



December 9, 2019

Via electronic mail

The Honorable Roger Wicker
United States Senate
555 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Frank Pallone, Jr.
United States House of Representatives
2107 Rayburn House Office Building
Washington, DC 20515

The Honorable Maria Cantwell
United States Senate
511 Hart Senate Office Building
Washington, DC 20510

The Honorable Greg Walden
United States House of Representatives
2185 Rayburn House Office Building
Washington, DC 20515

RE: Requested Feedback on Additional 3 Sections of a Future AV Bill

Dear Chairmen Pallone and Wicker, Ranking Members Cantwell and Walden,

The Consortium for Citizens with Disabilities (CCD) Transportation Task Force is pleased to submit comments on three additional sections of a bicameral, bipartisan self-driving car bill. CCD is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society. We are attaching our feedback provided on August 23, 2019 for reference, and responding to the relationships to other laws, and updated and new federal motor vehicle safety standards (FMVSS) sections below.

PAT19A78, Relationships to Other Laws

Licensing and Insurance

Thank you for including the anti-discriminatory licensing provision on page 5, line 22, that prohibits discrimination based on disability. We encourage a similar provision prohibiting discrimination based on disability in insurance provision.

PAT19A73, Updated and New FMVSS for Automated Vehicles

Safety Priority Plan

In order to guarantee engagement with stakeholders and benefit from unique perspectives, at Page 1, line 10, insert “and in consultation with the Highly Automated Vehicle Advisory Council, and other interested stakeholders” before “the Secretary shall make available to the public.”

Automation Functions

To ensure a complete trip for passengers with disabilities accessible infrastructure assets required for the operation of HAVs must be identified. At page 4, line 1, please edit “roadside equipment, pavement markings, signage, and traffic signals,” to “roadside equipment, pavement markings signage, traffic signals, accessible pick up and drop off locations, and public rights of way.”

Contingency plans for when a vehicle malfunctions and an occupant is unable to drive with or without traditional controls must be considered. On page 4, line 23, please insert “(IV) accessible override capabilities or contingency plans for occupants with disabilities who cannot drive, or who cannot use traditional controls.”

Object and Event Detection and Response

Thank you for including pedestrians, bicyclists, children and individual with disabilities in the list of elements relating to detection and response. On page 5, line 22, please insert, “including individuals using assistive devices such as canes and wheeled mobility devices, and service animals,” after “individuals with disabilities.”

Human Machine Interface

Thank you for including the use of human machine interfaces (HMI) by individuals with disabilities as a safety element. As written, the HMI could be accessible for one segment of the disability community while inadvertently leaving out others. HMI must be accessible through visual methods for deaf and hard of hearing individuals, auditory for blind and low vision individuals, and haptic for deafblind individuals. Other methods will need to be used to ensure accessibility for individuals with cognitive disabilities. In addition, individuals without smartphones will need to be able to access the vehicles.

On page 6, line 14, we recommend replacing “through visual, auditory, or haptic displays, or other methods,” with “through visual, auditory, and haptic displays, and other methods.”

On page 6, line 18 insert “(iv) the use of a human-machine interface with and without the assistance of a smartphone or other user owned device.”

Crashworthiness

Crashworthiness of a vehicle is a vital component of ensuring both safety and accessibility for occupants with disabilities. On page 6, line 19, after “protection for all occupants” we recommend inserting, “including occupants who remain in their wheeled mobility device.” On page 6, line 20 please insert “, securement mechanisms” after “seating positions.”

Capabilities

On page 7, line 17, after “associated functions,” we recommend inserting “and their accessibility for occupants with sensory, cognitive, or physical disabilities, including wheelchair users who remain in their wheelchairs.”

Safety Self-Assessment

To maximize their benefit and uphold the promise of HAVs to increase mobility, safety self-assessments must address the accessibility and safety of vehicles for the broad spectrum of individuals with disabilities. On page 11, line 7, please insert “(IV) to ensure safety and accessibility for the individuals with sensory, cognitive and physical disabilities.”

Report to Congress

We recommend the Secretary work with the HAV Advisory Council when reviewing and reporting on safety requirements and next steps. On page 15, line 16 insert “in conjunction with the Highly Automated Vehicle Advisory Council,” after “the Secretary.”

Additional Recommendations

Finally, as you draft the remaining sections, we encourage you to take into account our concerns and recommendations regarding privacy, consumer education, required accessibility in public use AVs, and infrastructure.

The CCD Transportation Task Force thanks you for the opportunity to provide recommendations regarding priorities and issues addressed in a self-driving car bill. Please do not hesitate to contact us with any questions. We look forward to continuing to work with the Committee as legislation is developed.

Sincerely yours,

CCD Transportation Task Force Co-Chairs

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Encl: CCD Transportation Task Force AV Bill Issues Feedback, August 23, 2019