of the Senate reconciliation bill will prohibit New York from enforcing its AV and other AI laws if it accepts funding to build out high-speed internet. Either way, New Yorkers lose.

So, Ms. Chase, are there additional examples of safety-enhancing State-level AV regulations that would be unenforceable if a broad AI moratorium were adopted?

Ms. CHASE. Thank you for the question. We have significant concerns, albeit I am not an AI expert, but, as you rightly point out, that AVs use AI. So, if there is a moratorium that prevents States and localities from issuing regulations—for example, certain areas to be contained, as Mr. Farrah pointed out, which is called an operational design domain, where certain times or under certain weather conditions—we have concerns that those will be disallowed under this ban.

It is still, as you rightly point out, being worked out or debated in Congress. So we don't know the final language yet, but we have very significant concerns that absent any Federal regulations that States should be allowed—they must be allowed to protect their citizens.

Ms. CLARKE. Very well. And some witnesses today have discussed a growing AV industry and expansion of public trust in AVs. Ms. Chase, how would an AI moratorium that ends State programs to test and provide guardrails for AVs deployment impact industry growth and adoption?

Ms. CHASE. Well, I am not an expert on AV growth and adoption. Mr. Farrah probably could address that, but what I would like to say is that public opinion polls that we have commissioned show

that the American public is very concerned and wary about getting into autonomous vehicles, and if they learn that not only are there no Federal regulations but now there are no State regulations to protect them in getting into a vehicle, that that very shaky acceptance, if you will, of autonomous vehicles could be threatened. And our organization is not for or against autonomous vehicles. If they can be achieved safely and reduce—significantly reduce crashes on our roadways, fantastic.

But what we have been observing—and let me just say, you know, there have been comments made about how many miles autonomous vehicles, and to the moon and back. Really, to compare, it is only—AVs have only driven .004 percent of what human drivers drive every year, to just provide some context there. So it is not an apples-to-apples comparison. But we have significant concerns that, absent regulation, that these autonomous vehicles will be put on the roadways, and they can already be put on roadways to test and not comply with any Federal regulation now.

Ms. CLARKE. Very well.

Well, Mr. Farrah, you are shaking your head. Would you want to add your perspective?

Mr. FARRAH. Congresswoman, thank you very much for the opportunity. I think this is maybe an obvious point, but NHTSA regulates all vehicles that are operating on public roads. Our members are regulated by NHTSA. If they are heavy-duty vehicles, by FMCSA as well. Those regulations apply to all vehicles. What we are talking about is a Federal policy framework that gets at AV-specific items, and so it is not the case that these are unregulated.

Ms. CLARKE. I just—OK.

Mr. FULCHER. The gentlelady's time has expired.

Ms. CLARKE. Sorry about that. I yield back, Mr. Chairman.

To be continued, folks.

Mr. FULCHER. Thank you, Representative Clarke.

Representative Veasey is recognized for 5 minutes.

Mr. VEASEY. Thank you, Mr. Chairman.

It is no secret that America stands to benefit from development and deployment of AI systems, including in the automotive industry. And, at the same time, we have had experts repeatedly raise concerns about some of the risk that AI poses. I know that a faulty language model may be annoying, but a faulty AI in an autonomous car can kill or injure, and the stakes are very high.

This week, Texas passed a new autonomous vehicle law requiring authorization from the State's Department of Motor Vehicles for self-driving cars on public streets without human interaction. And meanwhile, House Republicans have supported and passed a 10-year freeze on State regulations concerning artificial intelligence. If this freeze is passed by the Senate and signed into law, it would effectively prevent States such as Texas from implementing their own safety and regulatory oversight of AVs.

So I wanted to ask Ms. Chase, what impact could this tension between the States pursuing a cautious approach to AV regulation and some of these restrictions that I just talked about on States have when it comes to effective integration of AVs nationwide?

Ms. CHASE. States should have the traditional authority to protect their citizens. That is what the Federal concept is about, especially in the absence of any Federal regulation.

Let me just clarify, when there are no FMVSS standards for the advanced technologies, true AVs have to comply with the traditional FMVSS, but there is no regulations on these new technologies, just to counter the last point. So, to your point, it is essential that the States and localities be able to protect their citizens, and absent any—and should that authority be taken away, that is threatened.

Mr. VEASEY. Yes, so how could this—back to you, Mrs. Chase. How could this regulatory tension influence the United States' position in the global race for leadership in AI against our competitors in China?

Ms. CHASE. Well, again, if citizens don't feel safe, they are not going to get into cars, they are not going to buy these cars. And then the whole, you know, the billions of dollars that have been invested in order for AVs to achieve could be threatened. So I think it is essential that there be Federal regulations, and not just a Federal framework but Federal regulations that makes certain that these vehicles perform as needed and as expected.

Mr. VEASEY. Right. Exactly. I know that it was deeply concerning to a lot of people that, just before Elon Musk departed the administration, DOGE slashed the number of employees working on vehicle automation safety at the National Highway Traffic and Safety Administration, and these cuts to critical AV research and regulatory teams came only months before Tesla launched its first-ever robo taxi service in Austin.

I wanted to ask Mr. Farrah, given these layoffs and potential funding cuts across the National Highway Traffic and Safety Administration ordered by DOGE and Trump, how can this agency possibly fulfill its responsibility to regulate the AV industry and collect the critical safety data needed when its hands are tied behind its back?

Mr. FARRAH. Congressman, thank you very much for the question, and I wanted to note briefly you noted the new Texas State law that is in place. Our organization worked very closely on that law, and Texas has obviously been a tremendous leader nationally when it comes to autonomous vehicles.

In our Federal policy recommendations, we do request that there is adequate funding for NHTSA and for safety regulators. That is something that is up to Congress to ultimately set the levels for that, but we want to make sure that NHTSA and FMCSA have adequate resources because we are asking for them to set new regulations as it relates to autonomous vehicles. We want to make sure there are people in the seats to be able to do that.

Mr. VEASEY. Absolutely. And I know that, as the industry continues to advance—and it is amazing to go to Austin and see all the cars everywhere—but as the industry continues to rapidly advance and deploy AVs in our communities, what can Congress do to ensure that AVs are equipped with consumer- and public-friendly features like blind-spot detection and rear automatic emergency braking and rear cross traffic alert?

Ms. CHASE. Are you looking at me?

Mr. VEASEY. Either one, yes.

Ms. CHASE. OK. Great. We strongly encourage Congress in the next reauthorization bill to include requirements for the U.S. Department of Transportation to conduct rulemakings and issue final rules by a date certain for these technologies which the Insurance Institute For Highway Safety has demonstrated to significantly reduce crashes such as the ones that you have mentioned.

Mr. VEASEY. Thank you.

Mr. Chairman, I yield back.

Mr. FULCHER. Thank you, Mr. Veasey.

Chair recognizes Representative Kelly for 5 minutes.

Ms. KELLY. Thank you, Mr. Chair, and thank you to the witnesses. Over the past decade, roadway fatalities and injuries have increased substantially in the United States. Congress has passed bipartisan laws directing NHTSA to adopt rules to reverse this troubling trend. NHTSA has been slow to implement many of these measures, delaying the adoption of technologies which would have the potential to save lives.

Ms. Chase, speeding is one of the leading factors in many motor vehicle crashes. What actions can Congress take to promote technologies that will reduce incidents of speeding?

Ms. CHASE. Thank you for the question.

Yes, speeding is a tremendous problem on our roadways, and the old adage "speed skills" remains true. We support intelligent speed assistance, and those require the vehicle to comply with speed limits. Speed limits are set for a reason. We all know people exceed speed limits and shouldn't, because there are safety dangers.

So what ISA does is make sure, first, it can alert the driver to let them know if they are exceeding a speed limit. And then it can also—the next step would be to take matter—to have the vehicle—slow the vehicle down.

There is strong bipartisan support. In fact, the first law in the country was enacted this year in Virginia that requires ISA for offenders such as—known as superspeeders, those people we know who, like, race on the highways and have been convicted of doing so, to reduce their speed limits. And we strongly support that. We also support Federal action to incentivize States to continue this.

Right now, only Virginia, Washington State, and also the District of Columbia have these laws, and we want to see these laws throughout the country. So ISA is a proven technology to combat speeding.

Ms. KELLY. Thank you so much.

Mr. Harkey, regarding my previous question to Ms. Chase, my district is urban, suburban, and rural. I start in Chicago, and I have 4,500 farms in my district.

Does the research show distinguishing factors contributing to crashes due to excessive speeding between urban, suburban, and rural areas?

Dr. HARKEY. Yes, speeding is a problem, as Ms. Chase mentioned, everywhere. And so it is a factor in rural and urban areas.

One of the most critical things, though, when you start talking about urban areas, where speed really impacts is on the pedestrian safety issue. We talked about the vulnerable road users, the bicyclists. And so one of the things that we really have to pay at-

tention to is how we are addressing speed in those areas. And that is where vehicle technologies such as ISA can play a role.

But it is really important to remember, anything we are talking about with technology and vehicles is the long game. It takes a long time for the vehicle fleet to turn over. And so we have to continue to look for things that we can do today. So this is where things like speed safety cameras are so critical. And we are seeing, you know, a rise in those being allowed now in the States, in work zones, in school zones to protect the most vulnerable. But we need those more broadly in our system.

And so anything that we can do as a system to slow down vehicles, get drivers to understand the risks that they are taking, is an important step.

Ms. CHASE. May I add to something Mr.—Harkey just said? Right now, as he rightly pointed out, Federal funds can be used for speed safety cameras in school and work zones, but they cannot be used outside of them. So it would be a tremendous step for Congress to allow Federal funds to be used by localities to use speed safety cameras.

Ms. KELLY. Thank you.

Advanced driver-assistance systems are becoming more and more prevalent in new and higher-end vehicles. These technologies can reduce crashes and save lives.

Mr. Bozzella, as more level to advance driver-assistance systems are utilized in new vehicles, how do we ensure that when low-income and middle-class Americans buy cars, which are so expensive, they too can have access to these advanced safety features that are found in more expensive vehicles?

Mr. BOZZELLA. Yes. This is very important. Safety needs to be available for every consumer in every vehicle. And what we are seeing with ADAS systems, these advanced driver assistance systems, is that they are increasingly available at every price point in virtually every sized vehicle. That is encouraging. And I think what you are going to see is more of that as the technology develops and as customers—excuse me, as manufacturers provide these vehicles and customers get comfortable with them.

So I am encouraged by what we see in the marketplace today, and I think it will continue.

Ms. KELLY. Thank you. Just one quick question. We talk about speed. Is it generational or is it across the board? Like you said, people speed urban, suburban, and rural. What about agewise? Whoever.

Dr. HARKEY. Yes, it is across the board. I mean, we see the problems. And certainly there are issues with regards to demographics and speeding, and so you do have younger people, younger males who are often involved in speed-related fatalities, and so you do see some differences there. But speeding in general is just something that we have to address if we are going to get a control on our fatality numbers and start to drive them down.

Thank you.

Ms. KELLY. Thank you all so much. And I yield back.

Mr. FULCHER. Thank you, Representative Kelly.

The Chair now recognizes Representative Latta for 5 minutes.

Mr. LATTA. Well, thank you, Mr. Chairman. And thanks for our witnesses for being with us today.

You know, it is hard to believe I have been working on this, on autonomous vehicles, for over 10 years. We had that piece of legislation that passed this Energy and Commerce Committee unanimously. It passed the floor. Unfortunately, we didn't get it through the Senate.

But, you know, I think it is important as we look back that, you know, the number of highway deaths that we see out there in traffic accidents—what is caused out there. We look at about 94 percent of all the accidents being caused out there because of driver error. And I ride just about every year with the Ohio Highway Patrol. And when the troopers—we are out on the road—they can point out quickly people that are not paying attention.

And so, you know, we want to make sure that we get this legislation passed. Once again, we are going to be reintroducing the legislation because we have got to get it done, because there are a lot of reasons.

But one of the things I said it is so important when we go and look at this is it has always been safety first, safety last, safety always.

And so, Mr. Farrah, you know, as we look forward in going with the AVs that need to be as safe or safer than any vehicle on the road today, you know, it is notable that, you know, an AV is never tired, it is never distracted, it is never impaired. But how else can we ensure that when an AV is on the road it meets that threshold and can detect and respond to relevant road users?

Mr. FARRAH. Congressman Latta, I want to first start by thanking you for all your efforts over the course of a very long time and acknowledge all of the effort that you put into this issue. I don't think there is anyone in Congress who's thought more deeply about this and has been more committed to this. And you have worked very closely with Congresswoman Dingell as well. I know she stepped out of the room here, but I wanted to acknowledge her work as well. And very pleased to work with you again to try and advance this legislation.

And I think that you really articulated why this is so important from a safety perspective, from an economic perspective, and from a strategic competitor perspective. And so I think that there are a couple of things that we need to do here, really, to make sure that we are advancing public trust.

And of one those is making sure that the Federal Government is speaking to vehicle design, construction, and performance issues, which only it can speak to uniformly. And that is something that is going to be married with a lot of the great efforts that have happened in a variety of U.S. States, including in your State of Ohio.

And so from a Federal perspective what we would like to see with Federal AV legislation is speak, first and foremost, to trying to get rulemakings off the ground at the Department of Transportation, specifically NHTSA, that work to build public trust, requiring a safety case, requiring a behavioral competency test, and also creating this national AV safety data repository that I talked with Representative Mullin about.

In addition to that, there is also a lot of issues around vehicle design that we would very much like to see Congress speak to, specifically trying to make sure that we clarify that manual controls that are meant for human drivers are not applicable to level 4 or level 5 autonomous driving systems. That is the way we can modernize the Federal Motor Vehicle Safety Standard. That is the way we can lead to more accessible vehicles that serve more Americans.

Mr. LATTA. Thank you.

Mr. Bozzella, in your testimony you mention the importance of modifying the "make inoperative" provision. Will you share why this is so essential?

Mr. BOZZELLA. Yes. And it builds, I think, very much on Mr. Farrah's comments. We have Federal Motor Vehicle Safety Standards that are built around hands and feet and heads and eyes. And so—and we also have vehicles that have steering wheels and pedals and the like. In an AV context—especially in perhaps a level 3 AV context where the vehicle is both able to be operated autonomously, say, in a highway setting or in a traffic jam setting—those manual controls don't go away, but they need to be made inoperative while the ADS, the automated driving system, is in control. Federal regulation is unclear about what do about that.

So it is important that the law clarify that a manufacturer can do that, right? And so all the testing has been done, all of the certifications have been done, safety has been assured. When the system is engaged, when the ADS is driving, those controls should be disengaged. Current Federal regulation doesn't allow a manufacturer to disengage systems that are required by Federal law right now—or Federal standards right now.

Mr. LATTA. Well, thank you.

Mr. Farrah, I only have about 17 seconds left, but real quickly, what happens if we don't act? What is going to happen, especially when we are looking forward to the competition where it might be coming from? I only have about 7 seconds. Sorry.

Mr. FARRAH. Congressman, I will say very briefly that while the United States invented autonomous vehicles, we are currently the leader, we are far from the only country that wants to be the global leade. China, and specifically the Communist Party in China, is very dedicated to being the global leader on autonomous vehicles. We need a Federal policy framework in place to help this industry move faster and ultimately lead globally.

Mr. LATTA. Well, thank you very much.

And I yield back. Thank you, Mr. Chairman.

Mr. FULCHER. Thank you, Representative Latta.

Representative Dunn is recognized for 5 minutes.

Mr. DUNN. Thank you very much, Mr. Chairman. I'm grateful to be able to join this hearing today.

I am here to discuss a critical consumer choice, an automotive safety issue that hits close to home for almost every American. If you own a truck, a car, or a motorcycle, this matters to you, and I am referring to the right-to-repair bill. I applaud my colleagues on E&C for supporting my legislation, H.R. 1566, the right to repair. We had 60 bipartisan cosponsors last Congress. We already have 30, this—cosponsors this year, and a bipartisan Senate bill for the first time. So I want to thank my colleagues on this sub-

committee, Diana Harshbarger, Cliff Bentz, and Dr. Kim Schrier, for already cosponsoring. I offer that opportunity to everybody.

For most Floridians, car ownership is essential. However, several colleagues have mentioned there are automotive sectors facing some significant marketplace and regulatory changes. And as cars become more complex, they have turned into kind of computers on wheels, which is great for innovation. However, it is imperative we protect the consumer choice about how and where we get our cars repaired or whether we repair them ourselves. My bill is—I am from that generation. We did a lot of that.

My bill is motivated by a preservation of consumer choice, as well as the restoration of fair and open marketplace in the automotive repair industries and parts. Where traditionally independent repair technicians could just plug into the OBD port, analyze critical repair maintenance data, the phase-out of these tools in newer vehicles and connected vehicles is incredibly problematic, and it is just among other tech restrictions as well.

If you own your own car, then you should own the data generated by your car, specifically critical repair maintenance, wear and tear, calibration and recalibration of parts. This is just a basic concept of ownership. You own it, it is yours.

Over the past 3 years, I have deliberately worked with the many stakeholders, including the independent repair industry, the auto manufacturers, the aftermarket parts industry, and colleagues on this committee, to ensure that there is a robust representation of all of these parties in the bill, and I think that is why there are new provisions in H.R. 1566 codifying protections for intellectual property trade secrets, cybersecurity, parity between repair shops and dealerships, and cost and access to repair data, and even protections around autonomous vehicle systems.

Just days ago, The Wall Street Journal published an article, "High Costs Have Ended America's Love Affair With Cars." It is kind of a riveting read. And they show that the average cost of owning a vehicle these days in America is almost $12,300 a year. That is after—that is just owning the thing. So that is a 30 percent rise in the last few years. Cost issues, coupled with the mounting complexity of new technology, I think that confirms that the REPAIR Act is needed in order to update the regulations and level the playing field.

Mr. Chairman, I have a letter of support from 20 of the various organizations in this industry supporting this bill. May I submit for the record?

Mr. FULCHER. Without objection.

[The information appears at the conclusion of the hearing.

Mr. DUNN. Thank you very much.

I want to thank the Automotive Vehicle Industry Association for working with me to negotiate the AV protections in the REPAIR Act, together with your team and Chairman Bilirakis' team. We included repair protections around the highest levels of SAE standards 4 and 5. This will ensure that the highly computerized system should not be unintentionally swept into requiring a company to share any computerized data that may affect the intellectual property of the autonomous vehicle company or IP related to the computerized system of the car that is unrelated to repairs.

I also want to quickly mention how helpful Tesla has been in working with our right-to-repair bill. They understand that, even though their cars are fancy, they don't mean Americans can't take their Teslas to an independent repair shop to get things fixed.

Mr. Farrah, how important is it for the AV industry to ensure that Americans still have the option to fix their autonomous vehicles', like, bumpers, tires, windows, without restricting access to critical repair data?

Mr. FARRAH. Congressman, thank you very much for the comments. And I want to acknowledge all the great effort that you took last Congress and also continuing on to this Congress and working with Chairman Bilirakis on the specific provisions that you referenced around autonomous vehicles at levels 4 and 5.

I think it is important to acknowledge that the way in which our industry is evolving right now is very much a fleet-managed model, where the vehicles are owned and maintained by the manufacturer, by the autonomous vehicle developer that is there. That is something that will probably continue to evolve in the future. We need to make sure from a safety perspective that we are maintaining these vehicles at the highest possible care because they are very elaborate, very complicated instruments. Obviously, the safety of Americans is paramount to everything we do.

Mr. DUNN. And I am sure that we will do that. I see my time—the time flies here, Mr. Chairman. I will yield back, but I will submit questions for the record for the rest of the panel. And with that, I yield back. Thank you.

Mr. FULCHER. Thank you, Representative Dunn.

And for a brief closing statement, Representative Schakowsky, the ranking member, is recognized.

Ms. SCHAKOWSKY. Thank you, Mr. Chairman. And congratulations on the way you handled this committee. I hope you will share this information with Gus Bilirakis, when he comes back, that every single Member on the Democratic side came and asked questions and were participating. It is not all the time that that happens, and many of the Republicans as well. There is clearly a lot of interest in this issue, and I am so happy about that because we have a lot of work still to do about autonomous vehicles, about safety, and I look forward to moving forward.

And I want to say to Gus—he is at his son's wedding, and so we want to wish him well, in Greece, yes. So thank you very much for your leadership today.

Mr. FULCHER. Thank you to the ranking member.

And the Chair now recognizes Representative Kean from New Jersey for 5 minutes.

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

As Congress works to ensure that our roadways are safe, I am grateful for the opportunity to hear from experts in the automobile industry on innovation and the impacts that NHTSA is having on safety on New Jersey's roads and across the United States.

So, Mr. Bozzella, the central aspect of the Motor Vehicle Safety Act is that NHTSA promulgates Federal Motor Vehicle Safety Standards and that motor vehicle manufacturers certify in compliance with all applicable standards. Can you discuss the importance

of maintaining NHTSA's self-certification regulatory framework and how this framework supports motor vehicle safety and innovation?

Mr. BOZZELLA. Yes. Thank you, Congressman.

This is an essential structure that supports innovation and supports safety at the same time. What is key to this, however, is NHTSA has to make sure that they continue to maintain and update Federal Motor Vehicle Safety Standards. What we have seen is that motor vehicle safety standards that are no longer relevant, necessary, or producing safety are often still on the books, and then they are—they slow innovation down.

For example, we have an antiquated bumper standard that makes it difficult for manufacturers to put in the bumpers the sensors required for automatic emergency braking, for example.

So Federal Motor Vehicle Safety Standards are critical. Self-assessments and self-certification are critical because they move these technologies into the marketplace quickly. But the key to this is there needs to be alignment and fast movements to modernize these.

Mr. KEAN. Thank you.

Mr. Farrah, can you point to any research that supports the safety promise of autonomous vehicles?

Mr. FARRAH. Congressman, thank you very much. I would be happy to.

And I will start by saying that, right now, the autonomous vehicle industry, like with lower levels of autonomy, is reporting data under the standing general order at NHTSA. And so we very much want to see this process evolve and improve to create a national AV safety data repository so that Americans can better understand the safety of these vehicle, because we know that public trust goes hand in hand with the deployment of these vehicles, and that is something that our industry has very much embraced, and we want to work on a bipartisan basis with members of this committee.

In addition to that, there's also been tremendous amounts of data that has been produced both by the manufacturers themselves and by the industry writ large. And so for AVIA's part, we have been collecting the total amount of autonomous miles driven by our members over the course of a number of years. We published just last month that our members have driven more than 145 million autonomous miles just on U.S. public roads. It doesn't include simulation, it doesn't include closed tracks. And what is really interesting about that is that figure has more than doubled in just the last year. It went from 70 million to 145 million. So it really speaks to the inflection point that we are at right now with regard to commercialization.

And then last but not least, I will just go back to what I said before, which is that a number of the manufacturers have been producing data about their safety information that is out there. One study that is very, very compelling is that Swiss Re did an evaluation of Waymo and 3.8 million miles that the Waymo driver drove. And what they demonstrated, there was 100 percent reduction in bodily harm claims that were done over that period of time. And you think about, that is 3.8 million miles. What if we could do that

at scale in the United States and have that amount of reduction of bodily injury claims? It really goes to show the promise of the technology.

Mr. KEAN. Thank you.

And Dr. Harkey, seatbelt use dramatically decreases the risk of a fatal injury during a crash. Can you discuss the latest research on seatbelt use and effective solutions to promote seatbelt use?

Dr. HARKEY. Yes. Thank you for the question, Congressman.

We know the seatbelt is still the most important safety feature in a vehicle today, and we stress that in every communication that we put out almost. And one of the things that is a real challenge is getting people to understand that they need to wear that seatbelt—front seat, back seat, no matter where you are sitting in the vehicle—at all times, under all speeds, under all scenarios. And so it is something we continue to work on.

It is a real disconnect. We observe seatbelt usage in this country, and for front-seat passengers above 90 percent now, for rear-seat passengers around 75 percent. That all sounds really good and it is really encouraging. Yet the number of fatalities that we see in our country, almost half of those in the front seat of passenger cars are unbelted. And so we have got to do a lot more work to figure out how to get people to buckle up, particularly those who are at high risk, in vehicles.

And so there is a lot more work that needs to be done there. And I would encourage this committee to help NHTSA think about what they can do to help with those who are not wearing that seatbelt.

Mr. KEAN. Thank you. I yield back.

Mr. FULCHER. Thank you, Representative Kean.

To the panel, thank you for your participation today. As we have discussed and as the ranking member pointed out, there is a lot of interest in this. And anytime there is a new technology that comes around, that adoption implementation is going to be a key thing, and the interest that you represent is going to play a key role in that.

Dr. Harkey, I will point out to you specifically, when it comes to data, there can never be too much of that, especially when you are adopting something new.

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

Without objection, so ordered.

[The information appears at the conclusion of the hearing.]

Again, thank you to our witnesses for being here today. If Members have additional written questions for you all, they will be submitted to you.

I remind Members that they have 10 business days to submit questions for the record. And I ask the witnesses to respond to the questions promptly. Members should submit their questions by the close of business Friday, July 11.

And with that, the subcommittee is adjourned.

[Whereupon, at 12:24 p.m., the subcommittee was adjourned.]

[Material submitted for inclusion in the record follows:]

Documents for the Record
Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing, and Trade
Hearing Titled "Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety"
June 26, 2025

1. Statement for the record from the American Chemistry Council, submitted by the Majority.
2. Statement for the record from American Vehicle Owners Alliance, submitted by the Majority.
3. Statement for the record from Drive Action Fund, submitted by the Majority.
4. Letter from Mr. John Bozzella, Alliance for Automotive Innovation, to Mr. David Hines, Acting Associate Administrator for Rulemaking, NHTSA, submitted by the Majority.
5. Statement for the record from Thomas M. Kowalick, Chair of the Institute of Electrical and Electronics Engineers, submitted by the Majority.
6. Statement for the record from the MEMA, the Vehicle Suppliers Association, submitted by the Majority.
7. Statement for the record from the National Motorists Association, submitted by the Majority.
8. Statement for the record from the Specialty Equipment Market Association, submitted by the Majority.
9. Letter from undersigned industry groups to Members of Congress in support of H.R. 1566, submitted by Rep. Dunn.
10. Letter from the National Consumers League to Chairmen Guthrie and Bilirakis and Ranking Members Pallone and Schakowsky, submitted by both the Majority and the Minority.
11. Article from E&E News by Politico titled "Auto experts doubt Duffy's CAFE standards review will lower prices," submitted by the Minority.
12. Statement for the record from Mothers Against Drunk Driving, submitted by the Minority.
13. Statement for the record from the League of American Bicyclists, submitted by the Minority.
14. Statement for the record from the National Safety Council, submitted by the Minority.
15. Letter from the Transport Workers Union of America to Chairman Bilirakis and Ranking Member Schakowsky, submitted by the Minority.
16. Letter from the Union of Concerned Scientists to Chairman Bilirakis and Ranking Member Schakowsky, submitted by the Minority.

American Chemistry Council
Statement for the Record
House Energy & Commerce
Commerce, Manufacturing, and Trade
"Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety"
June 26, 2025

The American Chemistry Council (ACC) is grateful to the Committee on Energy and Commerce's Subcommittee on Commerce, Manufacturing, and Trade for hosting this hearing. We appreciate the opportunity to provide this statement for the record highlighting the value of regulations in innovating safety measures and how lightweight plastics and plastic polymer composites can aid in improving vehicle safety.

The ACC is a national trade association representing U.S. companies that manufacture chemistry and plastics, including manufacturing lightweight plastics and polymer composites used by the transportation industry in automotive applications. ACC's Plastics Division represents the leading producers of plastics resins in the United States, as well as foremost companies throughout the entire plastics value chain. American chemistry is an innovative $517 billion enterprise that plays a critical role in delivering a more sustainable future through resource and fuel efficiency, material innovation, and continued advancements in our products and operations. Last year alone, America's chemistry industry spent approximately $11 billion in research and development, **created more than 537,000 U.S. manufacturing and high-tech jobs**, and supported 4.1 million related jobs that support families and communities.

The Role of Lightweight Materials in Vehicle Design

The lightweighting of vehicles by manufacturers has spurred a renaissance of innovation, and will continue to drive growth and competition in the U.S. automotive industry to meet consumer demands for stylish, safe, and affordable vehicles.

As vehicles evolve to meet consumer demand for autonomous capabilities, entertainment systems, and advanced propulsion systems, automotives are becoming heavier. Lightweight plastics and polymer composites can be used to offset weight within the vehicle's design, allowing the design to evolve alongside its embedded technology. Among other numerous benefits, automotive plastics and composites play an important role in improved safety, improved design, manufacturing efficiency, mass reduction, aerodynamic improvement, electrification and autonomous deployment and optimized component integration.[1] Today's

[1] EPA, NHTSA and CARB, "Draft Technical Assessment Report: Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards for Model Years 2022-2025, Appendix", pp. B-46-B-76 (July 2016), *available at* https://nepis.epa.gov/EPA/html/DLwait.htm?url=/Exe/ZyPDF.cgi/P100OYCH.PDF?Dockey=P100OYCH.PDF.

plastics make up 50% or more of the volume of an average vehicle but less than 10% of its weight, according to ACC calculations.

Polymer composites are a combination of tough plastic resins that are reinforced with glass, carbon fibers and other materials. These materials often weigh far less than traditional automobile materials yet maintain similar levels of tensile strength and resistance to corrosion. Lightweight plastic and polymer composites provide an economical way to sustainably lightweight vehicles while preserving important safety features and consumer preferences through improved design flexibility.

Safety Regulation and Vehicle Lightweighting

Research on the relationship between vehicle lightweighting and automotive safety has evolved significantly over the last several decades

Recognizing the safety and economic benefits of incorporating more advanced materials into automotives, the National Highway and Traffic Safety Administration (NHTSA) has worked over the last several decades years to better incorporate multi-material strategies into its safety standards to allow automakers to have as many choices as possible when it comes to the materials they use in their vehicles. Today, science about the role of vehicle design in ensuring automotive safety is evolving at a rapid pace. New research being conducted at Universities like George Mason University (GMU), alongside entities like the National Academies of Science (NAS) demonstrate these developments.

For example, the NAS/National Academies of Sciences, Engineering, and Medicine (NAS/NASEM) has published reports noting that future changes in technology and fleet composition could lead to different conclusions than those underlying NHTSA's current views about the relationship between mass reduction and safety[2,3]. Consequently, the 2021 NASEM report qualifies the general conclusions associated with mass disparity, noting that "new vehicle designs, continued effects associated with footprint-based fuel economy standards, changes in demand across vehicle classes, and increased demand for vehicles with (heavier) electrified powertrains could yield different safety relationships from those identified in relevant studies." ACC agrees with the assessment that vehicles have become safer through a combination of new regulations and safety improvements, including the expectation that this trend will continue as emerging technologies, such as ADAS and ADS, are incorporated into vehicles.

ACC has also collaborated with NHTSA, GMU, and participating member companies on some of these research efforts in the past. As another example, a project hosted at GMU aimed to

[2] National Research Council. 2015. Cost, Effectiveness, and Deployment of Fuel Economy Technologies for Light-Duty Vehicles. Washington, DC: The National Academies Press. https://doi.org/10.17226/21744.

[3] National Academies of Sciences, Medicine, and Engineering and Medicine. 2021. Assessment of Technologies for Improving Light-Duty Fuel Economy 2025-2035. Washington, DC: The National Academies Press. https://doi.org/10.17226/26092

lightweight a Chevrolet Silverado pickup truck using plastics and composites, including the utilization of finite element modeling, and the results reinforced that lightweight plastics can provide comparable safety benefits to heavier materials. In this project, the vehicle size was maintained while achieving a 19% weight reduction through lightweighted component replacements using plastics and CFRP composites as well as downsizing of the powertrain and suspension system, made possible by the reduced weight realized from the component lightweighting. The lightweighted vehicle provided equivalent safety performance as the baseline vehicle.

Because NHTSA's revised standards update old, outdated standards – new rules actually *enable* innovation.

In recent years, NHTSA's efforts to update its rules, standards, and regulations has opened doors to vehicle innovation. In particular, revised standards reflecting the evolving understanding of vehicle design can break down barriers to the integration of lightweight materials in relevant standards, test procedures, countermeasures, and within the occupant protections program would further jumpstart industry adoption of such materials. This would improve motor vehicle safety by returning vehicles to standard weights even with added components from new systems, increasing design flexibility, and improving crumple zones. Additionally, removing such restrictions on vehicle material use and design would increase consumer choice and spur competition to innovate safer motor vehicles.

ACC is supportive of NHTSA's work to date on updating its these standards to reflect the latest research regarding the introduction of lightweight materials in vehicle design and provide automakers with more tools to innovate.

Indeed, for decades, NHTSA's motor vehicle safety regulations have prompted industry to innovate. For example, Federal Motor Vehicle Safety Standards (FMVSS) for airbags and seatbelts spurred industry research, development, and deployment of safer, more advanced seatbelts and airbags that improve passenger safety. Plastics have been critical to improving these devices and their safety outcomes. Seatbelts composed of durable strands of polyester fibers saved nearly 15,000 lives in 2018 alone according to NHTSA data. Airbags, commonly made from high-strength nylon fabric, can reduce the risk of dying in a direct, frontal car crash by about 30 percent, according to NHTSA data. These innovations and associated outcomes would not have been possible without NHTSA intervention, positioning FMVSS regulations as tools for industry innovation rather than a burden on industry.

NHTSA can continue to use regulations to spur innovations and plastics can continue to advance automotive safety.

NHTSA's work to continue to update its crashworthiness standards will set performance-based standards based on the latest science that will encourage the automotive industry to create innovative vehicle designs, including new materials, to meet these standards. For example, NHTSA's work to update regulations on pedestrian safety – including head impacts and lower

body impacts - will help to enable greater adoption of plastics and polymer composites into bumpers and frontal assemblies in vehicles while improving safety outcomes.

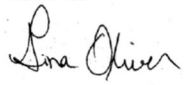
Finalizing updates to these and other key standards will open doors for American vehicle manufacturers. In particular, ACC supports finalization of standards reflecting NHTSA's research on frontal, side, rollover, front seatbacks and lower interior impacts for children and small adults, including women, as well as for pedestrian safety. ACC supports the use of crash test dummies that reflect impacts to children and small adults, and supports S. 161, the She DRIVES Act, which would require NHTSA to issue rules relating to the testing procedures used under the New Car Assessment Program (NCAP).

Conclusion

A final note on a critical topic for American consumers: ACC is aware vehicle affordability is front of mind for Americans today. Automotive lightweighting can help drive vehicle cost down without sacrificing on safety. Because of the mass compounding effect, as lightweight components are substituted for heavier alternatives, lighter structure weight allows other elements like tires to become lighter and cheaper as well, amplifying the relative power of lightweight materials in overall mass reduction and vehicle cost – all while also ensuring safety.

ACC appreciates the Subcommittee's attention to the topic of motor vehicle safety, and we look forward to supporting your efforts to improve safety while delivering on automotive cost, global competitiveness, and sustainability. Specifically, we welcome the opportunity to serve as a resource for Subcommittee Members on issues related to regulations that drive innovation and the safety benefits of lightweight polymers in automotive applications.

Sincerely,



Gina Oliver
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Statement for the Record
Submitted to the House Energy & Commerce Committee
Subcommittee on Commerce, Manufacturing, and Trade
Hearing Title: "Oversight of NHTSA: Roadway Safety and Agency Priorities"

Submitted by: American Vehicle Owners Alliance (AVOA)
June 26, 2025

Chairman Bilirakis, Chairman, Ranking Member Schakowsky and Members of the Subcommittee on Commerce, Manufacturing, and Trade:

On behalf of the American Vehicle Owners Alliance (AVOA), we respectfully submit this statement for the record regarding the Subcommittee's hearing on "Oversight of NHTSA: Roadway Safety and Agency Priorities."

AVOA represents the interests of America's vehicle owners—individual drivers, small businesses, rental car companies, fleet operators, and insurers—who believe that ownership should include the right to access, control, and share 100 percent of the data generated by their vehicles. We advocate for consumer rights, property rights, and vehicle safety in the era of connected cars. As vehicles become more connected, the data they produce has implications and relevance to safety, maintenance, and consumer choice.

We commend the Subcommittee for its leadership in examining how technology and innovation intersect with roadway safety and regulatory oversight. We urge Members to consider how owner access to and control of vehicle-generated data is fundamental to the safety, rights, and responsibilities of vehicle owners.

Vehicle Data Access and Motor Vehicle Safety

When a vehicle owner has access to their vehicle-generated data, they can:

- Monitor engine health, brake wear, and fluid levels in real time to help prevent mechanical failures that could lead to accidents.
- Use diagnostic data to guide timely repairs and enable preventative maintenance that improves long-term vehicle performance and enhances safety.

- Analyze driving patterns—such as hard braking or rapid acceleration—to encourage safer driving habits for themselves and their family members.

- Support innovation and the development of new approaches to enhance driver and vehicle safety and mobility, promotion competition, consumer choice, and economic growth.

Vehicle-generated data voluntarily shared by owners can also provide critical insights to local governments and traffic engineers, helping them identify high-risk intersections, optimize signal timing, and design safer roadways. Research has demonstrated the importance of data produced by connected vehicles to innovation and cybersecurity for vehicle owners and highlighted the risk posed by the current "gatekeeper" model employed by automakers, in which they decide which data to share with owners and others.[1]

Conversely, when vehicle owners are denied access to their data, they lose the ability to act on the very information that could prevent accidents and reduce costly breakdowns. For example, a fleet operator may be unable to detect a critical brake issue in time—simply because that data is held exclusively by the manufacturer.

Ownership Rights and Consumer Choice

In the past, owning a vehicle meant controlling the information it generated—such as fuel levels, tire pressure, location, and service history. Today, that relationship is being disrupted by manufacturers who increasingly act as gatekeepers to vehicle data. This undermines basic property rights and raises serious concerns about fairness, transparency, and competition in the automotive marketplace.

Whether you own a single car or operate a nationwide fleet, you should not need the manufacturer's permission to access your vehicle's data nor should that data be locked away in proprietary systems that prevent owners from using it unless they pay additional fees beyond the purchase price of the vehicle.

A Call for Congressional Action

Congress has a vital role to play in ensuring that vehicle owners—not manufacturers—retain control over the data generated by their vehicles. Legislation such as the Auto Data Privacy and Autonomy Act represents a step in the right direction.

AVOA urges the Subcommittee to:

- Recognize vehicle data access as a safety and consumer rights issue.

[1] Hoffman, D. A. (2024, June). The Protected Connected Car. American Vehicle Owners Alliance. https://americanvehicleownersalliance.org/wp-content/uploads/2024/11/Hoffman_Protected_Connected_Car_June_2024_FINAL.pdf

- Support bipartisan legislation that codifies the rights of vehicle owners to access and control their data.

- Promote policies that support transparency, interoperability, and fair competition—key factors in realizing the safety potential of vehicle data. Without these safeguards, manufacturers may limit timely diagnostics, hamper competition and innovation, reduce consumer choice, and compromise vehicle safety.

We stand ready to work with Members of this Subcommittee to ensure that the future of connected vehicle technology serves the people who own and operate the vehicles—not just the companies that manufacture them. Your leadership on this issue is essential to achieving a balanced, innovation-friendly, and safety-oriented policy framework.

Thank you for your consideration.

Respectfully submitted,

Richard J. Ward III
Executive Director, American Vehicle Owners Alliance (AVOA)
www.americanvehicleownersalliance.org

DRIVE ACTION FUND

June 25, 2025

The Honorable Gus Bilirakis, Chairman
The Honorable Jan Schakowsky, Ranking Member
Subcommittee on Commerce, Manufacturing, and Trade
United States House of Representatives
Washington, D.C. 20510

Dear Chairman Bilirakis and Ranking Member Schakowsky:

In advance of tomorrow's Commerce, Manufacturing, and Trade Subcommittee hearing titled Looking Under The Hood: The State Of NHTSA And Motor Vehicle Safety, Drive Action Fund submits this letter urging the Subcommittee to prioritize adopting advanced female crash test dummy technology into the New Car Assessment Program (NCAP) and Federal Motor Vehicle Safety Standards (FMVSS). On Monday, the Associated Press, the Washington Post, and ABC News published articles on this critical, fatal issue. Drive Action Fund respectfully requests this letter and the Associated Press story, "Women Face More Injury Risks in Car Crashes", be entered into the hearing record.

While we at Drive Action Fund are grateful that the Subcommittee is holding this hearing on "looking under the hood," it is imperative that we also look inside the car to effectively evaluate the nation's motor vehicle safety standards. Studies show that because American cars are safety tested and designed without an accurate female crash test dummy, women are significantly more likely to be injured and killed than men in the same collision. In 2013, the National Highway Traffic Safety Administration (NHTSA) found the collision fatality risk for women to be 17% higher than for men. Similarly, a 2019 study by the University of Virginia's Center for Applied Biomechanics (CAB) found that women are 73% more likely to be severely injured than men in the same crash.

In addition to the devastating human toll, these injuries and deaths have significant economic consequences. In 2023, crash fatalities cost nearly $79.8 billion in wage loss, medical and administrative expenses, vehicle damage, and employers' uninsured costs. The same year, 146,122 women were hospitalized for car crash injuries – requiring $11.3 billion in medical costs, and $3.72 billion and $22.9 billion in productivity and quality of life losses, respectively.

To resolve this lethal vehicle safety testing deficiency, Congress must pass legislation with regulatory deadlines and a requirement that female dummies are tested in the driver's seat, equally as male.

Fortunately, in January, Senators Fischer (R-NE), Murray (D-WA), Blackburn (R-TN), and Duckworth (D-IL) introduced the bipartisan She Develops Regulations in Vehicle Equality and Safety (She DRIVES) Act (S.161), which would require that all new vehicles are safety tested with the most advanced female crash test dummy available, the THOR 5F, in the driver's seat. The Senate Commerce, Science, and Transportation Committee advanced the legislation unanimously in February. Major safety organizations, including Mothers Against Drunk Driving (MADD), the National Safety Council (NSC), Families for Safe Streets, and others, have endorsed the legislation (see attached list of supporters below).

In May, President Trump's Fiscal Year 2026 NHTSA Budget Estimates asked specifically for funding to adopt the advanced THOR 5F female dummy. While we are grateful for President Trump and his Administration's support, a budget request is insufficient to mandate change. Historically, major

advancements in auto safety, whether standards requiring seatbelts, airbags, or rearview cameras, have required the enactment of legislation.

We are encouraged by your previous leadership on this life-and-death issue. In 2021, Subcommittee Chairman Bilirakis introduced the bipartisan Furthering Advanced and Inclusive Research for Crash Tests Act (FAIR Crash Tests Act), which prompted the Government Accountability Office to issue a report in March, 2023 titled *Vehicle Safety: DOT Should Take Additional Actions to Improve the Information Obtained from Crash Test Dummies*. In February 2022, Ranking Member Schakowsky sent a letter to then-Secretary of Transportation Pete Buttigieg urging him to take action on ending the fatal disparity.

We strongly request that the House of Representatives, under this Subcommittee's leadership, introduce a bipartisan companion bill to the She DRIVES Act and support its passage through Congress. We look forward to working with members of the Subcommittee to pass this effective legislation ensuring NHTSA action and to achieve life-saving protection for women and girls.

Sincerely,

Maria Weston Kuhn
Drive Action Fund, President

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

She Develops Regulations in Vehicle Equality and Safety (She DRIVES) Act (S.161) Supporters:

Joan Claybrook
Former Administrator
National Highway Traffic Safety Administration

Families for Safe Streets

FIA Foundation

Midwest Center for Traffic Safety

Mothers Against Drunk Driving (MADD)

National Association of Women Highway Safety Leaders

National Organization for Youth Safety (NOYS)

National Safety Council

Students Against Destructive Decisions (SADD)

Vision Zero Youth Council

ALLIANCE FOR AUTOMOTIVE INNOVATION

June 25, 2025

Mr. David Hines
Acting Associate Administrator for Rulemaking
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Dear Mr. Hines,

Alliance for Automotive Innovation (Auto Innovators) supports the goal of improving female occupant safety. [1] To that end, we strongly encourage NHTSA to make common sense and long-overdue changes to ensure that existing crash tests accurately reflect the driving public. This includes updating the New Car Assessment Program (NCAP) to include testing with the existing female dummy, already used in Federal Motor Vehicle Safety Standards (FMVSS), in the driver's seat.[2] Using the existing dummy offers a path to immediate and improved representation in crash testing. Use of new dummies that are still in the development stage will delay safety improvements that could be gained from more equitable testing.

Research has shown women experience different injury outcomes in crashes compared to men. Although improvements in vehicle crashworthiness have generally shown a decline in serious and fatal injury risk for females, the data still shows women may still be at a higher risk of sustaining lower extremity injuries in certain crashes.[3] Other factors, such as the vehicle size and overall crash conditions, also contribute to differences in injury risk. Because of the differences between men and women, it is important that NHTSA ensure that its current regulatory and consumer information testing programs are as representative of the driving public as possible.

NHTSA already uses female dummies in both compliance testing for Federal Motor Vehicle Safety Standards and NCAP. These dummies have already contributed significantly to improving female occupant safety, with recent studies based on real-world data finding that the "estimated benefits of improved crashworthiness were similar or greater for females than for males for most injury outcomes."[4] However, these dummies are not used in all seating positions. We therefore recommend that NHTSA update current FMVSS and NCAP to expand the use of existing adult female test dummies to its full potential (e.g., to evaluate lower extremity injuries) in all seating positions where an adult male dummy is currently tested.

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[1] *Auto Innovators represents the full auto industry, including the manufacturers producing most vehicles sold in the U.S., equipment suppliers, battery producers, semiconductor makers, technology companies, and autonomous vehicle developers. Our mission is to work with policymakers to realize a cleaner, safer, and smarter transportation future and to ensure a healthy and competitive auto industry that supports U.S. economic and national security. Representing approximately 5 percent of the country's GDP, responsible for supporting nearly 10 million jobs, and driving $1 trillion in annual economic activity, the automotive industry is the nation's largest manufacturing sector.*

[2] The existing test dummy is known as the Hybrid III 5th percentile female (HIII-05F). See 49 CFR Part 572 "Anthropomorphic Test Devices."

[3] *Brumbelow, M. L. Jermakian, J. S., Injury risks and crashworthiness benefits for females and males: Which differences are physiological? Traffic Injury Prevention (TIP), December 2021. See https://www.iihs.org/research-areas/bibliography/ref/2219.*

[4] *See footnote 3*

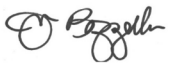
This approach offers an expeditious and straightforward way to advance female occupant safety while the agency continues to examine the benefits of new dummies or other methods of evaluating injury data, including simulation. The NCAP roadmap already indicates NHTSA's intention to update its current crashworthiness program to include the current female dummy (i.e., the HIII-05F) in full frontal rigid barrier crash tests.[5] We urge that the decision to include a female dummy in NCAP not be delayed by concurrent plans to introduce the THOR 50th percentile male dummy (THOR-50M), which represents midsize male occupants, in front row testing as part of a single crashworthiness update.

We acknowledge that NHTSA's efforts to evaluate different test dummies – including the THOR 5th percentile female dummy (THOR-05F) which also represents smaller stature female occupants – are important. However, these test devices are still largely in a developmental phase and have not yet been demonstrated to provide clear improvements in crash safety. This is primarily due to limitations in their ability to predict real-world injury risks. NHTSA has noted that it will take several more years before these dummies can be included in NHTSA testing.[6]

More than 40,000 people die on our nation's roadways each year, and millions more are injured. We cannot afford for that number to increase by waiting until research on alternative test dummies is complete. NHTSA can take immediate steps to advance female occupant safety by moving quickly to incorporate existing federalized dummies, including the HIII-05 Female, into NCAP. We encourage the agency to publish a Request for Comment that proposes to include existing female dummies in NCAP as soon as reasonably possible.

Thank you, in advance, for your consideration of this request and look forward to continuing to work with you to address improved outcomes for all vehicle occupants.

Sincerely



John Bozzella
President & CEO
Alliance for Automotive Innovation

CC: Mr. Peter Simshauser, Chief Counsel, NHTSA
Mr. Cem Hatipoglu, Associate Administrator for Vehicle Safety Research, NHTSA

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[5] *New Car Assessment Program Final Decision Notice-Advanced Driver Assistance Systems and Roadmap (89 FR 95916).*
[6] *NHTSA Advanced Anthropomorphic Test Devices Development and Implementation Plan (March 2024).*

SUBMISSION TO THE HOUSE ENERGY & COMMERCE COMMITTEE

Date: June 26, 2025

To: The Honorable Chair Brett Guthrie, The Honorable Frank Pallone Jr. Ranking Member, and Esteemed Members House Energy & Commerce Committee U.S. House of Representatives Washington, D.C. 20515

From: Thomas M. Kowalick Chair, Institute of Electrical and Electronics Engineers (IEEE) 1616: Standard for Motor Vehicle Event Data Recorders (MVEDRs)

Subject: Updated Insights and Recommendations on Automobile Technologies, Safety, and the Critical Role of Whistleblower Protections.

Dear Chair [Chair, Brett Guthrie and Ranking Member Frank Pallone Jr., and Esteemed Members of the Committee,

I am writing to provide an updated perspective and key recommendations on the evolving landscape of automobile technologies, building upon my previous engagement with this Committee. My original testimony, delivered to the Subcommittee on Consumer Protection and Commerce on May 18, 2021, for the hearing titled "Promises and Perils: The Potential of Automobile Technologies," highlighted critical aspects of data recording, consumer protection, and safety within the automotive sector, particularly concerning Motor Vehicle Event Data Recorders (MVEDRs) and the IEEE 1616 standard.

Since that time, the rapid advancement of automotive technologies continues to present both immense opportunities for safety and efficiency, alongside complex challenges related to data privacy, cybersecurity, and the timely identification of safety defects. My work with IEEE 1616 remains committed to establishing robust and standardized approaches to event data recording, which are fundamental to crash reconstruction, vehicle performance analysis, and enhancing overall road safety.

In light of these ongoing developments and the paramount importance of public safety, I urge the Committee to consider an immediate and critical action:

Recommendation: Immediately Begin Making Auto Safety Whistleblower Awards as Per 49 CFR Part 513.

The Motor Vehicle Safety Whistleblower Act, enacted in December 2015 as part of the FAST Act, empowered the National Highway Traffic Safety Administration (NHTSA) to provide awards to individuals who provide original information leading to the successful enforcement of vehicle safety laws. After years of anticipation and a significant first award in November 2021, NHTSA has now formalized the program, with the final rule for 49 CFR Part 513 being published in December 2024 and officially becoming effective on January 16, 2025.

This program is an indispensable tool for uncovering critical safety defects that might otherwise go undetected or be unduly delayed in remediation. Whistleblowers often possess unique, insider knowledge vital to protecting the public from hazardous vehicles and components. Delays in fully operationalizing this program and promptly issuing awards undermine its intended deterrent effect and the incentive for individuals to come forward with crucial safety information.

Given the rule's finalization and effectiveness, there should be no further impediment to the immediate and proactive processing and issuance of these critical awards. Ensuring swift and decisive action on legitimate whistleblower claims will:

- **Accelerate the identification and recall of dangerous vehicles:** Saving lives and preventing injuries.
- **Enhance corporate accountability:** Encouraging manufacturers to prioritize safety and address issues promptly.
- **Foster a culture of transparency:** Reassuring the public that safety concerns are taken seriously and acted upon.
- **Fully realize Congress's intent:** Fulfilling the spirit and letter of the Motor Vehicle Safety Whistleblower Act.

I strongly recommend that the Committee exercise its oversight to ensure that NHTSA is immediately and fully implementing 49 CFR Part 513, actively soliciting and expediting the processing of whistleblower claims, and promptly issuing awards where warranted. This is a direct and impactful way to bolster auto safety and consumer protection.

I remain prepared to provide further information and assistance to the Committee on these vital matters. Thank you for your continued dedication to ensuring the safety and reliability of our nation's motor vehicles.

Sincerely,

\Thomas M. Kowalick/

Thomas M. Kowalick Chair, Institute of Electrical and Electronics Engineers (IEEE) 1616: Standard for Motor Vehicle Event Data Recorders (MVEDRs)

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Statement for the Record House Energy and Commerce

Subcommittee on Consumer Protection and Commerce Hearing

"Promises and Perils: The Potential of Automobile Technologies"

Tuesday, May 18, 2021, at 10:30 a.m. via Cisco Webex

Submitted by Thomas M. Kowalick

Chair, Institute of Electrical and Electronics Engineers IEEE 1616: Standard for Motor Vehicle Event Data Recorders (MVEDRs)

Thank you, Madam Chairwoman.

Today's hearing provides an opportunity to inform your committee about automotive technology being standardized by the Institute of Electrical and Electronic Engineers (IEEE) to reduce the risk of vehicle theft, odometer fraud, Vehicle Identification Number (VIN) cloning, crash data tampering and re-flashing of vehicle electronic networks towards greatly enhancing the cybersecurity of motor vehicles.

As the world's largest technical professional organization, IEEE plays a unique and crucial role in advancing technology for the benefit of humanity. Its core purpose is to foster technological innovation and excellence, a mission that enlightens and informs the global community. This unique role positions IEEE to significantly influence the standardization of automotive technology and enhance the cybersecurity of motor vehicles.

IEEE and its members, spread across more than 160 countries, inspire a global community to innovate for a better tomorrow. Through its highly cited publications, conferences, technology standards, and professional and educational activities, IEEE connects individuals and organizations, making them feel part of a larger, global community.

IEEE is the trusted voice for engineering, computing, and technology information around the globe.

IEEE and its organizational units engage in coordinated public policy activities at the national, regional, and international levels to advance the mission and vision of ensuring the benefits of technology contribute to the advancement of society.

The House Commerce and Energy Committee's jurisdiction includes consumer affairs and consumer protection; consumer privacy and data security, cybersecurity; consumer product safety; product liability; motor vehicle safety; the Federal Trade Commission; the Consumer Protection Safety Commission; and the National Highway Traffic Safety Administration this IEEE standard will be very valuable towards enhancing the cybersecurity of vehicle and highway safety.

No other standards-setting organizations cover the scope and purpose of this standard.

BACKGROUND

The vehicle DLC (OBD-II) is regulated by the Code of Federal Regulations (CFR) 40 CFR 86.094-17(h) (1) and subsequent revisions for model years. It is standardized by the Society of Automotive Engineers (SAE) Vehicle Electrical Engineering Systems Diagnostic Standards Committee. The physical configuration of the output plug is specified in SAE J1962-20072 and through the International Standards Organization (ISO) in ISO 15031-3:2004. It is increasingly used as an access point to other in-vehicle electronics systems, subsystems, computers, sensors, actuators, and an array of electronic control units (ECUs), including airbag sensing diagnostic modules (SDMs). The onboard DLC is also used as a serial port to retrieve data elements from onboard systems, subsystems, modules, devices, and functions that collect and store data elements related to a vehicle crash, such as a restraint control module (RCM) and an event data recorder (EDR) as per 49 CFR 563: Event Data Recorders. 3

An EDR is a device or function in a vehicle that records a vehicle's dynamic, time-series data just before or during a crash, intended for retrieval after the collision. The National Highway Traffic Safety Administration (NHTSA) is responsible for general EDR regulatory oversight and requires the installation of EDRs in vehicles to provide an accurate and unbiased understanding of crash events.

According to the Driver Privacy Act of 2015, when a vehicle owner purchases or leases a vehicle, they are considered the owners of the Event Data Recorder (EDR) data that the car generates and stores. However, the DLC port is so insecure that the FBI issued a public service announcement (available at https://www.ic3.gov/media/2016/160317.aspx and incorporated herein by reference in its entirety).

The IEEE 1616™ standard, under revision in 2021, is a key tool in enhancing vehicle cybersecurity. The revised standard defines a lockout protocol for EDR output data accessibility by securing the DLC. While it does not prescribe data security within the vehicle's electronic control units (ECUs) or the intra-vehicle communication and/or diagnostic networks, it does define ways. It means permitting uniform but controlled access to electronic scan tools for the DLC for the legitimate maintenance and/or repair of vehicle emissions status. This standard also defines a method for maintaining data security on the vehicle using a Near Field Communication (NFC) protocol.

1 https://www.govinfo.gov/app/details/CFR-2007-title40-vol18/CFR-2007-title40-vol18-sec86-094-17

2 https://www.sae.org/standards/content/j1962_201207/

3 https://www.govinfo.gov/app/details/CFR-2011-title49-vol6/CFR-2011-title49-vol6-part563

The Department of Homeland Security's US-CERT tasked the CERT Coordination Center (CERT/CC) at Carnegie Mellon University's Software Engineering Institute (SEI) to conduct a thorough study of OBD devices, aiming better to understand the cybersecurity impact on consumers and the public. The CERT/CC analyzed a representative sample of these devices for vulnerabilities and found widespread failure to apply basic security principles. If these devices are compromised, the potential impact includes loss of privacy, degradation or failure of vehicle performance, and possible injury. The goal of CERT/CC's research was to better inform consumers, enterprise fleet managers, insurance companies, and policymakers about the potential risks of these devices.

The NHTSA estimates that 91.6% of modern vehicles are equipped with EDRs.5 When the Haddon Matrix is applied to crashes, it categorizes events into pre-crash, crash, and post-crash phases. The crash mode is generally the crash site. The 'window of opportunity' to misuse EDR data is from the time of the crash until the data is downloaded by a trusted entity of the Court, such as law enforcement.

Additionally, the CERT/CC report notes, "In enterprise IT environments, the majority of attackers are assumed to be remote, attacking the systems over the Internet. Identifying a specific automobile on the Internet would be difficult, if not impossible if it is not directly accessible. Attackers are also likely to use computer security vulnerabilities as enablers of other, more physical crimes. Therefore, the threat actors are likely to be local to a targeted vehicle, generally within Wi-Fi or Bluetooth range. This doesn't rule out remote attacks, as a compromised mobile device with Internet connectivity could be connected to the car via an OBD-II device, USB, Bluetooth, or Wi-Fi. A secondary risk of using these devices is that compromise of the manufacturer or operator's back-end server may allow an attacker to access any device connecting to its network. When a consumer decides to plug one of these devices into their vehicle, they are unintentionally moving the security boundary from the vehicle itself to the device manufacturer's network, associated services, and any other connected device."

The House Commerce and Energy Committee is well aware that aftermarket OBD-II devices have the potential to introduce serious safety and security risks to an automobile. The design of the OBD-II port allows such a device to have unlimited access to some or all of a car's internal networks. These OBD-II devices also have an external interface that is accessible from outside the vehicle, typically via Wi-Fi, Bluetooth, or cellular.

Thus, there remains a need to secure a vehicle's EDR data from cybersecurity attacks, particularly before, during, and after a crash event, while also maintaining a chain of custody for the vehicle's EDR data.

In some states, EDR data is not protected by the Fourth Amendment and may be obtained without a warrant. See Mobley v. State, 346 Ga.App. 641 (2018).

4 https://www.kb.cert.org/vuls/

5 https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201210&RIN=2127-AK86

6 https://republicans-energycommerce.house.gov/news/press-release/board-diagnostic-obd-ii-ports-within-your-car-potential-gateway-hackers.

Thus, the IEEE standard provides a system and method for installing a device to prevent unauthorized access to the EDR data or provide permission for others to install the device after a crash event.

In a recent letter, NHTSA Deputy Administrator James C. Owens stated:

It is worth noting that NHTSA does not take issue with efforts relating to data ownership, privacy, or serviceability to the extent that they do not affect motor vehicle safety. NHTSA's published Cybersecurity Best Practices for Modern Vehicles document, section 9, recommends that the automotive industry provide strong vehicle cybersecurity protections that do not unduly restrict access by authorized alternative third-party repair services.7

NHTSA's Cybersecurity Interests

As background, NHTSA's statutory authorities center on motor vehicle safety.8 Accordingly, NHTSA's primary interest focuses on cybersecurity vulnerabilities that present potential vehicle safety consequences, which is a subset of the universe of cybersecurity. The increased use of software-intensive motor vehicle components, including telematics systems, introduces new and distinct risks to motor vehicle safety. Risks include the potential for technological methods, tools, and capabilities to be compromised and used in ways that create unintended and, at times, unsafe outcomes. The specific possibility of a

software vulnerability being exploited by malicious actors to cause a crash or incident is the primary cybersecurity concern for the NHTSA, the safety oversight agency for the automotive industry. The NHTSA has the authority to order vehicle recalls based on unreasonable risks to safety, including those that cybersecurity vulnerabilities may cause.

For years, the NHTSA has worked to encourage the industry to adopt improved cybersecurity practices, recognizing that cybersecurity risks are real and that protecting safety-critical vehicle systems from malicious hacking attempts is vital to the safety of the motoring public. Telematics systems pose a significant concern to the agency, as they could enable actors to remotely receive and/or send information to vehicles, potentially interfacing with multiple vehicles simultaneously, without requiring physical access to the cars.

NHTSA published a *Cybersecurity Best Practices for Modern Vehicles* document to guide manufacturers and suppliers in developing strategies to make their vehicles more secure against malicious attacks and more resilient if such attacks are successful. This guidance encouraged manufacturers to harden safety-critical systems, identify and evaluate risks during system and vehicle development processes, and develop layers of protection throughout vehicles to protect against unauthorized third-party access, which is appropriate for the identified risks.

7 https://www.nhtsa.gov/sites/nhtsa.gov/files/documents/vehicle_cybersecurity_best_practices_01072021.pdf

8 49 U.S.C 30101 et seq.

See Existing Federal guidance and cybersecurity best practices 9

SCOPE of IEEE-1616™: Standard for Motor Vehicle Event Data Recorders (MVEDRs)

1. Motor Vehicle Event Data Recorders (MVEDRs) collect, record, store, and export data related to predefined motor vehicle events in the usage history.
2. This standard defines a protocol for MVEDR output data compatibility and export protocols of MVEDR data elements.
3. This standard does not prescribe which specific data elements shall be recorded but instead provides a data dictionary of data attributes.
4. This standard also defines a means of maintaining data security on the vehicle via a motor vehicle diagnostic link connector lockout apparatus (MVEDRCLA) by securing the vehicle output diagnostic link connector (DLC).

5. This standard does not prescribe data security within vehicle electronic control units (ECUs) or the intra-vehicle communication and/or diagnostic networks; instead, it defines ways and means to permit uniform but controlled access of electronic scan tools to the DLC for legitimate purposes, such as vehicle emissions status, maintenance, and/or repair.
6. This standard also defines a motor Vehicle Event Data Recorder Connector Lockout Apparatus (MVEDRCLA) and a Near Field Communication (NFC) protocol for safeguarding access to a vehicle's event data recorder (EDR) data by securing the vehicle output diagnostic link connector (DLC).
7. This standard is without prejudice to the requirements of national or regional laws related to privacy, data protection, and the processing of personal data.
8. This standard does not directly address related issues concerning human health or safety.
9. It applies to vehicles and their respective event data recorders for all types of motor vehicles licensed to operate on public roadways, whether offered as original or aftermarket equipment, whether stand-alone or integrated within the car.

PURPOSE of IEEE-1616™

9 https://csrc.nist.gov/News/2019/nist-publishes-nistir-8228

1. Many light-duty motor vehicles and increasing numbers of heavy commercial vehicles are equipped with some form of MVEDR.
2. These systems, which are designed and produced by individual motor vehicle manufacturers and component suppliers, are diverse in function and proprietary in nature. However, the SAE J1962 vehicle DLC has a standard design and pinout and is thus universally used to access event data recorder information.
3. Data access via the DLC can be achieved using scan tools, microcomputers, and network interfaces.
4. This same DLC and network interface is also used for re-calibrating electronic control units on a vehicle.
5. Such ECU applications can include restraint controls, engine controls, stability control systems, braking controls, and more.
6. This standard defines a protocol to protect against the misuse of electronic tools that utilize the DLC to erase, modify, or tamper with electronic controller or odometer readings or to download data improperly.
7. The implementation of MVEDRCLA provides an opportunity to voluntarily achieve DLC security by standardizing an MVEDRCLA that will act to prevent vehicle tampering, which can include odometer fraud, illegal calibrations leading to emissions violations, and theft of personal data.
8. The adoption of this standard will, therefore, enhance the security and credibility of the common MVEDR/DLC data while still permitting access to legitimate end-users.

9. The continued implementation of MVEDR systems presents an opportunity to voluntarily standardize data output and retrieval protocols, facilitating analysis and promoting compatibility of MVEDR data.
10. The adoption of the standard will, therefore, make MVEDR data more accessible and useful to end-users.

Introduction to IEEE-1616™

Crash information is crucial for understanding the causation leading up to the crash, occupant kinematics and vehicle performance during the crash, and post-crash events. Manufacturers, engineers, policymakers, researchers, and others rely on crash information to enhance vehicle design, inform regulatory policy, develop injury criteria, identify vehicle defects, and resolve investigations and litigation.

Motor vehicles have undergone a marked transition from mechanical machines with mechanical controls to highly technological vehicles with integrated electronic systems and sensors.

Modern automobiles

Generate, utilize, and analyze electronic data to improve vehicle performance, safety, security, comfort, and emissions. Surrounding a crash, capturing a subset of vehicle data on an MVEDR makes essential information readily available for medical responders, crash investigators, and researchers. The degree of societal benefit from MVEDRs is directly related to the number of vehicles operating with an MVEDR and the ability to retrieve and utilize these data. Having standardized data definitions and formats allows the capture of vehicle crash information.

The P1616 Working Group of IEEE recognizes the value of improved crash information in enhancing the knowledge of what happens before, during, and after a motor vehicle crash. Such insights will provide significant benefits to society and significantly improve the science of motor vehicle crashes. This standard defines a protocol for MVEDR output data compatibility and export protocols of MVEDR data elements.

The impact of improved crash data goes beyond just understanding the dynamics of a crash; it affects a myriad of critical societal and business functions. With that in mind, the Working Group solicited input from a range of end-users to help identify essential data elements and the necessary uses of motor vehicle crash data. Both individual crash events and aggregate data have value for end users, depending on the application and data used.

Some users and uses include the following:

– Automotive industry: Data-driven design of vehicles, using larger numbers of crashes across a continuum of severity; early evaluation of system and vehicle design performance; and international harmonization of safety standards.

– **Insurance industry:** Help to identify fraudulent claims, costing more than $20 billion annually; improve risk management; expedite claims and decrease administrative costs. Insurers require accurate crash data for the subrogation of claims and recovery of expenses.

– Government: Promulgating and evaluating standards; identifying problem injuries and mechanisms; stipulating injury criteria; and investigating defects. State and local officials require crash information to identify problem intersections and road segments, determine hazard mitigation measures, and assess the effectiveness of safety interventions.

– Researchers: Human factors research, such as the man-machine interface, crash causation, the effects of aging and medical conditions, and fatigue; biomechanics research on human response to crashes, harmonized dummy development, and injury causation.

– Medical providers: On-scene field triage of motor vehicle crash victims, improved diagnostic and therapeutic decisions, automatic notification of emergency providers, and better organization of trauma and EMS system resources.

– The Public: Better policies, vehicle design, emergency response, roadway design, and driving habits; lowered insurance costs, decreased possibility for fraud; fewer crashes; and more efficient systems.

In the United States, an estimated 80 million motor vehicles already use event-recording equipment that collects not only acceleration and deceleration speed but also braking and steering data. Proponents of standard data recorders hope the crash data they collect will be a valuable complement to accident information gathered from victims and eyewitnesses.

However, the implementation of event data recorders (EDRs) has not been without controversy.

The United States Department of Transportation (USDOT) Docket Management System (DMS) contains over 1,000 submissions reflecting the pros and cons of a decade-long debate among automakers, government regulators, safety and privacy advocates, and the public.

The National Highway Traffic Safety Administration (NHTSA) Rule on Event Data Recorders (49 CFR 563 does not address issues generally within the realm of state law, such as the following:

– The ownership of EDR data

– How EDR data can be used/discovered in civil litigation

– How EDR data may be used in criminal proceedings

– Whether the police may obtain EDR data without a warrant

– Whether EDR data may be developed into a driver-monitoring tool

– The nature and extent to which private parties will have or may contract for access to EDR

The Congressional Research Service (CRS) Report R43651 "Black Boxes" in Passenger Vehicles: Policy Issues cites IEEE standards. Can technology also protect privacy? While the NHTSA was studying EDR technology, the Institute of Electrical and Electronics Engineers (IEEE) issued its first universal, voluntary standards in 2004, specifying the minimal performance characteristics for memory devices in autos, trucks, buses, ambulances, and fire trucks. IEEE Standard 1616 is an international protocol designed to help manufacturers develop black boxes with up to 86 data elements that can survive in crash situations. IEEE and others have argued that NHTSA's pending EDR regulation does not go far enough to protect owners' privacy. In 2010, IEEE issued a new Standard 1616a, which specifies a lockout system to block unauthorized access that could otherwise lead to data tampering, odometer fraud, and vehicle identification number (VIN) theft. It argued that such steps are necessary to ensure that motorists embrace the EDR technology in the long run. With this lockout standard, a motorist would have a separate key that locks access to the OBD-II connector (as well as the EDR). Note. IEEE-1616™a is being incorporated into IEEE-1616™-2021.

REGULATION & ADVOCACY

Petitions were denied on this basis: "Despite the purported availability of such devices, we have still not seen evidence of tampering during our real-world data collections, and the petitioner provided no new information that would suggest that we should reconsider our previous denial of this request."

Providing new evidence: Since NHTSA denials, there have been motor vehicle event data recorders (EDRs) installed in 91% of U.S. light vehicles, hundreds of YouTube videos were created showing how to erase crash data and reset air bags, worldwide there were increases in vehicle theft, and examples of data tampering on major news networks The FBI issued a public service announcement about OBD ports and the USDOJ announced numerous large scale odometer fraud convictions. Tragically, the NHTSA's research on cybersecurity is largely reactive rather than proactive.

To date, NHTSA has denied all letters of recommendations submitted to the docket, recommendations via meetings at NHTSA headquarters, petitions and petitions for reconsideration to enhance vehicle cybersecurity.10 11 12 13 14 15 16 17 18 19 20 21

The Electronic Privacy Information Center (EPIC) website, located at https://www.epic.org/privacy/edrs/, is updated frequently.

CONCLUSION

NHTSA's 'BLIND-SPOT' is BALANCING TECHNOLOGY FORESIGHT UNCERTAINTIES AND CONSUMER PROTECTION IN EDR REQUIREMENTS

The NHTSA's "safety only" mandate overlooks consumer protection, acceptance, and privacy issues. Simply put, the NHTSA erroneously requires quantitative evidence that a sizable problem exists (regarding tampering with EDRs and odometer rollback) before it will act. In reality, the NHTSA would create a sizable problem by mandating EDRs in light vehicles without providing owners of these cars with basic consumer protection. The owner of the vehicle, not the automaker, should control access to this device (EDR) since it is widely known that In-vehicle electronic modules are subject to tampering, spoliation of evidence, undetectable surveillance, unauthorized access, misuse of data, and mischief.

10 https://www.regulations.gov/document/NHTSA-2008-0019-0006

11 https://www.regulations.gov/document/NHTSA-2006-25666-0438

12 https://www.regulations.gov/document/NHTSA-2008-0004-0007

13 https://www.regulations.gov/document/NHTSA-2008-0004-0012

14 https://www.regulations.gov/document/NHTSA-2008-0004-0013

15 https://www.regulations.gov/document/NHTSA-2012-0177-1046

16 https://www.regulations.gov/document/NHTSA-2008-0004-0014

17 https://www.regulations.gov/document/NHTSA-2008-0004-0001

18 https://www.regulations.gov/document/NHTSA-2008-0004-0015

19 https://www.regulations.gov/document/NHTSA-1999-5218-0009

20 https://www.regulations.gov/document/NHTSA-2006-25666-0457

21 https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201010&RIN=2127-AK71

Thus, common sense dictates that more emphasis is needed on sealing access to the data at the federally mandated Onboard Diagnostics (OBD-II) download connector port, located under the dash in virtually all modern vehicles, thereby establishing a chain of custody and preventing tampering.

The NHTSA should adhere to the National Technology Transfer Advancement Act (NTTAA) and incorporate IEEE 1616 by reference into 49 CFR 563: Event Data Recorders. The IEEE EDR standards offer vehicle owners, fleets, renters, and lessors accountability, protection, and security. The use of IEEE standards would be consistent with applicable law and would improve motor vehicle safety by preventing a consumer backlash against the implementation of EDR technology. The use of IEEE EDR standards would be practical. The IEEE EDR standard provides a promising countermeasure addressing the safety promises and challenges of 21st-century in-vehicle automotive networks and vehicular electronics. Specifically, vehicle owners must "own" the EDR data, become "aware "of EDR's existence and functioning, and must "control access" to the EDR data in their vehicles.

Given these goals, it is recommended that the House Energy and Commerce Committee direct NHTSA to amend 49 CFR 563: Event Data Recorders by adding the following:

563.13 Motor Vehicle Event Data Recorder Connector Lockout Apparatus (MVEDRCLA). Each manufacturer of a motor vehicle equipped with an EDR shall ensure that a motor vehicle event data recorder connector lockout apparatus (MVEDRCLA) as standardized by

the Institute of Electrical and Electronics Engineers (IEEE 1616-2021) to help protect the security, integrity, and authenticity of the data that are required by this part is attached to the vehicle's SAE J1962 (150/015 15031-3) vehicle diagnostic link connector (OLC) at the point of motor vehicle sale, including leased and rented vehicles.

Definition: Connector Lockout Apparatus (CLA) is a device or mechanism to secure a vehicle diagnostic link connector (DLC) as standardized by IEEE-1616™-2021.

IEEE 1616 will be issued in 2021 at https://www.ieee.org/standards/buy-standards.html

ADDITIONAL RESOURCES:

American Civil Liberties (ACLU) AMICUS Brief see https://www.aclu.org/legal-document/mobley-v-state-amicus-brief.

Code of Federal Regulation (CFR) 563: Event Data Recorder. See https://www.govinfo.gov/content/pkg/CFR-2011-title49-vol6/pdf/CFR-2011-title49-vol6-part563.pdf

Congressional Research Service (CRS) Report R43651 "Black Boxes" in Passenger Vehicles: Policy Issues. See https://crsreports.congress.gov/product/pdf/R/R43651

Congressional Research Service (CRS) IF Autonomous Vehicles: Emerging Policy Issues at https://crsreports.congress.gov/product/pdf/R/R44940

ECE/TRANS/WP.29/2020/123: 01 Series of Amendments for UN Regulation No.[XXX], UN Regulation on uniform provisions concerning the approval of motor vehicles about the Event Data Recorder. See https://unece.org/fileadmin/DAM/trans/doc/2020/wp29grva/GRVA-07-60e.pdf

European Commission (EC) VERONICA II Final Report at https://ec.europa.eu/transport/road_safety/sites/roadsafety/files/pdf/projects/veronica.pdf

Electronic Privacy Information Center (EPIC) Cahen v. Toyota Motor Corporation: Whether drivers can sue for privacy and security vulnerabilities in connected cars at https://epic.org/amicus/cahen/

Electronic Privacy Information Center (EPIC) COMMENTS OF THE ELECTRONIC PRIVACY INFORMATION CENTER TO THE NATIONAL HIGHWAY TRANSPORTATION SAFETY ADMINISTRATION (NHTSA) see

https://epic.org/privacy/edrs/EPIC-Coal-NHTSA-EDR-Cmts.pdf

National Conference of State Legislatures (NCSL) Privacy of Data from Event Data Recorders: State Statutes at

https://www.ncsl.org/research/telecommunications-and-information-technology/privacy-of-data-from-e vent-data-recorders.aspx

National Institute Standards Technology (NIST) Automotive and Industrial Data Security presentation https://csrc.nist.gov/CSRC/media/Presentations/Automotive-and-Industrial-Data-Security/images-media

/presentation-2_weimerskirch.pdf

National Research Council (NRC) of the National Academies of Sciences (NAS) Transportation Research Board (TRB) Special Report 308: The Safety Challenge and Promise of Automotive Electronics [ISBN 978-0-309-22304-1] see

https://www.nap.edu/catalog/13342/trb-special-report-308-the-safety-challenge-and-promise-of-autom live-electronics

U.S. Congress

https://www.scribd.com/document/401616402/Internet-of-Things-IoT-Cybersecurity-Improvement-Act- of-2019

U.S. Congress DRIVER'S PRIVACY ACT OF 2015 see

https://epic.org/privacy/edrs/EPIC-Coal-NHTSA-EDR-Cmts.pdf

Federal Bureau of Investigation (FBI) see https://www.ic3.gov/Media/Y2016/PSA160317
Federal Trade Commission (FTC) See

https://www.ftc.gov/policy/advocacy/advocacy-filings/2016/11/comment-jessica-l-rich-director-bureau- consumer-protection

Society of Automotive Engineers (SAE) Automotive Cybersecurity at
https://www.sae.org/cybersecurity/

USDOT/NHTSA: Vehicle Cybersecurity at https://www.nhtsa.gov/technology-innovation/vehicle-cybersecurity

U.S. Congress https://www.scribd.com/document/401616402/Internet-of-Things-IoT-Cybersecurity- Improvement-Act-of-2019

U.S. Congress DRIVER'S PRIVACY ACT OF 2015 see https://epic.org/privacy/edrs/EPIC-Coal-NHTSA- EDR-Cmts.pdf

Respectfully Submitted

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The Vehicle Suppliers Association

Written Statement from MEMA. The Vehicle Suppliers Association
Submitted to the U.S. House of Representatives Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
"Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety"
June 26, 2025

Background

Thank you for the opportunity to submit testimony on behalf of MEMA, The Vehicle Suppliers Association. MEMA represents the motor vehicle supplier industry—the largest sector of manufacturing jobs in the United States—employing over 930,000 people nationwide. Vehicle suppliers operate facilities in all 50 states and in more than 350 Congressional districts. MEMA's member companies design and manufacture components, systems, technology, and software for all types of vehicles, leading innovation across both the original equipment and aftermarket sectors.

The Supplier Industry's Central Role in Vehicle Safety

Vehicle suppliers are the designers and innovators at the forefront of motor vehicle safety technology development. They play a foundational role in creating, testing, and manufacturing many of the critical safety systems integrated into today's vehicles. From traditional safety features such as airbags, seat belts, braking systems, and electronic stability control, to the newest generation of advanced driver assistance systems such as automatic emergency braking (AEB), lane-keeping assistance, and blind spot detection, suppliers bring the technical expertise and manufacturing precision essential to saving lives on U.S. roads.

Suppliers invest heavily in research and development, addressing real world scenarios and pioneering technologies that are then incorporated into vehicles. Their deep understanding of component design, integration challenges, and operational dynamics allows suppliers to innovate solutions that improve crash prevention, reduce the severity of accidents, and enhance occupant protection. Many safety innovations first emerge at the supplier level before being adopted as standard equipment by Original Equipment Manufacturers (OEMs), underscoring the supplier industry's pivotal role in advancing vehicle safety and keeping the U.S. at the forefront of mobility design and technology.

Beyond engineering and innovation, suppliers are integral partners throughout the vehicle lifecycle. They collaborate closely with OEMs, regulatory agencies like the National Highway Traffic Safety Administration (NHTSA), and other stakeholders to ensure that new safety technologies meet rigorous performance standards and regulatory requirements. This partnership ensures that components and systems are not only effective, but also reliable and durable under diverse driving conditions.

Suppliers also contribute significantly to safety validation and testing. Through extensive laboratory testing, simulation, and real-world evaluation, they help verify that safety systems perform as intended

under a wide range of scenarios. This testing expertise supports regulatory compliance and provides critical data used to refine and enhance safety standards and consumer information programs such as the New Car Assessment Program (NCAP).

Moreover, suppliers are actively engaged in ongoing monitoring and improvement of vehicle safety post-production to identify emerging safety issues quickly and develop corrective measures. This continuous improvement cycle enables faster response to potential defects, supports efficient recall processes, and fosters the ongoing enhancement of vehicle safety technologies.

The complex, interconnected nature of modern vehicle systems requires a collaborative safety framework. No single entity—OEM, supplier, regulator, or infrastructure provider—can fully ensure vehicle safety alone. MEMA believes that a modern, effective motor vehicle safety framework must recognize and support the shared responsibility among all stakeholders, with suppliers playing a critical and proactive role in every stage from design to deployment and beyond.

As the industry embraces transformative technologies such as greater levels of automation, greater vehicle connectivity and advanced human machine interfaces, the role of suppliers becomes even more crucial. Suppliers develop the cameras, sensors, software, cybersecurity protections, and advanced electronic systems that enable these innovations to function safely and reliably. MEMA and its members are committed to working closely with Congress, federal agencies, and industry partners to ensure that these cutting-edge safety technologies are rigorously tested, properly regulated, and widely deployed to protect all road users.

Federal Motor Vehicle Safety Standards (FMVSS) and Needed Updates:

Vehicle suppliers play a critical role in the development and deployment of life-saving advanced safety technologies. To that end, MEMA supports consistent, evidence-based standards, which are essential to protecting the public and enabling industry-wide innovation.

MEMA has long been supportive of updates to FMVSS to drive innovation, allow for the deployment of advanced vehicle technology and systems and improve roadway safety. MEMA encourages NHTSA to address implementation challenges stemming from the 2022 final rule on advanced driving beam (ADB) headlights. MEMA is also supportive of efforts to advance braking performance for commercial vehicles and urges NHTSA to incorporate industry feedback in a final rulemaking for Advanced Emergency Braking systems.

MEMA urges further regulatory updates on battery system safety—such as addressing risks associated with water submersion and overcurrent protection—as vehicles continue to adopt new propulsion and storage platforms.

We also support updates to vehicle design standards that allow camera-based systems to replace traditional side-view mirrors. These technologies offer significant safety and aerodynamic benefits, and we urge streamlining the waiver process to accelerate their broader adoption.

MEMA is supportive of continuing efforts to adapt FMVSS to accelerate autonomous vehicle deployment. Vehicle suppliers are developing cutting edge technologies which sometimes are unsuited to the established FMVSS and related test procedures. Updating the FMVSS ecosystem would be an important step in addressing the bottleneck experienced in the waiver and exemption process.

Modernizing Vehicle Safety Programs and Standards

MEMA supports the modernization of NHTSA's flagship safety programs which are a critical source of information for consumers and drivers. MEMA notes that, despite bipartisan support in Congress and widespread request from across the mobility industry, the recent update to the NCAP did not include a rating system in order to provide credit for the presence of advanced safety technologies. Without changes to the rating and credit system, these updates do not translate to improved consumer knowledge. MEMA continues to urge Congress' leadership in working with NHTSA to ensure a significant overhaul of NCAP. Consumers deserve to have ready access to relevant and transparent vehicle safety information. As advanced driver assistance systems become more prevalent, the NCAP program must evolve to clearly communicate the presence and performance of these technologies to the public. At this time, the U.S. NCAP program remains significantly behind other regional NCAP programs around the world.

As vehicle automation continues to develop, MEMA encourages NHTSA to move beyond the current voluntary pilot program on automated driving systems and establish a comprehensive regulatory framework for deployment. This framework must recognize and include suppliers as key participants in the automated vehicle ecosystem, with defined roles relative to testing, validation, and safety assurance. It is imperative that vehicle suppliers be able to test automated driving systems (ADS) and automated vehicle (AV) technologies separate from OEMs to allow for parity in the creation, testing and validation of new innovations.

Many key AV innovations—such as sensors, perception algorithms, and control systems—originate with suppliers. Suppliers develop both ADS components and systems, playing a crucial role in ADS development. Granting them independent testing authority would allow suppliers to improve their systems in real-world conditions without being entirely dependent on OEM partnerships. This autonomy not only fosters innovation and technical advancement but also helps establish robust safety benchmarks earlier in the development pipeline. Broader inclusion of suppliers in these programs would encourage greater collaboration across the ecosystem while maintaining clear regulatory oversight and accountability.

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The Vehicle Suppliers Association

Cybersecurity and Safety-Related Vehicle Data

Vehicle cybersecurity is a fundamental element of vehicle safety. Suppliers lead in the development of secure embedded systems and digital controls that power critical safety functions. MEMA supports updating NHTSA's Cybersecurity Best Practices, which was intended to serve as a living document, to reflect current threats and technological developments.

Access to detailed, accurate, and timely vehicle data is essential for safety analysis, component design improvement, and recall effectiveness. Suppliers frequently face challenges accessing this data—data generated by the components they design and build. MEMA urges Congress to support policies that provide suppliers with secure, standardized access to operational and crash-related data, governed by clear rules around consumer privacy and safety.

Safety Priorities in Highway Reauthorization

As Congress prepares for the next surface transportation reauthorization, MEMA urges the Subcommittee to prioritize programs within its jurisdiction that strengthen vehicle safety through advanced technologies, system interoperability, and component innovation. This includes continued investment in vehicle-to-everything (V2X) safety applications, safety-related technology deployment programs, and cybersecurity research initiatives.

MEMA supports policy that prioritizes continued research, development, and deployment of these advanced safety technologies. A regulatory environment that encourages innovation will drive investments and allow suppliers and industry partners to pilot, scale, and continuously produce improved safety innovations that prevent crashes and protect roadway users.

Conclusion

Vehicle suppliers are a driving force behind the safety technologies that protect millions of Americans every day. MEMA and its members are proud to serve as partners in the development, deployment, and continuous improvement of these life-saving systems. We urge Congress and this Subcommittee to support data-driven regulation, modernization of safety standards, robust collaboration across the automotive ecosystem, and policies that recognize the supplier industry's essential role in achieving national vehicle safety goals.

National Motorists Association
THE VOICE OF REASON FOR DRIVING FREEDOM

Letter to House Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing, and Trade

Subject: Congressional Subcommittee hearing, "Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety" and the NMA's Perspective—NHTSA Overreach and Threats to Motorists' Rights and Mobility. Comments submitted for the Record.

To the Members of the House Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing, and Trade:

On behalf of the National Motorists Association (NMA), thank you for holding this important hearing on the National Highway Traffic Safety Administration (NHTSA) and its role in motor vehicle safety. The National Motorists Association is a membership-based national organization founded in 1982 with members in all 50 states dedicated to advocating for the rights and interests of motorists. Our organization promotes policies that preserve individual mobility, personal freedom, data privacy, vehicle choice, and practical, evidence-based safety. We appreciate the Committee's oversight of NHTSA and the opportunity to provide input.

While we support proven vehicle safety technologies and responsible enforcement practices, we are deeply concerned by a growing pattern of ideologically driven policy overreach by NHTSA that threatens drivers' autonomy, privacy, and ability to own and operate personal vehicles without undue governmental interference. Under the previous administration, NHTSA increasingly aligned itself with social engineering goals, regulating mandates without consent, and surveillance-based enforcement systems that stray far from its core safety mission.

Dangerous Implications of the Impaired Driving "Kill Switch" Mandate

NHTSA is currently implementing Section 24220 of the Infrastructure Investment and Jobs Act, which mandates that all new vehicles sold after 2026 be equipped with "advanced drunk and impaired driving prevention technology."[1] While framed as a safety measure, this provision gives NHTSA broad authority to define

1 Infrastructure Investment and Jobs Act, Sec. 24220

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a system that can passively monitor drivers and disable a vehicle when "impairment" is detected — a vague and legally undefined standard.

As NHTSA has acknowledged in seeking to implement impaired driving regulations, it is responsible for determining what qualifies as "impairment" and how the system will function.[2] The result could be an always-on monitoring system embedded in every new vehicle — a de facto government kill switch that tracks driver behavior, detects signs of emotional or physical distress, and may disable the vehicle without human oversight or legal due process. This integration into the vehicle's operational controls raises serious safety and privacy risks. Disabling a vehicle in motion could endanger the driver, passengers, and others, while warrantless behavioral surveillance threatens core Fourth Amendment protections. By embedding surveillance and control capabilities into all new cars, NHTSA risks normalizing government or third-party override of private transportation — a deeply troubling prospect that warrants congressional scrutiny.

Intelligent Speed Assistance (ISA) Mandates Threaten Safety, Privacy, and Mobility

NHTSA has increasingly promoted the use of Intelligent Speed Assistance (ISA) systems — technology designed to limit vehicle speed based on posted limits rather than driver judgment. This mirrors efforts already implemented in the European Union, where new vehicles must include GPS and camera-based systems to enforce compliance with speed limits. NHTSA's official guidance encourages similar systems in the U.S., explicitly endorsing designs that provide accelerator resistance, suggesting an eventual shift from driver alerts to active speed control.[3]

This type of enforced compliance poses serious safety, privacy, and civil liberties risks. In many areas, speed limits are set below the 85th percentile safe speed — a proven engineering standard. ISA would force drivers to obey limits that may be outdated, arbitrary, or politically influenced, enshrining these values in software and denying the ability to adjust safely to real-world conditions. By removing speed flexibility, these systems hinder safe passing on two-lane highways, impair collision avoidance, and could delay access to emergency services for both people

2 https://www.nhtsa.gov/sites/nhtsa.gov/files/2023-12/anprm-advanced-impaired-driving-prevention-technology-2127-AM50-web-version-12-12-23.pdf
3 https://www.nhtsa.gov/book/countermeasures-that-work/speeding-and-speed-management/countermeasures/other-strategies-1

and pets. Coupled with GPS inaccuracies and interactions with non-ISA equipped vehicle traffic, ISA creates additional risk of catastrophic crashes on high-speed roadways.

Beyond physical risks, ISA also requires constant, real-time location tracking, which raises significant Fourth Amendment concerns. To function, the system must monitor vehicle position and compare it to a speed limit database — creating continuous, warrantless surveillance of individual movements. ISA could also discourage new vehicle purchases, leading to prolonged use of older, less safe, and more polluting vehicles. This would increase costs in the used car market and disproportionately harm low-income drivers. NHTSA's promotion of this intrusive and unproven technology reflects a broader shift away from passive safety measures like seat belts, airbags, and crumple zones — innovations that protect occupants without interfering with the driving task — and toward systems that assert direct control over driver behavior through real-time monitoring and algorithmic intervention.

Automatic Emergency Braking (AEB) Mandates with No Override

In April 2024, NHTSA finalized a rule requiring all new light vehicles to be equipped with automatic emergency braking (AEB) and pedestrian AEB (PAEB) by 2029.[4] While these technologies can be helpful when implemented properly, real-world testing and insurance industry data have shown that many current systems are prone to false positives — particularly when detecting pedestrians or during inclement weather.[5]
NHTSA's rule does not require these systems to have an off switch or driver override. This raises serious concerns about driver autonomy, false emergency stops, and overreliance on technology that remains imperfect and unproven in high-stakes situations.

NHTSA's Promotion of Automated Enforcement Threatens Due Process and Driver Rights

NHTSA has increasingly endorsed the use of automated traffic enforcement — including speed and red-light cameras — as part of its alignment with Vision Zero and Safe Systems initiatives. In 2022, the agency funded and promoted a model

4 https://www.nhtsa.gov/press-releases/nhtsa-fmvss-127-automatic-emergency-braking-reduce-crashes
5 https://www.consumerreports.org/cars/car-safety/automatic-emergency-braking-guide-a1780056935

enforcement program for local governments, encouraging jurisdictions to adopt camera systems in the name of safety.[6] While NHTSA argues that these tools deter dangerous driving, the real-world effects raise serious concerns about fairness, effectiveness, and constitutional rights.

Numerous studies have shown that red-light cameras may increase rear-end collisions, as drivers brake abruptly to avoid tickets rather than respond to traffic conditions. Many systems are deployed not where crashes are most common, but where they are most profitable — such as intersections with short yellow lights or confusing infrastructure. Speed cameras are also commonly located in areas with arbitrarily low posted speed limits, often set well below the 85th percentile safe speed. These artificially low limits, combined with automated enforcement, effectively turn safe driving into a ticketable offense and generate revenue through entrapment rather than enhancing public safety.

These systems are frequently operated by private, for-profit contractors who are incentivized to maximize citations, not safety. Drivers, and more commonly vehicle owners, are often issued tickets without ever interacting with a law enforcement officer, and many jurisdictions deny them a fair opportunity to contest the charge — a clear erosion of due process. In some cities, millions of dollars in fines have been generated through automated citations, disproportionately impacting working-class drivers and low-income communities.

The abuse of traffic enforcement as revenue enhancement is evident in Congress' own backyard. The District of Columbia has made extensive use of automated enforcement—including speed and red-light cameras as a significant and increasing source of revenue for the city's budget. In 2022 alone, D.C. collected over $113 million in fines from automated traffic enforcement, with more than 95% of all traffic tickets in the city now issued by cameras rather than police officers. The city has rapidly expanded its camera network, doubling the number of devices in recent years to nearly 500, and plans to add hundreds more. Ticket revenue in FY25 is projected to be $270.3 million. While the stated purpose of these systems is to improve safety, recent budget proposals have shifted ATE revenues away from dedicated traffic safety investments and into the District's unrestricted general fund, making automated enforcement less about safety and more about D.C.'s municipal finances.

6 https://www.nhtsa.gov/book/countermeasures-that-work/speeding-and-speed-management/countermeasures/enforcement/speed-safety-camera-enforcement

This model of "taxation by citation" and warrantless surveillance undermines the traditional principles of American law enforcement: transparency, accountability, and fairness. Republicans have long opposed the outsourcing of policing to unaccountable private vendors, especially when it empowers mass surveillance systems with minimal public input. Congress should challenge NHTSA's continued promotion of automated enforcement as a replacement for trained officers and sound traffic engineering — and reject its role in encouraging a surveillance-based model of traffic control that prioritizes revenue over safety.

Pedestrian-First Vehicle Ratings Penalize Family-Friendly Vehicles

NHTSA has updated its New Car Assessment Program (NCAP) to reflect European-style pedestrian safety standards and crashworthiness testing.[7] While protecting pedestrians is important, this shift may disproportionately penalize larger vehicles like SUVs and pickups — even when they are safer for their occupants, more practical for rural areas, and vital for working families. These changes reflect a troubling bias against the types of vehicles most Americans actually buy, in favor of regulatory ideals imported from urban European planning philosophies.

Fuel Economy Rules That Accelerate the Elimination of Gas-Powered Vehicles

NHTSA's 2024 Corporate Average Fuel Economy (CAFE) rule projects fleetwide targets that will require automakers to sell primarily electric vehicles (EVs) in order to comply.[8] While the agency stops short of an explicit ban, its projections include compliance pathways that assume near-total electrification. This is a backdoor EV mandate that risks pricing millions of Americans out of the market for affordable personal transportation, especially in areas where EVs are impractical due to climate, distance, or lack of charging infrastructure.

A Shift Toward Social Engineering Over Safety

Across its rulemakings, press statements, and grant guidance, NHTSA has increasingly adopted the language of "equity," "Vision Zero," and "Safe Systems" — philosophies that prioritize infrastructure and funding decisions based on

7 https://www.nhtsa.gov/sites/nhtsa.gov/files/2024-11/NCAP-Final-Decision-Notice-Crashworthiness-Pedestrian-Protection-11182024-web.pdf
8 https://www.nhtsa.gov/sites/nhtsa.gov/files/2024-06/CAFE-2027-2031-HDPUV-2030-2035_Final-Rule_web_0.pdf

identity politics, anti-car ideology, and unrealistic safety goals. For example, the agency now prioritizes *"equity in traffic enforcement"* and admits to embedding equity considerations in program design and performance measurement.[9] These ideas are increasingly divorced from the agency's original safety-focused mandate and instead reflect the broader ideological agenda of the previous administration.[10]

Through its endorsement of Vision Zero — a concept imported from Europe that seeks to eliminate all traffic fatalities — NHTSA has aligned itself with an urban planning movement that seeks to reduce, restrict, or even eliminate personal vehicle use. As Vision Zero itself asserts, *"Life and health can never be exchanged for other benefits within society"*[11], meaning mobility, economic freedom, and personal convenience are treated as subordinate to an unrealistic zero-death ideal that denies the reality that everything in life involves some trade-offs. Vision Zero policies have been used by cities to justify road diets, artificially low speed limits on major arterials, and the installation of traffic diverters that block through access for cars[12] — all of which make everyday driving more difficult. These policies often divert infrastructure funding away from highway maintenance and toward bike lanes, transit corridors, and "complete streets," regardless of actual community needs. By embracing Vision Zero, NHTSA is implicitly endorsing a worldview that sees cars not as tools of freedom and economic opportunity, but as public health threats to be managed and suppressed.

NHTSA has also embraced the so-called Safe Systems approach — a framework that assumes drivers will always make mistakes and that the burden of safety must be shifted to vehicles and infrastructure. While a traditional Safe System emphasizes redundancy in system design and physical protection— such as guardrails, crumple zones, or airbags that minimize harm when mistakes happen — NHTSA's version distorts this intent by focusing disproportionately on "safe speeds."

Rather than reinforcing passive safety measures, NHTSA's over- emphasis on speed control often results in arbitrarily low speed limits, ignoring the 85th percentile rule which reflects actual road conditions and prevailing travel behavior, thereby increasing violations and aggressive enforcement practices.

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9 https://www.federalregister.gov/documents/2023/02/06/2023-01819/uniform-procedures-for-state-highway-safety-grant-programs
10 https://www.nhtsa.gov/speeches-presentations/tribal-traffic-safety-event-opening-remarks
11 Vision Zero Initiative. *About Vision Zero.* https://en.wikipedia.org/wiki/Vision_Zero
12 https://www.stamfordct.gov/home/showpublisheddocument/41365/638773944138200000 pg 36

National Motorists Association
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This approach prioritizes behavioral control over infrastructural safeguards, using "safety" as a pretext to expand surveillance and penalties on otherwise safe drivers — effectively penalizing routine driving under the banner of public safety.

While presented as evidence-based, this model rejects the traditional American values of personal responsibility and accountability. Instead, it reflects a collectivist, top-down approach to transportation policy — one that imposes burdensome restrictions on the responsible majority. It also encourages sweeping federal control over how Americans drive, what vehicles they can purchase, and what roads they can access — all in the name of "systemic" safety.

We urge the Committee to recognize this shift for what it is: not a neutral pursuit of safety, but a politically motivated campaign to reshape American mobility. NHTSA's role should be to promote practical, driver-focused safety solutions — not to serve as a conduit for ideological experimentation that sacrifices freedom and functionality under the guise of equity and safety.

Conclusion and Recommendations

We urge the Committee to reaffirm NHTSA's proper role: improving safety outcomes through tested technologies, transparent data, and respect for civil liberties. Congress should ensure that personal mobility, privacy, and consumer choice remain central in any federal transportation or vehicle safety strategy. The freedom to own and drive one's vehicle without undue government surveillance or control is not a privilege — it is a foundational element of American life.

Thank you for your time and consideration.

Respectfully,

Jay Beeber
Executive Director - Policy
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June 25, 2025

Representative Gus Bilirakis
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Subcommittee on Commerce,
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U.S. House of Representatives
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Representative Jan Schakowsky
Ranking Member
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RE: SEMA Letter on the Current State of NHTSA and Motor Vehicle Safety

Dear Chairman Bilirakis, Ranking Member Schakowsky, and members of the Subcommittee,

Thank you to the Subcommittee on Commerce, Manufacturing, and Trade for holding this important hearing on the current state of the National Highway Traffic Safety Administration (NHTSA) and motor vehicle safety.

The Specialty Equipment Market Association (SEMA) is a non-profit trade association that represents over 7,500 mostly small businesses around the country that drive innovation in the specialty automotive aftermarket industry. SEMA is proud to represent manufacturers, distributors, retailers, and installers of specialty automotive parts and accessories, which support over 1.3 million jobs in the U.S. and contribute nearly $337 billion to the American economy each year. You may also know SEMA from the world-famous SEMA Show in Las Vegas, the largest trade show in North America, hosting 2,500 exhibitors and 160,000 industry attendees, recently dubbed by one publication as 'the center of the automotive universe.'

While the economic strength SEMA represents is noteworthy, our member companies value their contribution to the automotive culture even more. SEMA members enable vehicle owners to do everything from safely modifying their SUVs and trucks for camping and off-roading, to customizing cars to participate in shows and parades, to retrofitting older vehicles with safety equipment, to celebrating human feats of engineering at local racetracks around the country. Our members are not only a vital economic force in communities nationwide, but they also play a key role in teaching professional skills, building confidence, driving innovation, strengthening relationships, and turning automotive passions into rewarding careers.

I am especially proud of the association's work to ensure our members and vehicle owners can safely customize, modify, repair, and service vehicles with Advanced Driver Assistance Systems (ADAS).

SEMA members and vehicle owners face a growing challenge: they lack clear pathways to maintain the safety and performance integrity of ADAS from

production through post-sale service, repair, and modification. This includes ensuring vehicles remain safe and reliable after undergoing changes, including ADAS calibration. Even simple modifications, such as adding bike racks, wrapping a vehicle, adding a winch to the front bumper, and lifting a vehicle, which is especially important for driving off-road, can impact the sensors and cameras that make up ADAS.

ADAS calibration – the precise physical alignment, testing, and electronic aiming of sensors that collect data to inform vehicles' ADAS features such as forward collision warning (FCW), lane departure warning (LDW), automatic emergency braking (AEB) – must be supported for the benefit of all.

Vehicle owners have the right to modify their vehicles. SEMA strongly supports that right. The ability to calibrate is deeply intertwined with the right to modify, as it is the key to maintaining vehicle quality and keeping owners and other road users safe. When vehicle owners and service professionals aren't able to access the vehicle information needed to properly calibrate and validate ADAS performance, those barriers impede vehicle owners' rights.

SEMA is doing everything it can to resolve this issue. Underscoring its commitment to helping the specialty automotive aftermarket understand and properly work with ADAS, SEMA made its largest capital expenditure in the association's history in 2022 when it expanded the SEMA Garage program (originally launched in 2012 to help product manufacturers navigate regulatory compliance) to include a 45,000 square foot, state-of-the-art engineering facility complete with an ADAS R&D Technology Center. The facility includes two dedicated ADAS labs built to perform OEM-level and independent aftermarket calibrations, as well as system diagnostics for stock and modified vehicles.

Through the hard work of the SEMA Garage and our engagement with SEMA members and other industry professionals, we have learned the following:

1. **Information, Standards, & Transparency -- Critical to Realizing Safety Benefits of ADAS**

ADAS features are standard in most newer model-year vehicles, providing peace of mind to safety-conscious consumers and offering the potential to significantly reduce crashes and road fatalities. ADAS is an important solution to the problem of vehicle crashes. However, without reasonable pathways to calibration and validation, it is unknown if these lower-level systems of automated technologies can be maintained to the proper levels of functionality throughout a vehicle's lifecycle.

In addition, ADAS is a foundational technology for higher levels of autonomous vehicles (AVs), including fully automated vehicles. If we don't solve the issue of maintaining ADAS functionality throughout the lifecycle of motor vehicles, it is unclear whether the American people will understand and fully embrace automated vehicles.

While most people are aware their vehicle has ADAS features, owners do not have a standardized way of knowing if the driver assistance technology in their vehicle is functioning as intended and is properly calibrated. This is a safety issue for all drivers and is especially important for vehicles that have been customized, modified, serviced, or repaired after an accident.

The lack of information on ADAS functionality impacts automotive service businesses, including collision repairers, independent repair businesses, and shops that customize and modify vehicles. The technology automakers employ to support ADAS systems, including radar, cameras, and LiDAR, varies greatly both from model to model and by vehicle manufacturer.

At present, most original equipment manufacturers (OEMs) do not share ADAS calibration information, data, and testing procedures/information. For many automotive businesses, the cost of ADAS dynamic validation testing is simply too expensive -- testing one vehicle make, model, and trim with a single modification can range from $25,000 to over $100,000.

Vehicle manufacturers are not currently required to provide full vehicle lifecycle support for ADAS, including instructions, application guides, proper mounting or functionality tolerances, or the access needed to safely make modifications. This presents a challenge to correctly and safely calibrate ADAS and ensure optimal performance after basic, common modifications, such as installing larger tires and wheels, lift kits, lowering kits, bumpers, grills, push bars, light bars, bike racks, and winches.

Accordingly, there is a strong desire in the aftermarket for performance standards for ADAS and the creation of testing procedures for service providers to validate that ADAS is functioning properly.

2. **There are Solutions to Maintain ADAS Functionality**

Below are some potential solutions for the committee to consider:

- Require motor vehicles to offer a standardized Malfunction Indicator Lamp (MIL) that would inform drivers and businesses servicing vehicles whether ADAS is working properly or not. For example, indicators like "ADAS Service Needed," "Check ADAS," or "ADAS Malfunction" could help determine ADAS status pre- and post-service.
- Require ADAS calibration and functionality validation information to be made available to vehicle owners and the aftermarket, supporting the vehicle's lifecycle.
- Create a standard practice to ensure full-functionality validation of ADAS after a vehicle has been modified, customized, or has been repaired after a collision.

Thank you again to the Subcommittee for holding this important hearing on the current state of NHTSA and motor vehicle safety. SEMA is committed to resolving the issue of ADAS calibration in order to help everyone on our roads remain safe.

I appreciate your consideration of these comments and would ask that the Subcommittee examine the matter of ADAS functionality by soliciting feedback from a wide variety of automotive industry stakeholders. SEMA welcomes the opportunity to work with the committee and other segments of the automotive industry to improve ADAS functionality for the lifecycle of each motor vehicle.

Sincerely,

Mike Spagnola
President & CEO
Specialty Equipment Market Association (SEMA)

March 5, 2025

Members of the House of Representatives:

We write in support of HR 1566, the Right to Equitable and Professional Auto Industry Repair Act (REPAIR Act). This legislation ensures vehicle owners, independent repair shops, and aftermarket manufacturers have secure access to vehicle repair and maintenance data. This access is critical to the independent aftermarket industry's ability to provide safe, reliable, and affordable repairs for your constituents, and we respectfully request that you cosponsor this legislation.

As vehicle technology grows more complex, repairing and maintaining today's vehicles requires access to vehicle repair data, compatible replacement components, training, and sophisticated diagnostic tools. The REPAIR Act guarantees the rights of owners and their designated repair facilities to maintain and repair their vehicles while maintaining the same cybersecurity standards, intellectual property protections and vehicle safety standards that exist today.

Vehicle owner and independent shop access to vehicle repair data is increasingly at risk as Original Equipment Manufacturers (OEMs) tighten control over its availability. Today, OEMs collect terabytes of data from their vehicles wirelessly and store it in their cloud servers. The OEMs then unilaterally decide to whom they give access to this data and under what terms and conditions. (Comment from Alliance for Automotive Innovation to the Bureau of Industry and Security ("BIS") in its *Securing the Information and Communications Technology and Services Supply Chain: Connected Car Advance Notice of Proposed Rulemaking*).[1]

These potentially anticompetitive practices leave independent repairers unable to service vehicles and prevent aftermarket suppliers from offering high-quality, safe, and affordable replacement parts to consumers. In fact, an independent survey conducted last year demonstrated that 63% of repair shops report having difficulties making routine repairs on a daily or weekly basis.[2] Moreover, 51% of shops report sending up to 5 cars per month to the dealer due to data restrictions, resulting in an estimated $3.1 billion cost to consumers.[3]

This issue will only get worse as the U.S. vehicle fleet ages. According to S&P Global Mobility, the "average age of cars and light trucks in the United States has risen again to a new record of 12.6 years in 2024, up by two months over 2023."[4] Over 70% of out of warranty vehicle repairs are done in the aftermarket and are generally 36% less expensive than dealerships. Car owners appreciate independent repair shops for their "trustworthiness, reasonable prices, knowledgeable mechanics, and good reputation."[5]

The independent aftermarket is an essential economic engine in every congressional district and state across the nation, with more than 4,900,000 employees and a fiscal impact of more than $500 billion annually. The REPAIR Act eliminates an existential threat to these jobs and the economy, while ensuring

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[1] Comment from Alliance for Automotive Innovation to the Bureau of Industry and Security ("BIS") in its *Securing the Information and Communications Technology and Services Supply Chain: Connected Car Advance Notice of Proposed Rulemaking* (Regulations.gov)

[2] https://www.autocare.org/news/latest-news/details/2024/04/10/survey-84-of-independent-repair-shops-view-vehicle-data-access-as-top-issue-for-their-business

[3] https://www.autocare.org/docs/default-source/market-intelligence/04-10-2024_auto-care_research-memo_april-2024.pdf

[4] https://www.spglobal.com/mobility/en/research-analysis/average-age-vehicles-united-states-2024 html

[5] Car Owners Favor Independent Repair Shops - Consumer Reports April 2024. "The survey results show the experiences of 10,973 Consumer Reports members with 11,670 repairs at 36 auto repair chains, independent shops analyzed as a group, and dealerships."

a robust ecosystem of repair options. Consumers and fleet owners will be able to select their repair facility of choice and have access to a variety of aftermarket parts. Independent repair shops will continue to be able to provide timely and quality repair and maintenance choices to their customers.

We express our sincere gratitude to Representatives Dunn, Gluesenkamp Perez, Davidson, and Boyle for continuing to support consumers through this legislation, and we encourage you to join them in doing so as a cosponsor of HR 1566, the REPAIR Act.

Sincerely,

Alabama Tire Dealers Association
Alliance of State Automotive Aftermarket Associations
American Motorcyclist Association
Association of Diesel Specialists
Auto Care Alliance
Auto Care Association
Automotive Aftermarket Association Southeast, Inc.
Battery Council International
CAWA – Representing the Automotive Parts Industry
Commercial Vehicle Solutions Network
Consumer Access to Repair Coalition
iFixit
MEMA Aftermarket Suppliers
Midwest Auto Care Alliance
National Federation of Independent Business
New England Tire & Service Association
New Jersey Gasoline, C-Store, Automotive Association
Preventative Automotive Maintenance Association
Service Station Dealers of America and Allied Trades
The Repair Association
Tire Industry Association

June 24, 2025

The Honorable Brett Guthrie
Chair
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515

The Honorable Frank Pallone Jr.
Ranking Member
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515

The Honorable Gus M. Bilirakis
Chair
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Washington, D.C. 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Washington, D.C. 20515

Dear Chairs Guthrie and Bilirakis, and Ranking Members Pallone and Schakowsky,

The National Consumers League applauds you for holding a hearing on motor vehicle safety and the National Highway Traffic Safety Administration (NHTSA). We urge you to ensure that NHTSA has the necessary resources, personnel, and authorities to address the auto safety crisis.

Each year, approximately 40,000 lives are lost and 2.6 million people are injured in traffic crashes.[1] That's enough fatalities to fill the average Major League Baseball stadium—enough injuries to affect nearly every resident of the state of Alabama.[2] Traffic crashes cost society nearly a trillion dollars in medical bills, emergency services, lost productivity, insurance costs, workplace loss, legal expenses, and property damage.[3] That's enough money to purchase more than 26 million mid-size SUVs, ten million more than the total number of cars sold in 2024.[4]

The death and destruction on our nation's roads does not have to be the price we pay for commuting to work, dropping the kids off at school, or picking up groceries. By harnessing revolutionary safety technologies, educating the motoring public, and improving the design, construction, and performance of motor vehicles, we can make our roadways safer.

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[1] Centers for Disease Control. "Transportation Safety." https://www.cdc.gov/transportation-safety/about/index.html. Accessed 16 April 2025.

[2] Baseball Bible. "Biggest MLB Stadiums by Capacity." *31 October* 2023. https://www.baseballbible.net/biggest-baseball-stadiums-united-states/; Census Bureau. "State Population Totals and Components of Change: 2020-2024." *December 2024*. https://www.census.gov/data/tables/time-series/demo/popest/2020s-state-total html#v2024.

[3] Centers for Disease Control. "Web-based Injury Statistics Query and Reporting Systems." https://wisqars.cdc.gov/create-tables/. Accessed 23 June 2025.

[4] Federal Reserve Bank of St. Louis. "Light Weight Vehicle Sales: Autos and Light Trucks (ALTSALES)." FED, *May 2025*. https://fred.stlouisfed.org/series/ALTSALES.

Fortunately, there is a federal agency responsible for carrying out these efforts. NHTSA is our nation's principal automobile safety regulator, charged with reducing deaths and injuries associated with traffic crashes. NHTSA carries out its lifesaving mission by establishing safety standards, investigating defects, enforcing recalls, and providing states with resources for driver education, risky driving countermeasures, and roadside safety.

NHTSA has delivered. Safety features that were once rare and novel are now common and conventional—seatbelts, airbags, and crumple zones, to name a few. Many of these features were adopted to comply with increasingly ambitious safety standards. The result: fewer fatalities and injuries on our nation's roads.

From 1968 through 2019, NHTSA's safety standards prevented over 860,000 deaths, 49 million injuries, and damage to 65 million vehicles, generating over $17.3 trillion in societal benefits.[5] In 2019 alone, standards prevented 40,000 deaths, 1.9 million injuries, and damage to 3.8 million vehicles.[6]

NHTSA has also successfully removed unsafe vehicles from our nation's roadways. Since 1968, NHTSA has overseen the recall of more than 390 million vehicles, 66 million pieces of motor vehicle equipment, 46 million tires, and 42 million car seats due to safety defects.[7] NHTSA has compelled manufacturers to replace tens of millions of volatile and explosive airbags, millions of defective tires prone to tread separation, and millions of sticky car seat buckles that entrap children.[8] The agency has facilitated the remedy of millions of vehicles with incidents of unintended acceleration, millions of faulty ignition switches that deactivate the engine and airbags while a vehicle is in motion, and "self-driving" technology that cannot safely perform the driving task.[9]

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[5] National Highway Traffic Safety Administration. "NHTSA: 50 Years of Vehicle Safety Standards Saved Hundreds of Thousands of Lives, Prevented Millions of Injuries." 17 December 2024. https://www.nhtsa.gov/press-releases/50-years-vehicle-safety-standards#:~:text=From%201968%20through%202019%2C%20NHTSA's,damage%20to%203.8%20million%20vehicles.

[6] *Id.*

[7] National Highway Traffic Safety Administration. "Motor Vehicle Safety Defects And Recalls." *U.S. Department of Transportation*, August 2017. https://www nhtsa.gov/sites/nhtsa.gov/files/documents/mvdefectsandrecalls_808795.pdf.

[8] National Highway Traffic Safety Administration. "Takata Recall Spotlight." https://www nhtsa.gov/vehicle-safety/takata-recall-spotlight. Accessed 16 April 2025.; National Highway Traffic Safety Administration. "Engineering Analysis Report and Initial Decision Regarding EA00-023: Firestone Wilderness AT Tires." *Department of* Transportation, October 2001. https://www nhtsa.gov/sites/nhtsa.gov/files/firestonereport.pdf.; The Associated Press. "Graco Recalls 3.8 Million Car Seats With Sticky Latches." *NBC News*, 11 February 2014. https://www nbcnews.com/health/kids-health/graco-recalls-3-8-million-car-seats-sticky-latches-n27781.

[9] Department of Transportation. "U.S. Department of Transportation Releases Results from NHTSA-NASA Study of Unintended Acceleration in Toyota Vehicles." 1 August 2019. https://www.transportation.gov/briefing-room/us-department-transportation-releases-results-nhtsa-nasa-study-unintended-acceleration.; Pulmer, Brad. "The GM Recall Scandal of 2014." *Vox*, 11 May 2015. https://www.vox.com/2014/10/3/18073458/gm-car-recall.; Walz, Eric. "NHTSA Opens Safety Probe for Up to 2.4M Tesla Vehicles." *AutomotiveDrive*, 22 October 2024. https://www.automotivedive.com/news/nhtsa-opens-investigation-tesla-fsd-odi-crashes-autopilot/730353/.

NHTSA is on the cusp of ushering in new transformational safety technologies that could surpass the lifesaving effects of seatbelts and airbags. The Bipartisan Infrastructure Law mandates that NHTSA support the deployment of several sophisticated safety technologies:

- **Drunk and impaired driving prevention technology**: More than 13,000 people were killed in drunk driving crashes in 2022.[10]

- **Crash avoidance systems**: Lane departure warnings could reduce single-vehicle, sideswipe, and head-on crashes causing injury by 21 percent.[11] Blind-spot detection has been shown to reduce lane-change crashes that result in injuries by 23 percent.[12]

- **Driver monitoring features:** Distracted driving claimed an estimated 12,405 lives in 2021.[13] Drowsy driving caused 664 deaths that same year.[14]

Many of these requirements are actively being implemented but are not yet finalized.

With NHTSA on the beat, safety is a priority and not an afterthought. It must be built into the design, construction, and performance of each vehicle. It must be ingrained in every bolt, sensor, and line of code of all automobiles.

The National Consumers League welcomes the opportunity to work with Congress to improve traffic safety. Attached is an addendum detailing several proposals to address the unacceptable number of deaths and injuries associated with traffic crashes. If you have any questions or would like additional information, please contact johnb@nclnet.org.

Sincerely,

The National Consumers League

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[10] National Highway Traffic Safety Administration. "Drunk Driving." https://www nhtsa.gov/risky-driving/drunk-driving#:~:text=Overview,These%20deaths%20were%20all%20preventable. Accessed 16 April 2025.
[11] Insurance Institute for Highway Safety, Highway Loss Data Institute. "Real-World Benefits of Crash Avoidance Technologies." July 2023. https://www.iihs.org/media/290e24fd-a8ab-4f07-9d92-737b909a4b5e/HvQHjw/Topics/ADVANCED%20DRIVER%20ASSISTANCE/IIHS-HLDI-CA-benefits.pdf.
[12] *Id.*
[13] National Highway Traffic Safety Administration. "Advanced Impaired Driving Prevention Technology." *Department of Transportation*. https://www.nhtsa.gov/sites/nhtsa.gov/files/2023-12/anprm-advanced-impaired-driving-prevention-technology-2127-AM50-web-version-12-12-23.pdf. Accessed 16 April 2025.
[14] *Id.*

National Consumers League Traffic Safety Recommendations

The National Consumers League welcomes the opportunity to collaborate with Congress on enhancing automobile safety. NCL has developed several policy proposals to address the unacceptable number of deaths and injuries resulting from traffic crashes.

Ride-Share Recalls

Investigations by Consumer Reports and the Government Accountability Office reveal that nearly one in six Uber and Lyft vehicles are operating under an active recall. These ride-share vehicles pose serious threats not only to passengers and drivers, but also to the general public.

- *Policy Recommendation:* Mandate that ride-share platforms notify their drivers of any outstanding safety recalls affecting the driver's vehicle. Prohibit such vehicles from operating on the platform if a recall has not been addressed within 5 days if a "do not drive warning" has been issued. If a stop driving warning has not been issued, prohibit such vehicles from operating on the platform if the recall has not been addressed within 60 days of notification, provided a remedy is available.

Safety is Not for Sale

A 2020 Consumer Reports analysis found that some advanced driving assistance systems (ADAS) are sold as luxury items that must be purchased for an extra fee or as part of expensive add-on packages. These additional costs may put these life-saving technologies out of reach for many Americans. Currently, Toyota's LE Convenience Package and LE Premium Package bundle rear cross-traffic alert systems with push-to-start capabilities and keyless open features. Ford bundles adaptive cruise control, evasive steering assist, and intersection assist with sophisticated touchscreens and voice recognition systems.

- *Policy Recommendation:* Make it unlawful for sellers of optional ADAS systems to bundle those systems with non-safety-related equipment.

Combating Vehicle Theft

Engine immobilizers, which are anti-theft devices that prevent vehicles from being hot-wired, are standard equipment on nearly all vehicles. But between 2011 and 2021, only 26 percent of Kias and Hyundais deployed in the United States were equipped with immobilizers. In comparison, nearly 96 percent of model year 2015 vehicles deployed by other manufacturers were equipped with immobilizers. In 2021, this gap led to a surge in thefts after viral TikTok videos showed that these vehicles could easily be stolen using just a screwdriver and USB cable. While Canada mandates immobilizers by law, the United States does not. NHTSA currently permits manufacturers meeting Canada's immobilizer standards to be exempt from NHTSA's vehicle theft standards.

- *Policy Recommendation:* By statute, harmonize America's immobilizer standards with Canada's. Permit NHTSA to modify such standard if doing so mitigates the risk of theft.

Excessive Speeders

Excessive speeders present a dire threat to traffic safety. In 2023, 11,775 people were killed in speed-related traffic crashes, accounting for 29% of all fatalities. Individuals with more speeding offenses are more likely to be involved in crashes. One study found that drivers charged with speeding over 20 miles per hour over the speed limit at least three times were far more likely to be involved in a fatal crash.

- *Policy Recommendation:* Encourage states to adopt excessive speeder laws, which permit repeat speeders and reckless drivers whose licenses have been suspended to operate a motor vehicle with a temporary restricted license, provided that the vehicle is equipped with an intelligent speed assistance system.

Closing the Pipeline of Safety Defects

E-commerce sites have become a significant platform for the sale of motor vehicle equipment. In 2021, approximately half of all business-to-business automotive and equipment sales were conducted on e-commerce sites. By the end of the century, the global online market for vehicle and vehicle equipment is projected to reach $722.79 billion, far exceeding the $237.93 billion market value in 2020. While NHTSA has the authority to compel manufacturers of motor vehicle equipment to perform recalls and remedies, it does not have the power to compel e-commerce sites to take down product listings of defective equipment. NHTSA has found it difficult to locate many international fly-by-night sellers who flood e-commerce sites with defective products.

- *Policy Recommendation:* Grant NHTSA the authority to compel e-commerce sites to take down postings of defective motor vehicle equipment and notify the purchasers of such equipment.

E&E NEWS By POLITICO

Auto experts doubt Duffy's CAFE standards review will lower prices

By Chris Marquette , Alex Guillén

01/30/2025 06:13 AM EST

Transportation Secretary Sean Duffy wasted no time after being sworn in Tuesday, quickly ordering a review of fuel economy standards Republicans blame for surging vehicle costs.

But easing the standards won't give consumers much price relief because supply chain constraints, tight inventories, the expansion of new technologies like autonomous driving and consumer preference for larger, heavier vehicles are more influential contributors to increasing vehicle costs, auto experts say.

Duffy signed a memo directing the National Highway Traffic Safety Administration to start a rulemaking to rescind or replace current and future Corporate Average Fuel Economy standards, which require passenger cars and light trucks to get 50.4 miles per gallon by model year 2031.

President Donald Trump and other Republicans have lambasted the standards as part of a de facto Biden-era electric vehicle "mandate" that they argue has driven up prices for consumers. DOT blamed a 15 percent increase in the average price of new vehicles between 2021 and 2024 on the Biden standards.

"This government mandate has dramatically increased the average price of a new car to nearly $48,000, driving up the cost and making it unaffordable for American consumers," the department said in a press release announcing Duffy's order.

But auto analysts said the standards aren't the driving force behind increasing vehicle costs — and they questioned whether lowering them would meaningfully impact prices.

"Do the CAFE standards factor into it someway, somehow? Sure," said Erin Keating, an executive analyst at Cox Automotive. "But are they a main contributor? I would doubt that."

Much more impactful to prices over the past few years was the Covid-19 pandemic, which caused supply chain disruptions and production stops throughout the auto industry.

Lots of other factors are outside the government's control as well, including a general consumer preference for bigger, more luxurious cars that use more fuel. Interest rates are another factor — although the Fed's rate, which it kept level Wednesday, matters less to auto financiers.

"I think it would just be hyperbolic to say that any specific regulatory move has caused" the price increase cited by DOT, Keating said. "It's just way more complicated than that."

Dan Becker, director of the Safe Climate Transport Campaign at the Center for Biological Diversity and a vocal advocate for stronger standards, pointed to data that shows average new vehicle prices have essentially plateaued since 2022, when the earliest Biden policies would have started taking effect.

Blaming vehicle prices on fuel economy standards is misdirection, Becker said. "This is all just made up and thrown at the wall to see if [the administration] can get away with it."

There's also little evidence that easing regulatory standards now will have any meaningful effect on lowering vehicle prices, experts said.

It's not likely "a repeal of CAFE standards will result in any noticeable change in vehicle prices for consumers," said Chris Harto, a senior policy analyst at Consumer Reports.

Robust standards resulted in “no detectable increase in inflation-adjusted vehicle prices over a nearly 20-year period” and saved about $9,000 in tangible fuel savings over the lifetime of the average new vehicle sold today compared with 2001, Harto said.

Mark Schirmer, the director of industry insights for Cox Automotive, noted that many factors contribute to a vehicle's ultimate cost — including loan rates, fuel prices and safety requirements.

In fact, easing fuel economy standards could have the opposite effect, he argued. “What often happens, when CAFE standards are relaxed, vehicles get bigger and that adversely impacts overall prices.”

Schirmer also argued that lower production volumes and computer chip shortages in the wake of the pandemic meant that manufacturers prioritized making more expensive models over cheaper ones with less profit margin.

The Zero Emission Transportation Association, an organization that advocates for EVs, contends lowering the CAFE standards will increase costs for drivers.

“Changing CAFE standards is unlikely to lower car prices. Variables touching the supply chain are much more impactful, such as the price of materials and tariffs. Lowering CAFE standards would likely increase the fueling costs for [internal combustion engine] drivers who will have less efficient cars,” said Alex Gibson, a spokesperson for the group.

Automakers tentatively backed reconsidering the standards — despite generally supporting EPA's emissions rule, Reg. 2060-AV49, and the NHTSA's CAFE rule, Reg. 2127-AM55, for 2027 and beyond when they were unveiled last year.

The Alliance for Automotive Innovation, the industry's main trade group, praised Duffy's order.

John Bozzella, president and CEO of the Alliance for Automotive Innovation, said in a statement it's “reasonable” to review the standards, noting they are “extremely challenging to achieve” and “expose automakers to billions of dollars in civil penalties.”

Experts noted that automakers plan out their vehicles for compliance as many as three to five years in advance, dulling the effect of rolling back rules.

"Ultimately, most regulatory changes take time to work through automotive production cycles," Kevin Roberts, director of economic and market intelligence at the research firm CarGurus, said in an email. "Automakers have invested heavily into more fuel efficient options and have found that consumer interest is there if the price is right."

Automakers will still benefit from lighter standards since they have already prepared for more stringent ones, and it will give them more time to ramp up EV offerings to match growth in consumer demand.

But the money companies have already invested in new power-train designs and other compliance efforts was still well spent, according to Keating.

"Any one regulation — especially when it's politically motivated and it may change in four years — isn't going to necessarily swing a business's decision on what they need to do for the bottom line,” she said.

Rep. Debbie Dingell (D-Mich.), who represents an area with a heavy automaker footprint, said the industry needs certainty to be able to succeed and "to stop being a political football.”

“I want our industry to remain at the forefront. For that we need domestic and global alignment," Dingell said. "The global market wants EVs, so how do you rationalize this? We need to bring all the stakeholders together and reach a consensus about how we support a strong stable auto industry and support the autoworker.”

Becker argued that automakers can't afford to ease up on designing more fuel-efficient and electric vehicles because of rapidly growing demand in Asia and Europe. He pointed to BYD, a Chinese manufacturer that sold over 3 million EVs and hybrids in 2023 and increased that to over 4.2 million in 2024 — none in the U.S.

In five years, Trump may have pulled back on domestic standards, but China will be selling more and more EVs, Becker said. And if U.S. manufacturers can't compete overseas, "the Chinese will be more than happy to eat their lunch."

MADD™ IMPAIRED DRIVING ENDS HERE.

June 25, 2025

The Honorable Gus Bilirakis
Chairman
House Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
United States House of Representatives
2125 Rayburn House Office Building
Washington, DC, 20515

The Honorable Jan Schakowsky
Ranking Member
House Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing and Trade
United States House of Representatives
2322A Rayburn House Office Building
Washington, DC 20515

Submission for Record: "Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety"

Dear Chairman Bilirakis and Ranking Member Schakowsky:

On behalf of Mothers Against Drunk Driving (MADD), thank you for holding a hearing on the critical issue of motor vehicle safety and the role of the National Highway Traffic Safety Administration (NHTSA) in protecting the lives of American road users. We respectfully request that this statement be entered into the official record for the Subcommittee's hearing titled *"Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety."*

Our country is facing a roadway safety crisis. Each day, 34 people are killed and another 988 are injured - approximately one person every 87 seconds - in drunk driving crashes. In 2023 alone, 12,429 lives were lost to drunk driving, marking a 22% increase since 2019. An additional 360,441 individuals were injured in these preventable tragedies. Nearly one-third of all traffic fatalities in the United States involve a drunk driver.

MADD's mission is to eliminate drunk and other substance-impaired, illegal driving. This mission encompasses advocating for and advancing the development and implementation of lifesaving vehicle technologies, including those required by the bipartisan law, the Honoring the Abbas Family Legacy to Terminate (HALT) Drunk Driving Act, which was enacted in 2021 as Section 24220 of the Infrastructure Investment and Jobs Act (IIJA) (P.L. 117–58). We thank the Chairman and Ranking Member for your leadership and support for

this landmark bipartisan law, which directs the National Highway Traffic Safety Administration (NHTSA) to issue a Federal Motor Vehicle Safety Standard (FMVSS) mandating the inclusion of advanced impaired driving prevention technology in all new vehicles. The goal is simple and clear: if a driver is illegally impaired, the vehicle should be rendered inoperable.

Representative Debbie Dingell championed the HALT Drunk Driving law in honor of the Abbas family – Rima, Issam, AJ, Isabella and Giselle – who were senselessly and needlessly killed by a wrong-way drunk driver in January 2019. The Abbas family, along with thousands of others across the country, should still be here. Drunk driving crashes are entirely preventable.

The Insurance Institute for Highway Safety estimates that more than 10,000 lives will be saved each year once this technology is fully deployed, based on preventing drivers with a blood alcohol concentration (BAC) of 0.08 percent or higher from operating a vehicle. The benefits of the law cannot be understated: the HALT law is one of the most significant transportation safety laws ever passed by Congress. When fully implemented, it will eliminate drunk driving as the leading cause of road fatalities in the United States. After decades of combatting drunk driving through enhanced enforcement measures and public awareness campaigns, MADD believes that anti-drunk driving technology is the final key to ending the scourge of drunk driving once and for all.

However, the promise of HALT will only come to fruition if NHTSA effectively implements the law and promulgates an FMVSS in accordance with its statutory timeframe. It stands to reason that if the HALT law is one of the most significant transportation safety laws ever passed, then NHTSA's requisite rulemaking is one of the most significant – if not ***the*** most significant – regulatory proceedings ever undertaken by the agency. Unfortunately, given NHTSA's history of failing to promulgate mandatory FMVSS in accordance with other statutory deadlines, MADD is concerned that the agency has been derelict in implementing the HALT law by both insufficiently prioritizing its statutory mandate and neglecting to dedicate the necessary resources and enthusiasm to complete the rule.

The HALT law is technology-neutral, which allows multiple proven and emerging technologies to fulfill its statutory requirement. These include advanced breath- and touch-based sensors, as well as driver monitoring systems. One such initiative is the Driver Alcohol Detection System for Safety (DADSS) program, a public-private partnership funded by taxpayers and the auto industry over the past 15 years to develop in-vehicle technologies that can passively detect driver intoxication. The DADSS program is expected to deliver a reference design package to vehicle manufacturers later this year, allowing

automakers to begin integrating this or similar technologies into their fleets. Other promising technologies consist of driver monitoring systems that visually detect driver intoxication. Given this landscape, it is imperative that NHTSA aggressively and thoroughly explore all technological options that could fulfill the HALT law's tech-neutral mandate.

While NHTSA must proactively explore the above technological options, it is also imperative that auto manufacturers do their part to contribute to the regulatory process. Industry must be an active part of the solution; auto companies must not passively wait for NHTSA to act. Global automakers have the talent and the resources to fulfill HALT's promise and end drunk driving on our roads. Moreover, existing anti-drunk driving technologies will be cost effective. As an example, DADSS has been estimated to cost $100-$200 per motor vehicle; given that the average vehicle transaction price is $48,000, MADD firmly believes that implementing the HALT law will not be prohibitively costly to American consumers.

Despite the clear benefits, MADD acknowledges that implementing the HALT law faces ongoing challenges, including concerns related to privacy and data protection. MADD firmly believes that these concerns must not be allowed to delay or weaken the implementation of this transformative safety measure. Reasonable solutions exist for each of the issues raised, and MADD unequivocally supports the inclusion of robust privacy safeguards in both regulation and legislation.

MADD does not support the tracking of vehicles or the collection, storage, or sale of driver or vehicle data. The HALT law is not a prosecutorial tool; it is a preventive measure. Its purpose is solely to prevent a vehicle from operating when the driver is illegally impaired. Protecting the lives of all road users, drivers, passengers, and pedestrians, need not come at the expense of privacy. These objectives are not mutually exclusive.

We appreciate your leadership in vehicle safety and your continued attention to this urgent public health issue. Thank you for the opportunity to submit this testimony. Should you have any questions or need further information, please do not hesitate to contact me at **Stephanie.Manning@madd.org**.

Sincerely,

Stephanie Manning
Chief Government Affairs Officer

Building a Bicycle Friendly America for everyone

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Statement for the Record of the League of American Bicyclists

House Committee on Energy and Commerce,Subcommittee on Commerce, Manufacturing, and Trade

Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety

June 26, 2025

Introduction

The League of American Bicyclists (League) appreciates the opportunity to submit a statement to the House Energy and Commerce Committee Subcommittee on Commerce, Manufacturing, and Trade for its hearing, "Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety" and provide our perspective based on decades of experience working to make our roads safer for everyone. This hearing comes at an important time as the number of people biking killed in crashes with motor vehicles increased to a record 1,166 in 2023, which is a tragic 87 percent increase since the all-time low was reported in 2010. This reversal of bicyclist safety over the last 13 years demands attention from Congress and National Highway Traffic Safety Administration (NHTSA), and many signs point towards safer motor vehicles playing an important role in correcting this terrible trend.

Since 1880, the League of American Bicyclists has been people-powered, with a goal to make bicycling safer and easier as a means of transportation and recreation. Today, the League continues to improve lives and strengthen communities through bicycling. We are more than 200,000 members and supporters strong with over 1,000 state and local advocacy groups and bike clubs as well as thousands of businesses, universities, and communities together leading the movement to create a Bicycle Friendly America for everyone.

The League of American Bicyclists' Advocacy for Bicyclist Safety Testing and Standards for Vehicles

The League has advocated for bicyclist safety in testing and standards for vehicles at every opportunity with NHTSA since 2015. Given our history of advocacy and experience with NHTSA, we believe that the best action Congress can take to improve bicyclist safety through its motor vehicle safety authority is to adopt H.R.3649 - the Magnus White Cyclist Safety Act of 2025, which requires NHTSA to adopt a bicyclist-Automatic Emergency Braking (AEB) Federal Motor Vehicle Safety Standard (FMVSS) within three years.

In 2015, NHTSA proposed updates to the New Car Assessment Program (NCAP) with a focus on crash avoidance systems. In that comment period, the League and affiliated commenters provided more than 60 percent of all comments submitted asking for bicyclists to be included in the testing of crash avoidance systems. In 2018, NHTSA hosted a public meeting and publicly recognized the large number of comments submitted by members of the League. In 2022, NHTSA again proposed updates to the NCAP and the League and its supporters contributed roughly 15 percent of comments out of more than 14,000 comments. However, NHTSA has been slow to test for bicyclist safety in the NCAP, despite the League's comments, and the adoption of testing by global NCAPs.

The League's comments have often prioritized testing for bicyclist-Automatic Emergency Braking (AEB), a technology that has the potential to mitigate or prevent up to 26 percent of

vehicle-bicycle crashes and 52 percent of fatal vehicle-bicyclist crashes based on the most commonly occurring and tested crash scenarios.[1]

NHTSA has been slow to test for bicyclist safety in the NCAP, despite Congressional encouragement. Section 24213(b) of the Infrastructure Investment and Jobs Act (IIJA) required that NHTSA publish a notice "to establish a means for providing to consumers information relating to pedestrian, bicyclist, or other vulnerable road user safety technologies" within one year of enactment. To its credit, NHTSA did take several actions to address pedestrian safety technologies. However, four years after the passage of the IIJA, NHTSA has yet to propose a means for providing consumers information related to bicyclist safety technologies.

Based on NHTSA's most recently published roadmap for NCAP, there will be no testing for bicyclist-AEB until Q4 2027 and scenarios currently tested by EuroNCAP will not be tested until at least 2030. If NHTSA meets these published timelines, NHTSA will be about a decade behind their international counterparts in testing for the safety of bicyclists.

In light of NHTSA's inaction, Congress should act to adopt H.R.3649 - the Magnus White Cyclist Safety Act of 2025.[2] Magnus White was a 17 year old cyclist who was struck and killed during a training ride for a world championship race where he would represent the United States on the Junior Men's National Team. The Magnus White Cyclist Safety Act of 2025 would require NHTSA to issue a final rule to establish minimum performance standards requiring that an automatic emergency braking system functions in daylight and low light conditions and detects and responds to vulnerable road users, including bicyclists and motorcyclists. Requiring a FMVSS for bicyclist-AEB is necessary to ensure that NHTSA acts and that its actions reach the most Americans possible.

The League of American Bicyclists' Guidelines for Automated Driving System Development

The League of American Bicyclists has been a long-time believer that automated vehicles have the potential to improve bicyclist safety. In 2014, we conducted a survey of our members and followers and found that respondents were almost equally split between believing that automated vehicles will improve safety and that they did not have enough information to answer. Since that time, the League has worked with a variety of Automated Driving System (ADS) developers to better understand the technology, communicate it with our constituents, and advocate for practices that will ensure that ADS development leads to better safety outcomes for bicyclists.

The League has engaged in comment periods from NHTSA on ADS, from the first Automated Vehicle policy proposal through the most recent, but our more substantive engagement has been with ADS developers such as Argo.ai, Cruise, and Waymo. Through directly engaging with the companies developing ADS technology, we developed six guidelines for good development

[1] https://www.iihs.org/news/detail/bicycle-crash-study-could-guide-design-of-bicyclist-detection-systems

[2] https://www.congress.gov/bill/119th-congress/house-bill/3649/text/ih

that treats protecting people biking, walking, and rolling as a core competency of ADS technology rather than as a mere edge case. Our six guidelines are:

1. Bicyclists should be a distinct object class so that bicyclists, pedestrians, and scooter users are differentiated and their distinct patterns of behavior are incorporated into the ADS.
2. Typical bicyclist behavior should be expected so that the ADS can prioritize substantive safety over normative expectations about how bicyclists should behave.
3. Bicyclist infrastructure and local laws should be mapped so that the ADS can anticipate and adhere to local laws, and anticipate bicyclist behavior based on infrastructure or laws.
4. An ADS should drive in a consistent and understandable way so that bicyclists can understand ADS-driven vehicle intentions and safety is consistently prioritized.
5. An ADS should prepare for uncertain situations and proactively slow down so that safety is prioritized in the face of uncertainty and any potential crash is mitigated by slower movement.
6. Bicyclist scenarios should be tested continuously so that ADS continue to learn through virtual and physical testing and rarer situations are identified and incorporated.

Regulating the safety of an ADS is a complicated endeavor that will require Congress to act and for NHTSA to develop capacity that it currently does not have. In the League's advocacy for ADS safety we have chosen a straightforward priority for regulation that is squarely within the traditional authority of NHTSA to regulate the components of motor vehicles. Based on our experience with ADS developers and other traffic safety organizations, we believe that a technology-neutral "vision test" requiring minimum performance standards for sensors and ADS perception so that there is an objective minimum safety standard for detecting, identifying, and responding to a vulnerable road user is the best path forward.

For several years, we have advocated for a "vision test" for all ADS, including SAE (formerly the Society of Automotive Engineers) Level 2 systems and above. Below is the text we have proposed to Congress in the past and reiterate our support for now:

> VISION TEST PERFORMANCE STANDARD
>
> (a) IN GENERAL.—The Secretary shall initiate a rulemaking proceeding to require automated driving systems, including SAE Level 2 automated driving systems, to meet a minimum vision performance standard.
>
> Such a rule shall specify requirements that the automated driving systems are able to detect and respond to all roadway users such as other vehicles, pedestrians, bicyclists, and wheelchair users as well properly read and interpret, roadway signage and highway markings.
>
> (b) FINAL RULE.—The Secretary shall issue a final rule under subsection (a) within 3 years after the date of enactment of this Act.
>
> (c) LEAD-TIME.—The standard prescribed under subsection (a) shall provide not more than 2 model years of regulatory lead-time.

The New Car Assessment Program

In addition to the League's specific issues with NCAP not including bicyclist safety testing, there are broader problems with NCAP that suggest a look under the hood is needed. In the 2019 report, "NCAP at 40: Time to Return to Excellence," former NHTSA Administrator Joan Claybrook and the organization Advocates for Highway and Auto Safety noted that the budget for NCAP "represents a paltry 46 cents spent for every car and light truck sold in the United States for essential consumer information" and that EuroNCAP, at the time, had more than four times the number of tests.[3] Since that 2019 report, the budget for NCAP has decreased by nearly two-thirds from $16 million in Fiscal Year (FY) 2019 to $6.47 million in FY2023 and EuroNCAP has added numerous tests, including four tests specific to bicyclist safety.[4]

In recent years, Congress has asked NHTSA to add tests to NCAP and NHTSA has in fact added tests to NCAP so it makes little sense that the budget for the NCAP has decreased dramatically and continues to decrease. The FY2026 Budget Estimate[5] requests a further 4.4 percent decrease in funding for NCAP even as four new tests are implemented and eight updates progress through their final decision phase according to the Roadmap for Mid-Term Potential Updates to NCAP Evaluations published in 2024.[6] More than thirteen updates exist on the Roadmap for Long-Term Potential Updates to NCAP Evaluations, with several updates involving multiple tests such as "enhanced AEB for bicyclists and motorcyclists in intersection crashes." With a lower and lower budget, it is hard to see how NCAP will implement these updates or how NHTSA is accounting for their progress.

Regardless of NCAP, there are clear signs that consumers have a great demand and interest in motor vehicle safety testing, especially for Advanced Driver Assistance Systems (ADAS) and ADS. One Youtube video showing a "test" of a Tesla vehicle to see whether it would recognize and avoid a crash with a wall with a fake road scene has received more than 23 million views since its publication earlier this year.[7] Advocacy groups like the Dawn Project have received thousands of views for "tests" of scenarios that are currently a standard part of EuroNCAP, including a child pedestrian running out from behind a vehicle.[8] These non-scientific tests are filling the void left by NHTSA and the NCAP failing to invest in public testing and marketing so that consumers have scientific, unbiased, data on vehicle performance.

Federal Motor Vehicle Safety Standards

While the League strongly believes that the NCAP is an important program and deserves greater support, there is no substitute for safety standards. The League sees NCAP, and the tests done by the Insurance Institute for Highway Safety (IIHS), as a natural pipeline for developing tests and competencies that inform Federal Motor Vehicle Safety Standards (FMVSS). As NHTSA has been slow to adopt additional testing for NCAP, it has also been slow

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[3] https://saferoads.org/wp-content/uploads/2019/10/NCAP-at-40-Time-to-Return-to-Excellence-by-Joan-Claybrook.pdf
[4] https://www.euroncap.com/en/car-safety/the-ratings-explained/vulnerable-road-user-vru-protection/aeb-cyclist/
[5] https://www.transportation.gov/sites/dot.gov/files/2025-05/NHTSA_FY_2026_Budget_Estimates_CJ.pdf
[6] https://www.nhtsa.gov/sites/nhtsa.gov/files/2024-11/NCAP-Roadmap-11182024-web.pdf
[7] https://www.youtube.com/watch?v=lQJL3htsDyQ
[8] E.g. https://www.youtube.com/watch?v=Xr_xOsK-Meg

to adopt new FMVSS. The pipeline is currently empty for bicyclist safety and there is no publicly available data to understand NHTSA's competency in adopting any bicyclist-related FMVSS.

With limited experience adopting FMVSS, the FMVSS that NHTSA has adopted in recent years have been somewhat controversial and subject to challenge:

- FMVSS 108 updated the FMVSS for adaptive driving beam headlamps. The League commented in favor of the update based on industry analysis that showed potential safety benefits for people biking and walking. The FMVSS as adopted by NHTSA has been criticized for not allowing headlights that are commonly available in other countries with substantially better safety records. After adoption of FMVSS 108, NHTSA received twelve petitions for reconsideration of the FMVSS. Two years after the adoption of FMVSS 108, a CNN article lamented that "after a decade of work on it, America's National Highway Traffic Safety Administration finalized regulations for adaptive beam headlights. But because the US regulations are so different from those in other countries, with requirements so difficult to meet, automakers still can't offer it here. It will be years before they can offer new, redesigned ADB headlights that meet the standards, auto industry sources say.[9]"
- FMVSS 127 created the first motor vehicle safety standard for pedestrian safety by requiring pedestrian-AEB systems on light vehicles. The League commented in favor of FMVSS 127 and strongly believes that it is a positive step forward for pedestrian safety. FMVSS 127 will not apply to new vehicles until September 1, 2029[10] providing an adequate time for manufacturers to comply with its provisions. However, it has still been the subject of a lawsuit from automotive manufacturers and it is unclear how the administration will defend FMVSS 127 or if it will modify it. The FY2026 Budget Estimate lists "Provide regulatory impact analysis for proposed rule to amend FMVSS No. 127 Light Vehicle AEB[11]" as an anticipated FY2026 accomplishment suggesting that the first-ever standard for pedestrian safety in motor vehicles will likely be changed.

The slow and uneven rollout of new safety technologies in the FMVSS does not meet the needs of the American public, which sees consistently high levels of motor vehicle-related fatalities and continued promises that technology will reduce those fatalities. If the United States seeks to be a leader in automotive technology, then it needs a more functional safety testing and standards pipeline. New technologies should be publicly tested and proven so people can benefit from them becoming standard equipment.

Vehicle Size and Weight

While technology can do a lot to make us all safer as we travel our nation's roads, the fundamentals of physics suggest that America will continue to suffer a high level of traffic deaths due to increasing vehicle size and weight. According to data from the Environmental Protection

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[9] https://www.cnn.com/2024/02/15/cars/headlights-tech-adaptable-high-beams-cars

[10] https://www.federalregister.gov/documents/2024/05/09/2024-09054/federal-motor-vehicle-safety-standards-automatic-emergency-braking-systems-for-light-vehicles

[11] https://www.transportation.gov/sites/dot.gov/files/2025-05/NHTSA_FY_2026_Budget_Estimates_CJ.pdf (p. 46)

Agency, vehicle weight has increased roughly 13 percent from 3,914 pounds in 2009 to 4,419 pounds in 2024. Looking back further, pickups averaged 3,526 pounds in 1987 and 5,397 pounds in 2024, a more than 53 percent increase. While these increased weights may help keep some occupants safe, they pose a grave threat to people outside of vehicles and in smaller vehicles, contributing to an arms race that may further increase weights, forces in collisions, and wear and tear on our roads. According to the Economist, "for every life that the heaviest 1 percent of SUVs and trucks save, there are more than a dozen lives lost in other vehicles.[12]"

Vehicle size is poorly understood in the United States because we do not currently have any testing or publicly available data on the height of vehicle front ends. NHTSA adopted a pedestrian crashworthiness test as part of NCAP, but it will not go into effect until next year. The adopted NCAP test is also a "pass-fail assessment approach [that] is intended to be temporary and eventually will be replaced with a more refined comparative rating approach in the future.[13]" One aspect of the NCAP test that was the subject of numerous comments was vehicles with a lower bumper reference line (LBRL) greater than 500 mm (19.7 inches) and NHTSA chose to automatically issue a lower legform test of zero for any vehicle with a LBRL greater than 500 mm. It would be valuable to have publicly available data on LBRL heights and leading hood (or bonnet) edge heights as high front end vehicles pose significant risks to people outside of vehicles and shorter vehicles. According to IIHS, "vehicles with hoods more than 40 inches off the ground were about 45% more likely to cause pedestrian fatalities than vehicles with hood heights lower than 30 inches and sloped front ends.[14]"

Recommendations

The League strongly recommends that Congress and NHTSA:

- Adopt a bicyclist-AEB FMVSS so that all vehicles in the United States meet a minimum standard of safety for bicyclists
- Accelerate the roadmap for updates to NCAP so that the US NCAP is harmonized with global competitors and US consumers have the information needed to understand and purchase safer vehicles that use AEB, ADAS, ADS, and other safety technologies.
- Increase the budget for NCAP so that it matches the increase in testing and the public communication opportunities afforded by the modern internet, including videos of test procedures.
- Create a roadmap for FMVSS adoption so that the pipeline of technologies and standards is clear to Congress and the American people.
- Research the impact of vehicle size and weight on traffic safety, and consider policy options for reducing average vehicle size and weight over time.
- Adopt NCAP testing that gives comparative ratings based on front end vehicle designs and their safety impact in crashes with people biking and walking.

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[12] https://www.economist.com/interactive/united-states/2024/08/31/americans-love-affair-with-big-cars-is-killing-them

[13] https://www.federalregister.gov/documents/2024/11/25/2024-27446/new-car-assessment-program-final-decision-notice-crashworthiness-pedestrian-protection

[14] https://www.iihs.org/research-areas/pedestrians-and-bicyclists

Conclusion

When we look under the hood, the state of NHTSA and motor vehicle safety is not good. If "The National Highway Traffic Safety Administration is responsible for keeping people safe on America's roadways[15]" then it has not successfully held up its responsibility. Instead, it has been slow to respond to America's traffic safety crisis and is decades behind international peers and competitors - leaving Americans more likely to be killed on roadways than in any other wealthy country.

In 2023, the year of NHTSA's most recent traffic fatality data, there were 40,901 people killed in crashes with a moving motor vehicle on a public road in the United States. Those 40,901 people represent 12.2 deaths per 100,000 people, higher than all but two countries (Colombia and Costa Rica) in the International Transport Forum's annual report and more than twice the per capita death rate of Canada.[16]

In the face of an astonishing 87 percent increase in bicyclist deaths between 2010 and 2023 to an all-time high of 1,166 bicyclist deaths, NHTSA has yet to propose any motor vehicle safety testing or standards to improve bicyclist safety. NHTSA has not even published research on any aspect of motor vehicle design, technology, or other vehicle-related factors that might account for the dramatic increase in bicyclist deaths.

To fix NHTSA and capitalize on the promises of technology to improve motor vehicle safety, there needs to be clear directives towards action from Congress to NHTSA. NHTSA has not shown an ability to act absent clear directives and even with clear directives the agency often misses statutory deadlines.[17] The agency is in need of a jump start and we hope Congress provides it.

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[15] https://www.nhtsa.gov/about-nhtsa

[16] https://www.itf-oecd.org/sites/default/files/docs/irtad-road-safety-annual-report-2024.pdf

[17] https://www.gao.gov/products/gao-22-104635 ("Legislation in 2012 and 2015 required the agency to issue 19 reports for Congress and publish 22 rules. As of April 11, 2022, the agency completed all the reports but almost all of them were late. It completed 6 rules.")

National Safety Council

Statement of the National Safety Council
to
House Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
on
"Looking Under The Hood: The State of NHTSA and Motor Vehicle Safety" Hearing
June 26, 2025

The National Safety Council (NSC) appreciates the opportunity to submit this statement for the record in advance of today's hearing titled: "Looking Under The Hood: The State of NHTSA and Motor Vehicle Safety." This hearing is especially opportune as Congress begins the process of reauthorizing the National Highway Traffic Safety Administration (NHTSA) through the surface transportation reauthorization process. It is the belief of NSC that a strong NHTSA is imperative to ensuring more lives are not lost on our roadways. Through its mission to initiate light vehicle safety rulemakings, issue recalls and inspect defects, NHTSA helps the average American consumer have peace of mind when they enter their vehicle.

National Safety Council

The National Safety Council (NSC) is America's leading nonprofit safety advocate – and has been for over 110 years. As a mission-based organization, we work to eliminate the leading causes of preventable death and injury, focusing our efforts on the workplace and roadway. We create a culture of safety to protect people from hazard and injury in the workplace and beyond so they can live their fullest lives. Our more than 13,000 member companies and federal agency partners represent employees at nearly 41,000 U.S. worksites.

The State of the Roadway Safety Crisis

Our current road safety metrics are deeply troubling. According to Injury Facts, 44,762 people died in fatal motor vehicle crashes in 2023.[1] Medically consulted injuries in motor vehicle crashes totaled 5.1 million in 2023, and total motor vehicle injuries cost the United States economy an estimated $513.8 billion that year.[2] Risky driving behaviors such as speeding, alcohol-impaired driving, drugged and distracted driving continue to be the leading causal factors behind crashes. 2023 fatality estimates for vulnerable road users (VRUs) suggest a slight decline, but these estimates are still above 2019 levels.[3] It's high time that we do better in the United States to keep people safe on our roadways.

[1] https://injuryfacts.nsc.org/motor-vehicle/overview/introduction/
[2] Ibid.
[3] https://www.ghsa.org/sites/default/files/2024-06/2023%20Pedestrian%20Traffic%20Fatalities%20by%20State.pdf

National Safety Council

The United States desperately needs a long-term vision, which should be required by statute, that engages United States Department of Transportation leadership with transportation stakeholders that are committing to reaching zero fatalities and serious injuries by 2050. This vision or action plan should allow technology providers, motor vehicle manufacturers and safety advocates the ability to think collaboratively about safety measures that will make long term impacts and save lives.

Vehicle Technology as a Solution to the Roadway Safety Crisis

To enable change in our roadway safety culture, a major shift is needed at our regulatory agencies. Agencies, such NHTSA, have become risk averse – thus keeping our technological innovation at a standstill. The in-vehicle technology to eliminate alcohol-impaired driving exists. The in-vehicle technology to prevent pediatric vehicular heatstroke exists.[4] The in-vehicle technology to prevent motor vehicle crashes exists. Congress must work together with NHTSA to ensure motor vehicles are the safest they can be on our roads, while supporting behavioral programs to ensure drivers make good decisions behind the wheel.

The Infrastructure Investment and Jobs Act (IIJA) was a landmark piece of legislation which included numerous rulemakings for NHTSA to complete by statutory deadlines. These rulemakings would utilize technology to advance safety and mitigate crash risk from motor vehicles. Sadly, many of these rulemakings have not been started or seen to completion. In a 2024 letter to then NHTSA Deputy Administrator Sophie Shulman, Senator Edward Markey and eight other Senate colleagues addressed the backlog of vital rulemakings where NHTSA had fallen short of completion.[5]

While addressing its backlog of regulatory requirements, NHTSA must also be forward looking in advancing vehicle safety for the American people. These forward-looking safety technology measures should directly address the crash risks that we see today. An example where states are already moving in the right direction is Intelligent Speed Assistance (ISA) technology to curb speeding deaths.

Speeding killed 11,775 people in the United States in 2023.[6] ISA is a technology that alerts a driver to when they have engaged a vehicle above the designated speed threshold set by a municipal, local, or state government. This technology can either be passive, solely alert the driver through haptic or audiovisual alerting, or active through automatically preventing speeding above a designated speed limit. NHTSA recommends this technology through a three-star effectiveness rating in its *Countermeasures That Work* for speeding and speed management.[7]

[4] https://www.kidsandcars.org/news/post/examples-of-available-technology-to-prevent-hot-car-deaths
[5] https://www.markey.senate.gov/imo/media/doc/nhtsa_traffic_safety_letter2.pdf
[6] https://www.nhtsa.gov/risky-driving/speeding
[7] https://www.nhtsa.gov/book/countermeasures-that-work/speeding-and-speed-management/countermeasures/other-strategies-1

National Safety Council

The District of Columbia, Virginia and Georgia have all passed legislation which would require ISA technology in the vehicles of habitual reckless drivers.[8] Furthermore, bills have been introduced in New York, Arizona, Maryland and California to also require this technology.[9] Congress should build off of this momentum and require NHSTA to complete a rulemaking which requires ISA technology on all newly manufactured vehicles sold in the United States. This requirement would be in line with the European New Car Assessment Program (Euro NCAP) promotion of "installation of speed assistance systems that support drivers to control their speed" and the 2022 NHTSA Request for Comment (RFC) on inclusion of ISA in NCAP which the National Transportation Safety Board (NTSB) recommends.[10,11]

ISA technology, in conjunction with passive impaired driving prevention and detect to prevent technologies, would ensure speeding, impaired driving and pediatric vehicular heatstroke (PVH) become a risky driving behavior of the past – making both our roads and our vehicles safer. Congress must require NHTSA to advance these measures.

Autonomous Vehicles on American Roads

Every day there are new headlines covering partnerships and deployments of passenger vehicle autonomous vehicles in the United States.[12] While NSC supports the adoption of autonomous passenger vehicles (AV) to offer additional mobility options for consumers, there are still robust concerns around the current safety measures of these vehicles and potentially new safety risks with the adoption of waivers for novel designs. Congress should support this burgeoning industry, but NHTSA cannot cede its role as an active regulator in ensuring vehicles on the road comply with Federal Motor Vehicle Safety Standards (FMVSS). Moreover, vehicles granted waivers should not result in an increase in safety risks for passengers, and vehicles with defects or software issues should be immediately grounded until fixes are in place.

In comments to NHTSA on their proposed Automated Driving System (ADS) Equipped Vehicle, Safety, Transparency and Evaluation Program (AV STEP), NSC proposed numerous focuses for NHTSA to ensure safety is at the forefront of deployments. These focuses include:

1. A strong and mandatory ADS FMVSS that can be complied with and enforced;
2. Required fallback personnel for ADS passenger vehicle operations; and
3. NHTSA should not cede its authority to independent assessors for ADS technology.

[8] https://visionzeronetwork.org/accelerating-safety-states-champion-intelligent-speed-assistance/
[9] Ibid.
[10] https://www.euroncap.com/en/car-safety/the-ratings-explained/safety-assist/speed-assistance/
[11] https://www.nhtsa.gov/sites/nhtsa.gov/files/2024-04/NHTSA-NTSB-Response_April-2024_Intelligent-Speed-Assistance_ISA-Interlock_Speeding_NCAP.pdf
[12] https://www.cnbc.com/2025/06/24/uber-waymo-robotaxi-service-opens-to-passengers-in-atlanta.html

National Safety Council

Recently, U.S. Transportation Secretary Sean Duffy has highlighted AV deployment as a critical component of his "Innovation Agenda."[13] Part of this agenda is the inclusion of exemptions for AVs with novel designs, including the elimination of steering wheels, pedals, and front seating systems.[14] While these exemptions need to be proven to be in the public interest, NSC believes there is no safety reason as to not require these systems today. In the event a vehicle malfunctions, the traveling public must not bear the brunt of technology's failures and should have the chance to reengage the vehicle through the driving task. This becomes impossible when there are no steering wheels or pedals. As ADS technology matures, novel designs may become commonplace, but today the technology is too immature.

Conclusion

Congress must continue to hold NHTSA accountable for completing required rulemakings which will keep everyday Americans safe inside of their vehicles. NSC looks forward to continuing to partner with the Committee to decrease the death and serious injuries that occur on our roads. By bringing together safety stakeholders, manufacturers and technologists, we will solve the road safety challenges that we face today.

[13] https://www.transportation.gov/innovation-agenda
[14] https://www.nhtsa.gov/press-releases/streamline-exemption-process-noncompliant

Transport Workers Union of America, AFL-CIO

John Samuelsen
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Mike Mayes
International Administrative Vice President

"AMERICA'S FIGHTING DEMOCRATIC UNION"

June 25, 2025

The Honorable Gus Bilirakis, Chairman
The Honorable Jan Schakowsky, Ranking Member
Subcommittee on Commerce, Manufacturing, and Trade
U.S. House Committee on Energy and Commerce
Washington, DC 20515

RE: Hearing on The State of NHTSA and Motor Vehicle Safety

Dear Chairman Bilirakis and Ranking Member Schakowsky,

On behalf of more than 160,000 members of the Transport Workers Union of America (TWU), I am writing to offer the following statement for the record as part of your hearing on The State of NHTSA and Motor Vehicle Safety. TWU members operate and maintain buses, motorcoaches, and other purpose built motor vehicles across the country. Additionally, TWU members work alongside and within areas congested with moving vehicles – including ground workers on airport tarmacs and bikeshare workers on city streets. NHTSA's successes and failures to oversee new technologies like autonomous vehicles are directly reflected in the safety of these workers on the job.

The introduction and regulation of new technologies is the number one worker issue before NHTSA today. For TWU members, whose job site is often within or adjacent to motor vehicles, the safety of these vehicles is measured in near-misses, injuries, and deaths. While NHTSA rarely focuses on its role as a worker protection agency, there is no question that its succeses and failures are immediately visible to TWU members in the performance of their jobs. Likewise, NHTSA's decisions on which vehicle safety technologies to adopt and how quickly to implement them is a major factor on employment in the transportation sector. The longterm physical and financial health of TWU members is directly related to NHTSA's role overseeing and regulating automakers.

The most complicated and consequential technology facing regulators today is automated driving systems (ADS), which utilize a number of new technologies networked together and operated by an artificial intelligence. The lack of federal leadership in regulating this technology has forced many states and localities to implement their own limitations on these vehicles, creating a patchwork of standards across the country and encouraging a counter-productive competition between states for driverless vehicle projects. The current structure is unsustainable. Congress must act to provide NHTSA and the other modal agencies with the framework to establish clear, national, pro-safety, pro-worker standards to ensure the autonomous vehicle (AV) industry is raising the level of safety and creating good jobs.

New technologies like AVs should be viewed as part of a larger innovation policy across all of DOT

TWU members have been at the forefront of new transportation technology for generations.[1] Our experience as frontline workers implementing, operating, and maintaining new equipment, processes, and modes leads us to believe that innovation can and should have a positive outcome for working families. Such outcomes are not guaranteed, but can be achieved when policymakers take steps to:

- Maintain existing safety & security standards, i.e., require new technologies to demonstrate that they meet or exceed our standards rather than lower standards to meet a current technology's capabilities
- Require transparent planning & reporting (both to effected workers and to safety regulators)
- Mandate workforce involvement in planning and implementing new technology, including as an integral part of any government advisory bodies.

AVs are not unique in this regard, they are simply another innovation in a long line of transportation technologies stretching back to the wheel. These principles, if fully expressed as part of any AV legislative framework, will ensure that American workers benefit from this potential technological transition.

We are deeply concerned that the major AV developers have an unambiguous plan to rush driverless vehicles onto our roads and into our public transit systems without safety standards or adequate failsafes such as human oversight and intervention. These companies are asking the state and federal policymakers to sidestep the tough safety questions and sanction these deployments with very limited oversight or regulation. This "trust me" approach pretends that this technology is somehow independent of the realities of every other innovation over the past

[1] The TWU has commented extensively on this issue over the past several years, including testimony before the House Transportation and Infrastructure Committee. We would also draw your attention to the Worker-first AV Legislative Framework and the AV Tenants led by the Advocates for Highway and Auto Safety, both of which the TWU has strongly endorsed.

two centuries. It would defy decades of federal transportation safety policy and places the public and workers at significant and unnecessary risk. It is also the exact opposite approach that we have learned through countless accidents across multiple modes: federal oversight is essential to ensure the safety of transportation systems. The proactive approach taken by the Department of Transportation ensures the transportation technologies we sanction across the multi-modal network are safe by demanding these innovations demonstrate their safety capabilities BEFORE widespread deployment. We know that even the most advanced technologies fail on a regular basis and that the best protection is strong regulation, redundancy, and well trained workers.

Many of the policies the TWU believes must be included in an AV legislation would need to be implemented by the Federal Motor Carrier Safety Administration (FMCSA) and the Federal Transit Administration (FTA). These areas require partnership between the Transportation and Infrastructure Committee and the Energy and Commerce Committee. Any legislation which does not include fulsome titles from both jurisdictions will not properly regulate the industry and will undermine workers' futures.

Human oversight and the ability for humans to intervene are essential to safe operations

No matter how well-delveoped a technology is, failures happen. There is no reason to believe AVs will not, on occaision, break or underperform to create an unsafe condition. Likewise, automations fail when faced with circumstances beyond their programmed purpose – in the case of AVs, this often referred to as leaving the vehicle's Operational Design Domain (ODD). When faced with a novel situation, there is a chance that AVs will make bad decisions. In both cases, building in failsafes which provide for human oversight and intervention prevent incidents from becoming tragedies.

These are not theoretical concerns in our transportation systems. In two crashes in 2019 and 2020, automated systems on the Boeing 737-MAX aircraft overrode human commands after failing to correctly respond to the environment, crashing at full speed and killing 346 people.[2] In 2009, 14 people were killed on the Washington, DC Metro's Red Line when the positive train control system ignored the operator's command to brake and accelerated into a parked train just north of the U.S. Capitol.[3] In both of these instances, had humans been allowed to intervene the crashes would have been avoided. U.S. airline pilots were trained to turn off Boeing's automated system when it malfunctioned – a tactic that, while cautioned against by Boeing, proved to be a life saving element.

In addition to the obvious safety benefits of allowing human oversight and intervention in automated systems, AV developers must face a practical matter that many commercial vehicles

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[2] https://transportation.house.gov/imo/media/doc/2020.09.15%20FINAL%20737%20MAX%20Report%20for%20Public%20Release.pdf

[3] https://www.ntsb.gov/investigations/AccidentReports/Reports/RAR1002.pdf

will continue to require humans onboard even in cases where they are not expected to operate their vehicle. Public transportation systems are obligated to provide services for the disabled community. Tour bus operators and other service companies may continue to want humans present to provide the services they do today for paying customers. In these cases, disallowing workers from accessing the controls to these vehicles would effectively hold them hostage. These workers would be trapped, entirely at the mercy of their employer and the competency of the automated system. It seems obvious that such situations should be prohibited.

While the TWU has no doubt that controls for operating vehicles will change over time, we strongly believe that vehicles must have means for qualified workers to manuever these vehicles during times when the system would otherwise fail to move itself safely.

Allowing robotaxis to profit from testing exemptions will slow innovation

Several AV developers have proposed allowing companies to profit from commercial use of their vehicles operating under a statutory exemption meant for research and investigations (49 USC 30114A(a)). NHTSA already has a separate exemption process in place for vehicles intended for commercial use (49 USC 30113), which the DOT recently committed to streamlining to facilitate AV deployment.[4] Enabling test vehicles to make a profit would remove the most significant incentive for AV developers to improve ther safety of their products and likely decrease the overall safety on our roads.

Vehicles operating under the testing exemption have no requirement to demonstrate either an overall level of safety or any specific alternative safety measures in place of the existing standards. These exemptions are intended for new or novel safety approaches that, if successful, can eventually be applied to fully compliant vehicles without the need for an exemption. The expectation has always been that successful technology on vehicles operating under 30114(a) exemptions will eventually be applied to fully compliant vehicles – either by adaptation into existing FMVSS or the adoption, by NHTSA, of new safety standards. Allowing research vehicles to generate profits stalls and perverts this process. Companies would have less incentive to develop their technology into truly market ready forms if they have no limit on what they can do under the overly broad exemptions.

True road tests are necessary for safety regulators to determine whether a new technology will eventually be viable. Unless these tests are barred from revenue service, bad actors will be able to rush unsafe components, software, and vehicles into service seeking a quick infusion of cash for their early investors. This is a very common strategy for many forms of technology, but it has never been an acceptable practice in transportation, where the bare minimums are generally considered unsafe. Both Congress and DOT should reject calls to disincentivize innovation by allowing commercial use of research vehicles.

[4] https://www.nhtsa.gov/press-releases/streamline-exemption-process-noncompliant

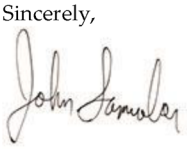
Regulators need good, transparent data in order properly oversee the industry

Unlike traditional cars, AVs are and will be capable of tracking and reporting performance and safety metrics in significant and detailed ways. For the vehicles on the roads today, this data is already being collected and sent back to the developers, often as proprietary information. Some AV companies have argued that this approach is essential to their business model - Waymo even sued the state of California to keep its data away from the public[5] - but denying safety regulators and publicly interested groups access to this data is producing negative safety outcomes. Unless safety regulators can independently and accurately assess unbiased datasets, they will not be able to make important decisions on which pieces of technology are truly ready for deployment and which are just marketing material.

NHTSA's existing policy on AV data collection and transparency (currently effectuated through Standing General Order on Crash Reporting for incidents involving ADS and Level 2 ADAS) has been invaluable to policymakers and safety researchers. The TWU strongly supports this policy, which was issued by the Biden administration and reiterated by the Trump administration. We hope that Congress will codify and improve upon these reporting requirements as part of the next surface transportation reauthorization.

We appreciate the subcommittee's continued oversight and attention to these issues.

Sincerely,



John Samuelsen
International President

CC: The Honorable Brett Guthrie
The Honorable Frank Pallone

[5] Waymo sues California to hide its AV crash data: https://www.theverge.com/2022/1/28/22906513/waymo-lawsuit-california-dmv-crash-data-foia

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June 25, 2025

Congressman Gus Bilirakis (FL-12)
Chairman
Subcommittee on Commerce, Manufacturing, and Trade
House Committee on Energy & Commerce

Congresswoman Jan Schakowsky (IL-9)
Ranking Member
Subcommittee on Commerce, Manufacturing, and Trade
House Committee on Energy & Commerce

RE: Subcommittee Hearing - Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety

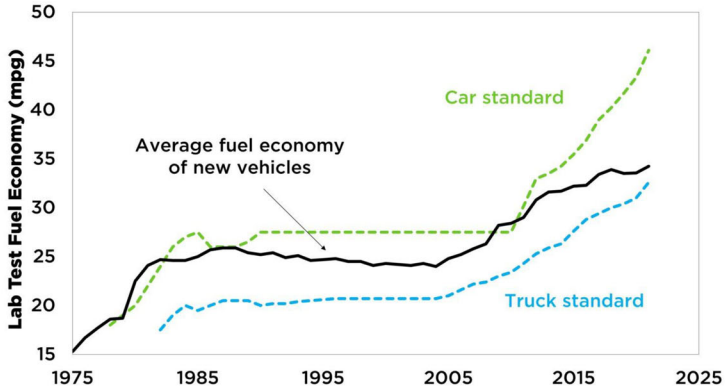
Chairman Bilirakis, Ranking Member Schakowsky, and Members of the Subcommittee on Commerce, Manufacturing and Trade-

UCS is a national, science-based advocacy organization putting science into action to build a healthier planet, a safer world, and a more equitable society. On behalf of our more than half a million members and supporters, we offer the following information on the importance of strong standards for clean car and trucks promulgated by the National Highway Traffic Safety Agency (NHTSA) in coordination with other federal and state agencies.

1. **Strong CAFE standards must be upheld.**

In the wake of the 1970s oil embargo that resulted in gasoline shortages and rationing, the country started to recognize the harm of a daily life reliant upon oil. In response, Congress put in place regulations to cut oil use from new passenger vehicles, known as the Corporate Average Fuel Economy (CAFE) program. Established in 1975, these rules require that the vehicles a manufacturer sells in a given model year must meet an annual target.

In the first years of the CAFE program, new vehicle fuel economy rocketed upwards, improving on-road fuel economy for new cars and trucks from 13 miles per gallon (mpg) to 21 mpg in less than a decade. However, with the oil crisis in the rear-view mirror, then-President Ronald Reagan acceded to requests from Ford and General Motors to reduce fuel economy standards for a few years, and the political will to strengthen the program petered out. For about two decades, not only did progress on fuel economy stall, but growth in SUV sales in the 1990s caused the fuel economy of passenger vehicles, on average, to get worse year after year.



Caption: CAFE standards drove manufacturers to dramatically improve fuel economy in the first few years, but stagnant standards through the 1990s resulted in fuel economy getting worse thanks to an increase in SUV sales. While fuel economy has again risen with increasing standards, an increasing share of SUV sales has once again resulted in a petering out of overall fleet improvement, amplifying the need for even tougher standards.

By the 2000s, a Congressional hold on funding preventing work on fuel economy standards finally broke, and NHTSA staged the first increase in fuel economy in over two decades, requiring the SUVs and pickups that had exploded in sales to finally use less fuel. Shortly thereafter, the Supreme Court ruled that EPA had the authority to regulate carbon dioxide emissions from passenger cars and trucks under *Massachusetts v. EPA*, and Congress finalized the Energy Independence and Security Act (EISA) of 2007, requiring increasing fuel economy standards. Since then, EPA and NHTSA have jointly set standards to improve fuel economy and reduce emissions from new vehicles through a series of rules that, together, are the single biggest program the United States has implemented to cut petroleum use and heat-trapping emissions.

Fuel economy (CAFE) standards targeting improvement in miles per gallon efficiency for passenger cars, light trucks, heavy-duty pickup trucks, and vans were updated and finalized by the NHTSA in June 2024, in coordination with the Environmental Protection Agency's Multi-Pollutant Passenger Vehicle Emission Standards.

Unfortunately these CAFE standards are under threat by the Trump administration, which has falsely labeled them as an "EV mandate." In reality, NHTSA is prohibited by law from considering or requiring the adoption of alternative fueled vehicles, like EVs, in setting CAFE standards. NHTSA's recently issued final interpretive rule – and its notice of enforcement discretion pending a new rulemaking – lays the initial groundwork for the administration's attempts to get rid of the CAFE program. And now automakers, who notably did not file a suit challenging the final rule in 2024, are calling for the standards to be reviewed.

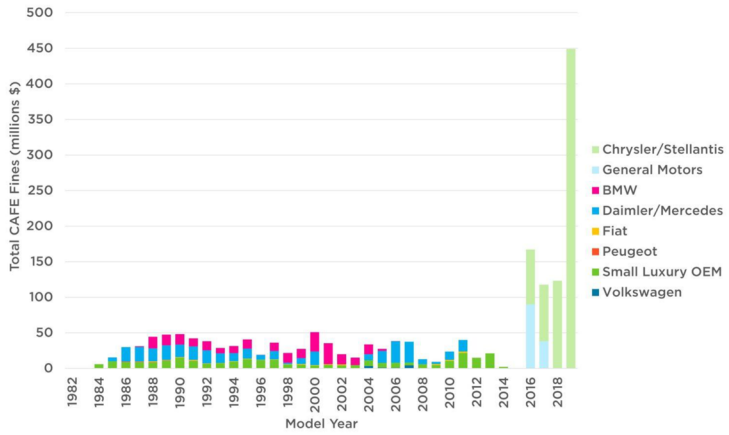
The only party that would benefit are oil companies. Decisionmakers must reject these short sighted calls for repeal. Rolling back these commonsense standards would increase fuel costs by $23 billion, increase gasoline consumption by 70 billion gallons through 2050, while adding more than 700 million metric tons (CO_2e) of climate pollution, according to NHTSA.

For more information, see "Stronger Fuel Economy Standards Are Needed to Clean Up Combustion Vehicles" by Dave Cooke.

2. Robust CAFE civil penalty rates must be upheld

Weak penalties make for weak protections. One of the shortcomings of the CAFE program is that automakers can buy their way out of compliance with the regulations, choosing to simply pay a fine in lieu of improving their vehicle fleet. If CAFE fines are lowered, or zeroed out as proposed by the Senate Finance Committee's reconciliation text, drivers could lose out on billions of dollars of expected savings at the gas pump.

For many years, these fines were so low as to be toothless. Manufacturers, particularly luxury brands but more recently including GM and Stellantis, have incorporated the payment of fines directly into their business model, opting to pay fines rather than make the required improvements in efficiency.



Caption: For most of the history of the CAFE program, fines were almost exclusively utilized by luxury automakers who chose to apply technologies towards performance rather than efficiency. However, recently two mass market automakers have adopted the payment of fines as a part of their business model to focus on selling high-margin trucks and SUVs without devoting extra effort to improving the efficiency of those same vehicles. (UCS graph based on NHTSA data)

The fines under the CAFE program had remained virtually fixed since 1975 at $50 per mile-per-gallon shortfall per vehicle, increasing once in the 1990s to $55, and now bookmarked to inflation due to the Federal Civil Penalties Inflation Adjustment Act Improvements Act passed by Congress in 2015. The fine for model year 2024 vehicles is now $170 per mile-per-gallon shortfall per vehicle. Automakers pressed President Trump in his first term to undo the update, and later fought the increase in penalties in court. While automakers eventually lost the case, they successfully delayed the fine increase to the 2019 model year. But even that larger fine amounts to roughly $1,000 per vehicle in violation, and it's clear that at least some in the industry are more willing to pay fines, or try to convince decisionmakers to reduce fines, rather than make improvements needed to comply and avoid those penalties in the first place.

Congress should not give into efforts to defang the CAFE standards by weakening their enforcement mechanism. A vast body of evidence shows that the technology is available and viable for manufacturers to continue improving fuel economy. For instance, the most recent EPA Trends Report (Figure 4.3) shows that a number of "off-the-shelf" technology options still have not been adopted across the fleet, which only leaves money on the table for drivers. Now is not the time to let laggards determine the fate of the industry.

For more information, see "Automakers Opt Out of Cleaning Up Their Vehicles…But at What Cost?" by Dave Cooke.

3. **Minimum domestic passenger car standard must be upheld to promote resiliency**

In the 2000s, Chrysler and other domestic manufacturers had invested heavily in SUV and light truck production in the United States, essentially ignoring investment in passenger cars. When oil prices rose, they were completely unprepared for the market shift away from these big gas guzzlers and towards the more efficient passenger cars made by their competitors. The result of this negligence were massive layoffs of domestic workers.

In 2005, General Motors announced the closure of 12 manufacturing plants, resulting in the loss of 30,000 jobs across North America. In 2006, Ford announced eliminations of up to 30,000 jobs and 14 factories. In 2007. Chrysler announced cuts to 13,000 jobs in North America and at least partial closures of 4 plants. This massive economic catastrophe was the result of a business strategy that ignored the possibility of a changing market and the inherent fluctuations resulting from a volatile oil market, putting short-term profits over smarter, longer-term investments.

The long-reaching impact of these lay-offs is apparent in Michigan today, even as many of these jobs have returned. And in 2007, Congress sought to put an end to the detrimental behavior that cost the public so much.

In the 2007 Energy Independence and Security Act (EISA), Congress set a mandatory limit for a manufacturer's domestically produced passenger car fleet—no longer would a manufacturer be allowed to ignore investment in a robust portfolio of efficient vehicles produced in North America. In order to make sure the bailouts, layoffs, and economic turmoil brought about by shortsighted investment strategies, the law requires that every manufacturer's domestically produced passenger car fleet achieves an average fuel economy no more than 8 percent worse than the average car sold in the United States.

We cannot ignore the history that lead to this policy. And the need to keep the domestic auto industry resilient remains – for the benefit of workers, drivers, and communities. Congress should not weaken the minimum domestic passenger car standard.

For more information, see "EPA Head Lies about Fuel Economy Fines in Push for Weaker Car Standards" by Dave Cooke.

4. **The caps on the transfer of credits between a manufacturer's compliance fleets must be upheld to prevent stagnation**

The CAFE standards were changed in EISA from fixed fleetwide values to size-based values. Under the new system, cars and trucks are measured on different curves as individual fleets and each fleet is expected to improve fuel economy along its curve. To enhance flexibility in the program, auto manufacturers are allowed to trade some credits between their fleets to allow for a slightly more efficient fleet to offset a shortfall in the other. The credit transfers are subject to a cap instituted by Congress in EISA (Sec. 104) to ensure fuel economy improvements for all vehicles, regardless of their size. For model years 2018 and beyond the cap is 2 mpg by statute, meaning that if a manufacturer makes cars more efficient than they need to, they can make trucks up to 2 mpg less efficient than they're supposed to.

Eliminating the cap allows auto manufacturers to choose what fleet – cars or light trucks – to make less efficient. This undermines the promise to consumers that all types of vehicles—cars, trucks, and SUVs—would become more efficient over time as a result of the fuel economy standards.

We need to move forward, not backwards on clean transportation. Decisionmakers should not greenlight policies that would allow fuel economy for whole segments of vehicles to stagnate, as this would undermine the purpose of the CAFE standards and reduce consumer choice.

See "NGO Response to AAM-AGA Petition" submitted on behalf of the American Council for an Energy-Efficient Economy, Natural Resources Defense Council, Safe Climate Campaign, Sierra Club and Union of Concerned Scientists for a discussion of similar issues in response to automakers' 2017 petition to EPA and NHTSA.

5. States' authority to protect the health and welfare of their residents must be respected

For over 50 years, California has led the nation in improving air quality by setting strong air pollution standards, which other states have opted into to protect the health and welfare of their residents.

California has done this with authority provided by the Clean Air Act, which allows the state to apply for and receive waivers to set stricter air quality standards than the federal government. In the more than 50-year history of the Clean Air Act, California has yet to fully meet EPA's national air quality standards for all pollutants.

The pollution from refueling and driving gasoline and diesel-powered vehicles harms public health, primarily from the formation of fine particulate matter. This pollution causes lung diseases such as asthma, is linked to low birth weight, and kills people with cardiovascular diseases like stroke and heart attacks. And of course, burning gasoline and diesel produces carbon dioxide, leading to further damage from climate change such as excessive heat and increased severe wildfires.

Both the Government Accountability Office and the Senate Parliamentarian determined that the Clean Air Act waivers cannot be revoked through the Congressional Review Act, which lowers the threshold to rescind waivers from 60 to 50 votes. Some in Congress ignored those rulings and moved forward, setting a dangerous precedent by disregarding the rulings of the Government Accountability Office, a non-partisan agency charged with monitoring Congress, and the Senate Parliamentarian, a non-partisan body charged with interpreting U.S. Senate rules and procedure.

This overreach is bound to harm millions of people across the country. Over 150 million people in the United States are already exposed to unhealthy levels of air pollution. Vehicle emission standards are key to reducing that pollution. The standards are based on the best available science. They were developed over a 2-year period, with extensive study for feasibility and ample opportunities for input from all automakers. They are projected to significantly reduce climate warming emissions and air-pollution related illnesses and death. Revoking the waivers will increase pollution-related illnesses and premature deaths and slow down the electric vehicle transition crucial for protecting the planet.

Sincerely,

Alyssa Tsuchiya
Director of Policy and Government Affairs
Clean Transportation Program
Union of Concerned Scientists

Attachment —Additional Questions for the Record

The Honorable Gus Bilirakis (R-FL)

1. Mr. Bozzella, in your written testimony you highlighted the fact that the auto industry is challenging the AEB rule finalized by NHTSA under the previous administration, noting it may "hinder, rather than help, motor vehicle safety." Can you help me understand how this federal safety standard could hinder safety?

   Let me be very clear - automakers fully support the deployment of AEB and welcome a rulemaking mandating the technology. Our members have spent billions of dollars developing AEB and have deployed it on almost all vehicles. That was done through a voluntary commitment ten years ago - and IIHS and NHTSA were both at the table. We entered into that voluntary agreement with the understanding that it would do two things: 1) save lives and 2) be used to inform future rulemaking. Automakers lived up to their end of the agreement and met our commitment as promised.

   Unfortunately, NHTSA did not use the agreement to inform their rulemaking. Instead, the agency issued a rule that is not technically feasible. In fact, only one vehicle NHTSA tested showed it could *potentially* meet the new rule under *some* circumstances, but **did not meet the requirements every time, as required by any FMVSS**.

   What's worse, the rule may actually have the effect of decreasing safety. Since the requirements are so strict, in order to attempt to meet compliance, manufacturers will have to excessively overdesign systems. The result will be systems that stop aggressively and when drivers and other road users do not expect them to stop. In fact, NHTSA's own regulatory impact analysis acknowledged the rule could contribute to an increase in rear-end collisions.[1] Frustrated consumers are then going to be calling you (Members of Congress).

   This is not a path to advance safety. On the contrary, it is more likely to cause consumers to lose faith in what we all agree is an important, lifesaving technology. Auto Innovators wants NHTSA to fix the rule so that it is objective, repeatable and practicable.

2. I understand that several automakers are now delivering advance warnings to drivers as they approach road hazards such as tow trucks, wrong way drivers, disabled vehicles, first responders, and work zones. In Europe, these 'Local Hazard' warnings have been established as a rated category in their 'Euro NCAP' safety ratings for new vehicles since 2023. Is it time to begin adopting these digital alert warning systems as a new vehicle safety standard in the NCAP, or through other measures?

   In many cases, NCAP is an excellent tool to advance the potential safety benefits of nascent technologies. Euro NCAP is far ahead of US NCAP in many areas. We have proposed a number of ways in which the US should modernize NCAP. A key component of the program's

[1] "Lastly, this analysis did not quantify any possible disbenefits resulting from Lead Vehicle AEB. It may be the case that Lead Vehicle AEB may engage in response to an imminent rear-crash scenario and resultingly create another imminent rear-end crash scenario. That is, the vehicle who's Lead Vehicle AEB engages may be at risk for being rear-ended by the vehicle behind it because the distance between the middle and the last vehicle would be shorter in the crash…"
https://www.regulations.gov/document/NHTSA-2023-0021-1069, p. 251

future success is ensuring a clear roadmap outlining how the program will evolve over time. For the program to be effective, it must be updated on a more consistent and predictable basis. This not only provides alignment with the agency on research, planning, and decision making, but it also helps inform industry investments in the development and introduction of new safety technology. The roadmap development process should be data driven and focused on advancing proven technologies that have demonstrated safety benefits. The process should also include proactive engagement with expert stakeholders to understand the benefits, limitations, and maturity of new technologies being considered for inclusion in the program.

The Honorable Debbie Dingell (D-MI)

1. Mr. Bozzella, can you also help us understand what NHTSA should be doing to modernize its crash dummy standards using tools and data that already exist? And why aren't the approved existing female test dummies being used more in critical safety decisions, especially when they could save lives today?

   We support the goal of improving occupant safety for all passengers, including females. We also support NHTSA taking additional steps to ensure that crash tests are as representative of the driving public as possible. That is why we sent a letter to NHTSA on June 25, 2025, to encourage the agency to adjust its existing procedures to ensure female dummies are tested in all the same positions as male dummies.

   While some argue that new dummies are needed to improve female occupant safety, it is worth noting that such test devices are still largely in the developmental phase and have not yet been shown to provide clear improvements in crash safety. If the dummy does not accurately predict real world injuries, it may do more harm than good.

   More research is needed to make sure that the integration of any new dummies is done right, but this should not delay safety. Using the existing dummies offers a path to immediate and improved representation in crash testing. NHTSA should immediately expand the use of existing female dummies in consumer information testing via updates to the New Car Assessment Program (NCAP) to include testing with the female dummy in the driver's seat. These updates to NHTSA's procedures represent a simple, commonsense step to give time for further evaluation of new dummy designs and other avenues for evaluating occupant safety.

   It is also important to recognize that a dummy can only represent a limited and specific segment of the population. We encourage further research by NHTSA on the potential use of simulation to evaluate crash occupant protection across a broader range of human body types. Focusing exclusively on test dummies does not maximize occupant protection and may divert resources away from the development of more technology-neutral approaches.

2. Mr. Bozzella, what steps should we be taking to ensure that these CAFE standards are practicable, while still pushing innovation, protecting health, and keeping American manufacturing at the cutting edge?

   CAFE standards should be set at a reasonably achievable level that balances technological feasibility and economic practicability among other considerations, as required by statute. The evaluation of maximum feasible standards should recognize

that manufacturers are trying to balance investment in future technologies while also remaining competitive in today's market. The standards must consider the U.S. market and whether additional supporting conditions are necessary to achieve fuel economy goals.

Another key issue of practicability is the complexity of overlapping and occasionally conflicting state and federal greenhouse gas, fuel economy, and zero-emission vehicle regulations under three different regulators and five different regulations. These include California greenhouse gas standards and zero-emission vehicle mandates; EPA greenhouse gas standards, NHTSA CAFE standards, and DOE's determination of the fuel economy for electric vehicles (which can completely upend CAFE compliance plans after NHTSA has already determined CAFE standards). These programs all target the same tailpipe and overlapping policy goals, but use different methodologies, timelines, and enforcement tools. This fragmentation not only increases compliance costs that are passed off to consumers, but also introduce significant investment uncertainty, stifle planning, and reduce vehicle affordability. In short, the multitude of inconsistent regulations is becoming a significant obstacle to our ability to deliver cleaner, safer, more advanced vehicles to American drivers.

This kind of misalignment is not sustainable, and it's not competitive. While our global competitors are building unified national strategies to reduce emissions and promote innovation, we are increasingly asking U.S. manufacturers to navigate a regulatory maze. CAFE should be a catalyst for innovation, not a compliance quagmire. We believe that smart regulation can and should support cleaner, more fuel-efficient vehicles. But to do so effectively, it must be coordinated, realistic, and aligned with the broader industrial strategy for the U.S. automotive sector.

3. There's been a lot of discussion about vehicle data and repair access, and I want to make sure we're grounding this conversation in the facts. Right now, consumers have the right to repair their vehicles where and how they choose. Independent repair shops have access to the same diagnostic and repair information as franchised dealers OEMs though a memorandum of understanding (MOU) make that information available. This agreement has worked for over a decade, and it continues to be reaffirmed. 70% of post-warranty repairs already take place outside the dealer network. This conversation should be about how we ensure that consumers continue to have access to safe, high-quality repairs, and that repairs are done correctly, using the proper procedures, especially as vehicles are becoming more and more sophisticated.

   Mr. Bozzella, can you walk us through the current framework that ensures independent repair shops have access to the same tools and information as dealers? And to follow up, some recent proposals suggest that consumers and independent repair shops don't currently have access to critical repair data. Is that accurate? What obligations are currently in place that require OEMs to make this information available to independent repair facilities?

   Our members fully support right to repair and that is a large part of why 75% of post warranty repairs are completed by the independent repair community. In fact, it is not in our member companies' interest to restrict consumer choice in vehicle repair because if consumers can't get their vehicle fixed where they live, why would they be loyal that

brand? Companies know consumers have choices in the market and know that their customers will explore other options if they disagree with the choices a company makes about their products.

Beyond this consumer interest, for over a decade, automotive manufacturers have remained committed to a national Memorandum of Understanding linked to a 2013 state law in Massachusetts, which ensures independent repair shops have access to the same repair and diagnostic tools, data, and information as franchised dealers.

This commitment has not changed, even as vehicle technologies have evolved. There is no doubt that vehicles are increasingly complex systems that require skills, knowledge, and capabilities related to software, sensors, new battery technologies and beyond. But even amidst this period of rapid innovation across the industry, the industry continues to make the information necessary to repair those vehicles available to consumers, repair shops, and others invested in the repair ecosystem. Without that commitment, how could a company like Alldata become "the industry's #1 choice for unedited mechanical and collision OEM repair information…" [including] "Up-to-date OEM mechanical/collision repair information and procedures for…95% of all vehicles on the road today."[2]

It is also true that as technologies evolve, innovations require OEMs to take certain steps reduce risks of compromises that could harm vehicle security, safety, or consumer privacy. Critically, these protections in NO WAY change our commitment to providing the tools, data, and information necessary for independent shops to repair our products.

In light of our ongoing commitment to providing consumers with clear choice and maintaining a competitive marketplace for safe repair, we engaged with independent owner-operated shops to continue to learn from any challenges they face. After all, independent repairers are the front the line of this debate: they represent the intersection of all the interested parties - consumers, tool makers, OEMs, insurance companies, aftermarket parts manufacturers, and the list goes on.

The result of these conversations is comprehensive legislative framework - The SAFE Repair Act - that enhances consumer protection while maintaining the principles of fair competition and vehicle safety. This framework includes:

- **Affirmation of Vehicle Data Access**: Assuring consumers and independent repair shops have the data they need to repair their vehicles.
- **Empowering Consumers**: Ensuring consumers retain the right to decide where and how their vehicles are repaired.
- **Prioritizing Vehicle Safety**: Guaranteeing that repairs are performed in accordance with manufacturer-produced repair procedures to restore vehicle safety systems and structural integrity.
- **Offering Part Choices**: Ensuring consumers with a choice between original equipment manufacturer (OEM) parts and non-OEM parts for repairs.
- **Protecting Non-OEM Choices**: Extending the same recall and safety protections to non-OEM parts as are available for OEM parts.
- **Enhancing Transparency**: Requiring disclosure of prior alterations or repairs for used vehicles so that consumers are fully informed.
- **Promoting Inspection Programs**: Supporting periodic safety inspection and post-collision inspection programs to safeguard against unsafe or improper repairs.

[2] See e.g. https://www.alldata.com/us/en

By addressing these priorities, we can help ensure all consumers have access to high-quality repairs that uphold safety and transparency. This path forward not only strengthens consumer trust but also reinforces a balanced approach to the automotive repair marketplace.

I look forward to continuing to work with Dr. Dunn, you and other members of the committee to advance commonsense automotive repair legislation that prioritizes two core tenants – consumer choice and safety.

4. Mr. Bozzella, I want to thank the auto industry for supporting efforts to end drunk driving. As the Driver Alcohol Detection System for Safety (DADSS) comes to an end and several of your suppliers are working on other types of anti-drunk driving technology that would meet the requirements of the HALT Act, can you please share what your industry is doing to make DADSS technology or other anti-drunk driving technology available in production vehicles? What can the auto industry do to help advance the HALT Act?

   In 2023, more than 12,000 people died as the result of drunk driving. This has been a persistent problem on U.S. roads that the auto industry remains committed to addressing. For years, automakers have been working collectively and individually to develop technologies to reduce drunk driving. They have also invested in crashworthiness and crash avoidance technologies to make vehicles safer if someone makes an inappropriate decision to drive impaired. As noted in our comments to NHTSA on the ANPRM, there is important consumer education and acceptance research that must be conducted before NHTSA moves forward with any technology mandates in this area. NHTSA should take a leading role in supporting those consumer education efforts and has requested the Appropriations Committee provide funding for such efforts. The auto industry is also funding its own research to better understand consumer attitudes towards drunk driving and anti-drunk driving technology, and we are looking to collaborate with other organizations on additional research.

5. As vehicles become increasingly connected, we have a responsibility to make sure that these vehicles are not putting people in vulnerable situations, especially survivors of domestic violence. We know these technologies can be misused. Survivors have reported abusers using connected car apps to stalk them, disable their vehicles, or monitor their every movement. Today, there is no consistent process for survivors to cut off an abuser's access to these connected vehicle technologies. That's why I introduced the bipartisan Safe Vehicle Access for Survivors Act, with my colleague Congressman Dan Crenshaw, to create a clear, confidential, and survivor-centered path to disable connected vehicle access when it's being used as a tool of abuse. I appreciate the support from both those in the survivor community and in the auto industry on this legislation, and I'm hopeful we can get this across the finish line.

   Mr. Bozzella, can you explain why legislation like the Safe Vehicle Access for Survivors Act is so necessary, especially as this connected vehicle technology gets more advanced?

   First, I want to thank you for your leadership for the introduction of H.R. 2110, the Safe Vehicle Access for Survivors Act, with Rep. Crenshaw. In partnership with important domestic violence prevention organizations, we helped develop this legislation to prevent domestic violence survivors from being harassed or abused through connected vehicle services. This legislation fills an important gap in existing law to address the unique characteristics of motor vehicles in comparison to something like a cell phone. Vehicles are often shared, and if the abuser owns the vehicle, this presents unique legal challenges from the automaker perspective in responding to a request from a survivor to remove an abuser's access to the vehicle's location. This legislation would help address those challenges and make it easier for companies to respond to requests from survivors.

   Mr. Bozzella, from the industry's perspective, how would this bill help manufacturers respond more quickly and effectively when these threats arise?

   See response above

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August 8, 2025

Alex Khlopin
Policy Analyst
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Khlopin:

Thank you for the opportunity to participate in the hearing entitled, “Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety,” which took place on June 26, 2025, before the Subcommittee on Commerce, Manufacturing, and Trade. After the hearing, we received an additional question for the record from the Honorable Debbie Dingel (D-MI). Representative Dingel’s question was the following:

> What do you think the auto industry, NHTSA, IIHS, and others can do to make the Honoring Abbas Family Legacy to Terminate Drunk Driving (HALT) Act a reality as soon as possible?

The following is the response of the Insurance Institute for Highway Safety (IIHS):

> Advanced impaired driving prevention technology could save nearly 11,000 lives a year when it is equipped on all vehicles[1]. Regulation from NHTSA requiring this technology to meet the obligations of the HALT Act would provide the push needed to hasten its development. In the absence of action from NHTSA, IIHS is prepared to fill the gap. We will begin incorporating technologies to promote safe driving into our Top Safety Pick award in 2030. Historically, our *TOP SAFETY PICK* awards require automakers to perform well in our crashworthiness and crash avoidance tests. In 2030, our *TOP SAFETY PICK+* award will require automakers to include technology to address risky behaviors such as speeding, belt use, distraction, and impairment. We will phase in the requirements over several years to incentivize automakers. We are not a regulator and can only encourage automakers to add these capabilities, whereas a mandate from NHTSA will ensure that this lifesaving technology is deployed more rapidly within all passenger vehicles.

Please let me know if there are any other questions for IIHS on this topic, and we look forward to the opportunity to participate in future hearings related to highway safety.

Sincerely,

David Harkey, Ph.D., P.E.
President

1. Farmer, C. M. (2023, April). *Update of the 2021 study "Potential lives saved by in-vehicle alcohol detection systems" published in Traffic Injury Prevention, 22(1), 7–12* [Unpublished analyses]. Insurance Institute for Highway Safety.

ADVOCATES FOR HIGHWAY & AUTO SAFETY

Questions Submitted for the Record
Submitted by the Honorable Debbie Dingell (D-MI)
Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing and Trade
Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety
June 26, 2025

1. Ms. Chase, given that NHTSA recently announced it will streamline the approval process for automated vehicles by allowing manufacturers to sell up to 2,500 vehicles per year that do not fully comply with Federal Motor Vehicle Safety Standards, what specific roadway safety risks could emerge from this accelerated regulatory pathway, particularly in light of recent incidents where Tesla's newly launched robotaxis in Austin were reportedly caught on video driving in the wrong lane and exhibiting erratic behavior that prompted immediate NHTSA investigation?

Currently, autonomous vehicles (AVs) are being tested throughout the country, and companies are collecting data on their performance every day. AVs used solely for testing do not have to comply with current Federal Motor Vehicle Safety Standards (FMVSS), including those that provide occupant protection. Exemptions are currently capped at 2,500 vehicles to be sold in the United States in any 12-month period. This commonsense statutory safeguard is in place to ensure that experimental vehicles which fail to meet essential federal safety standards operating on public roads do not pose an unreasonable risk to safety. In the absence of FMVSS that apply to the automated driving system (ADS), an inadequate voluntary self-reported safety assessment is the only pro-active check that AVs will meet any level of safety, and concerning incidents, such as the events involving robotaxis in Austin, will continue unabated.

The National Traffic and Motor Vehicle Safety Act and the National Highway Traffic Safety Administration's (NHTSA's) regulations require vehicle manufacturers to certify that their vehicles comply with all applicable FMVSS at the time of manufacture. Pursuant to 49 U.S.C. 30122, a regulated entity, such as a vehicle manufacturer, distributor, dealer, rental company or repair business, may not knowingly make inoperative any part of a device or element of design installed in or on a motor vehicle. These include essential safety systems that prevent crashes and save lives. However, NHTSA has the authority to issue exemptions from the "make inoperative" provision *if* doing so "is consistent with motor vehicle safety." This essential NHTSA authority should be preserved to ensure that manufacturers do not unilaterally "turn off" safety systems related to the driving task, such as the steering wheel and brake pedals, during autonomous operation.

2. Ms. Chase, what are some of the most effective safety regulations NHTSA can enact that will ensure AVs do not pose an unreasonable risk of injury

To identify a people-and-safety-first path forward on AVs, Advocates for Highway and Auto Safety (Advocates) and numerous stakeholders developed the "AV Tenets."[i] These sound and

sensible policy positions should be a foundational part of any national AV policy. The AV Tenets are based on expert analysis, real-world experience, and public opinion. They have four main categories including: 1) prioritizing safety of all road users; 2) guaranteeing accessibility and equity; 3) preserving consumer and worker rights; and, 4) ensuring local control and sustainable transportation. They are supported by a coalition of more than 65 organizations representing consumers, public health and safety experts, pedestrians, bicyclists, disability rights activists, emergency responders, law enforcement, labor and others. Requiring that AVs meet minimum performance standards is essential. These standards include:

- Federal minimum performance standards need to be established to ensure the safe performance of ADS and thorough proficiency appropriate to an operational design domain (ODD). There has been a great deal of discussion about "frameworks" for AVs including the U.S. Department of Transportation's (DOT) Automated Vehicle Framework, and framework proposals by AVIA and the Alliance. We have concerns about potential legislation continuing in this pattern of any non-binding "framework" instead of "regulations" which require compliance by all manufacturers, establishing both a baseline for innovation and protections for all road users.
- It has often been repeated that AVs should be advanced because they do not drive drunk, drowsy or distracted. No one is disputing that. But AVs also may cause crashes that sober, alert and engaged drivers would routinely avoid. AVs, which are essentially billion-dollar pieces of equipment with years of research, should not drive better than the average drivers on the road. Additionally, as long as an AV meets all the FMVSS, it can operate on our roads. The current standard to initiate a safety recall is if the defect presents an unreasonable risk to safety based on the statutory language of Chapter 301. Considering the AV industry touts these vehicles/systems as better than human drivers and able to solve a myriad of issues and producing vast societal benefits, it is appropriate to hold them to a higher standard.
- Issues such as cybersecurity and personal privacy considerations must be addressed comprehensively.
- Recognizing there is a distinct difference between AVs and partial driving automation, we want to highlight that the Insurance Institute for Highway Safety (IIHS) is already testing and rating safeguards for partial driving automation systems. The bad news is that a vast majority of the systems (11 of the 14 systems) received an overall rating of "poor" which is the lowest rating. The good news is that at least one system received an "acceptable" overall rating, and many subcategories were rated as "good," showing that it is possible to produce a "good" system. Federal minimum performance standards should be set to ensure that all systems are safe.
- It is known that AVs have had difficulties responding to work zones, inclement weather, lack of bandwidth, and emergency vehicles, among other issues. AVs must be required to detect and respond safely within the ODD to all road users, at all speeds, and in all lighting conditions and weather scenarios, among others.
- Changes to existing FMVSS should be conducted through the public rulemaking process and should not negatively impact safety. For example, passengers will still want to know information provided by telltales (i.e., should I use this AV if there is a low tire pressure warning?). They also will need an emergency stop button accessible to all occupants and to clearly understand safe procedures for a nonperforming system, etc.

Rulemakings must be informed by all stakeholders, and not limited to the AV industry, and as such, must be subject to public review and comment. These are fundamental prerequisites to prevent crashes caused by AVs and boost consumer confidence in this burgeoning technology

3. **Ms. Chase, given that autonomous vehicles currently operate under what experts describe as an inconsistent "patchwork" of state regulations due to the absence of comprehensive federal standards, how does the Republican-led effort to impose a 10-year moratorium on states and localities from "enforcing any law or regulation regulating artificial intelligence models, artificial intelligence systems, or automated decision systems" potentially create a dangerous regulatory vacuum for AI-powered robotaxis and self-driving vehicles, particularly when autonomous vehicles depend entirely on artificial intelligence technology yet already lack federal oversight?**

The statutory mission of the DOT established by Congress in 1966 is to regulate the performance of motor vehicles to ensure public safety, which now includes AVs.[ii] In keeping with existing law and practice, the federal government should prescribe regulations for the performance of these vehicles, leaving regulation of the operation of these vehicles to the states. Even after federal regulations are in place regarding AVs, existing federalism practices demand that states retain a legal right and a duty to their residents to develop proposals and implement solutions to ensure public safety. In addition, state and local governments have the authority to manage the operation of vehicles on their streets to address concerns such as safety, noise, local air quality and congestion. Any action on the regulation of AVs should not preempt states and localities from regulating the operation of these vehicles just as they do for traditional motor vehicles. Relatedly, Advocates opposed proposals considered by Congress to preempt state action on artificial intelligence (AI) which includes AVs.

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[i] See: https://saferoads.org/autonomous-vehicle-tenets/

[ii] Pub. L. 89-563 (1966).

Additional Questions for the Record
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Jeff Farrah, CEO, Autonomous Vehicle Industry Association (AVIA)

The Honorable Gus Bilirakis (R-FL)

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

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

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

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

The Honorable Russ Fulcher (R-ID)

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

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[1] *See e.g.* CAL. CODE REGS. tit. 13 § 227.38(e); ARIZ. REV. STAT. ANN. § 28-9703. Other states that include FRIP requirements in their AV laws or regulations include Kentucky, Mississippi, New Mexico, Oklahoma, Texas, and West Virginia.
[2] *Autonomous Vehicle Industry Association Introduces Law Enforcement and First Responder Engagement Council*, AUTONOMOUS VEHICLE INDUS. ASS'N (Sept. 25, 2024), https://web.archive.org/web/20250214080234/https://theavindustry.org/newsroom/press-releases/avia-introduces-law-enforcement-engagement-council.
[3] *See CVSA Announces New Enhanced CMV Inspection Program for Autonomous Truck Motor Carriers*, COM. VEHICLE SAFETY ALL. (Oct. 4, 2022), https://www.cvsa.org/news/new-enhanced-cmv-inspection-program/.

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

AVs can allow those with disabilities greater freedom to move about the world on their own schedule. AV mobility-as-a-service offerings can help improve transportation for individuals who cannot drive. For low vision individuals, companies like Lyft, through a partnership with Motional and the National Federation of the Blind, have worked to create Braille guides for AV riders.[9] Likewise, in Arizona, Waymo has highlighted the use of its AVs by vision impaired people of all ages, while its ongoing efforts to develop additional accessibility features were recognized by the federal government when the USDOT named the company as a semifinalist in its Inclusive Design Challenge.[10]

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

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[4] *Accessibility*, U.S. DEP'T OF TRANSP. (Feb. 13, 2025), https://www.transportation.gov/accessibility.
[5] *Transportation Difficulties Keep Over Half a Million Disabled at Home*, BUREAU OF TRANSP. STAT. (Nov. 21, 2012), https://www.bts.gov/archive/publications/special_reports_and_issue_briefs/issue_briefs/number_03/entire.
[6] *Blindness Statistics*, NAT'L FED'N OF THE BLIND, https://nfb.org/resources/blindness-statistics (last visited July 30, 2025).
[7] Economic News Release, U.S. Bureau of Labor Stat., Persons with a Disability: Labor Force Characteristics Summary (Feb. 24, 2021), https://www.bls.gov/news.release/disabl.nr0.htm.
[8] DOMINIC MODICAMORE, ET AL, NATIONAL DISABILITY INSTITUTE, ECONOMIC IMPACTS OF REMOVING TRANSPORTATION BARRIERS TO EMPLOYMENT FOR INDIVIDUALS WITH DISABILITIES THROUGH AUTONOMOUS VEHICLE ADOPTION (Dec. 30, 2022), https://www.nationaldisabilityinstitute.org/wp-content/uploads/2023/02/ndi-economicimpactsofremovingtransportationbarriers.pdf.
[9] *Lyft, Aptiv, and the National Federation of the Blind Partner to Provide Rides to Blind and Low Vision Passengers*, LYFT: BLOG (July 8, 2019), https://www.lyft.com/blog/posts/lyft-aptiv-nfb-low-vision-riders.
[10] *See Max's Story*, LET'S TALK AUTONOMOUS DRIVING, https://web.archive.org/web/20240330001147/https://www.waymo.community/story/maxs-story-foundation-for-blind-children.html (last visited July 30, 2025); *Brian's Story*, LET'S TALK AUTONOMOUS DRIVING, https://web.archive.org/web/20230322184045/https://www.ltad.com/story/brians-story-foundation-senior-living html (last visited July 30, 2025); *Inclusive Design Challenge Semifinalists*, U.S. DEP'T OF TRANSP., https://web.archive.org/web/20240424133213/https://www.transportation.gov/inclusive-design-challenge/inclusive-design-challenge-competitors#waymo (last visited July 30, 2025).
[11] Press Release, U.S. Census Bureau, 65 and Older Population Grows Rapidly as Baby Boomers Age (June 25, 2020), https://www.census.gov/newsroom/press-releases/2020/65-older-population-grows html.
[12] AMY SYMENS SMITH AND EDWARD TREVELYAN, ACS-41, U.S. CENSUS BUREAU, THE OLDER POPULATION IN RURAL AMERICA: 2012-2016 (2019), https://www.census.gov/library/publications/2019/acs/acs-41 html.
[13] Dabid Dudley, *The Driverless Car is (Almost) Here*, AARP THE MAG. (Dec.2014/Jan. 2015), http://www.aarp.org/home-family/personal-technology/info-2014/google-self-driving-car html.

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

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

The Honorable Debbie Dingell (D-MI)

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

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

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

[14] TRANSPORTATION, NAT'L ASS'N OF AREA AGENCIES ON AGING, https://www n4a.org/transportation (last visited July 30, 2025).
[15] TRANSP. FOR AMERICA, AGING IN PLACE, STUCK WITHOUT OPTIONS: FIXING THE MOBILITY CRISIS THREATENING THE BABY BOOM GENERATION (2011), https://t4america.org/docs/SeniorsMobilityCrisis.pdf.
[16] Dudley, *supra* note 13.
[17] AUTONOMOUS VEHICLE INDUS. ASS'N, SECURING AMERICAN LEADERSHIP IN AUTONOMOUS VEHICLES (2025), https://theavindustry.org/resources/Securing%20American%20Leadership%20in%20Autonomous%20Vehicles.pdf.

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

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

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

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

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

[18] *See* U.S. DEP'T OF TRANSP., NAT'L HIGHWAY TRAFFIC SAFETY ADMIN., THIRD AMENDED STANDING GENERAL ORDER 2021-01 (2025), https://www.nhtsa.gov/sites/nhtsa.gov/files/2025-04/third-amended-SGO-2021-01_2025.pdf.

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

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

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

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

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

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

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[19] *See* MYRA BLANCO, ET AL., DOT HS 812 796, FMVSS CONSIDERATIONS FOR VEHICLES WITH AUTOMATED DRIVING SYSTEMS: VOLUME 1 (2020), https://www.nhtsa.gov/sites/nhtsa.gov/files/documents/ads-dv_fmvss_vol1-042320-v8-tag.pdf; MYRA BLANCO, ET AL., DOT HS 813 024, FMVSS CONSIDERATIONS FOR VEHICLES WITH AUTOMATED DRIVING SYSTEMS: VOLUME 2 (2021), https://rosap ntl.bts.gov/view/dot/54442; MICHELLE CHAKA, ET AL., DOT HS 813 716, FMVSS CONSIDERATIONS FOR VEHICLES WITH AUTOMATED DRIVING SYSTEMS: VOLUME 3 (2025), https://rosap ntl.bts.gov/view/dot/85074.

Additional Questions for the Record
June 26, 2025 Hearing
Looking Under the Hood: The State of NHTSA and Motor Vehicle Safety
Jeff Farrah, CEO, Autonomous Vehicle Industry Association (AVIA)

By providing new transportation opportunities on demand, AVs can offer a new level of independence for people living with disabilities. The USDOT estimates that 25.5 million Americans have travel-limiting disabilities,[20] while another study found that roughly 560,000 people with disabilities never leave their homes due to transportation difficulties.[21] These difficulties are often due to a lack of accessible or convenient public transportation or an inability to operate their own vehicle, as is the case for the over 7.6 million Americans over the age of 16 who have significant vision impairment.[22] This lack of transportation impacts employment as well—only 17.5% of people with disabilities are employed, compared to 65% of people without a disability.[23] A study by the National Disability Institute found that the wider deployment of AVs could lead to an increase in 4.4 million jobs for people with disabilities, which could create a 3.8% increase in U.S. GDP (nearly $867 billion).[24] AVs can improve transportation access for people with disabilities by providing new on-demand access to transportation services, especially in places underserved or unserved by paratransit or accessible mass transit.

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

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

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

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[20] *Accessibility*, U.S. DEP'T OF TRANSP. (Feb. 13, 2025), https://www.transportation.gov/accessibility.
[21] *Transportation Difficulties Keep Over Half a Million Disabled at Home*, BUREAU OF TRANSP. STAT. (Nov. 21, 2012), https://www.bts.gov/archive/publications/special_reports_and_issue_briefs/issue_briefs/number_03/entire.
[22] *Blindness Statistics*, NAT'L FED'N OF THE BLIND, https://nfb.org/resources/blindness-statistics (last visited July 30, 2025).
[23] Economic News Release, U.S. Bureau of Labor Stat., Persons with a Disability: Labor Force Characteristics Summary (Feb. 24, 2021), https://www.bls.gov/news.release/disabl.nr0.htm.
[24] DOMINIC MODICAMORE, ET AL., NAT'L DISABILITY INST., ECONOMIC IMPACTS OF REMOVING TRANSPORTATION BARRIERS TO EMPLOYMENT FOR INDIVIDUALS WITH DISABILITIES THROUGH AUTONOMOUS VEHICLE ADOPTION (Dec. 30, 2022), https://www.nationaldisabilityinstitute.org/wp-content/uploads/2023/02/ndi-economicimpactsofremovingtransportationbarriers.pdf.
[25] Autonomous Vehicle Accessibility Act, H.R. 4419, 119th Congress (2025).