

Transparency and Stakeholder Participation in Addressing Emerging Technologies





— Transparency, Coordination, and Engagement Are Needed at All Stages of the Regulatory Process

- They are needed to develop regulations that achieve the twin goals of:
 - effectively addressing the safety, health, or environmental protectiveness of complex emerging technologies; and
 - doing so in a technologically neutral
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Research

- Develops/validates technology neutral requirements and test procedures that will serve as the basis for regulation.
- International collaboration helps to avoid or mitigate differences in regulatory approaches.

Interagency Coordination

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Notice of Proposed Rulemaking (NPRM)

Transparency and Coordination

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Automated Driving Systems

■ **Research** – Research on automated driving systems.

■ **Voluntary Guidance** – Periodic revisions of industry guidance in response to comments.

■ **International Coordination** – UNECE framework policy document on automated/autonomous vehicles.

■ **Regulation** – Notices seeking comment on:

- the need to identify and amend existing regulations obstructing new technologies and vehicle designs (2018);
- a collaborative national research program (2018);
- a framework to objectively define, assess, and manage the safety of automated driving system performance (2020);
- the development of more outcome-oriented approaches to regulating vehicle safety and drafting regulations (2020); and
- the DOT Automated Vehicles Comprehensive Plan, which summarizes DOT's approach to research, policy, guidance, and regulatory initiatives for AVs (2021).

Vehicle to Vehicle (V2V) Communication

- NPRM proposed mandating V2V based on dedicated short-range communication (DSRC) technology (2017).
- In response to comments urging that use of 5G be allowed, DOT/NHTSA issued a notice asking whether it should take a more technologically neutral approach and, if so, how to ensure interoperability (2018).

New Car Assessment Program

- Request for comments on a major upgrading of NCAP (2015).
- New request for comments in response to 2015 comments saying that the comment period was too short and the technical support for the upgrades was insufficient (2017).
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Transparency and Coordination

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Unmanned Aircraft Systems

Remote Identification of Unmanned Aircraft

- Recommendations from an aviation rulemaking committee comprised of representatives of law enforcement (local, state, and federal), industry, and operators. Representatives of foreign regulators were present as non-voting observers (2017).
- Publication of ANPRM (2017).
- Publication of NPRM (2019).
- Publication of final rule (2021).
 - In response to comments noting technical challenges that it had not foreseen or accounted for, DOT/FAA eliminated its proposed requirement for the transmission of the remote identification message through a network connection, allowing remote identification solely by broadcast of the message.
 - DOT/FAA authorized a remote identification broadcast module option that enables retrofitting of unmanned aircraft that do not meet the requirements for standard remote identification of unmanned aircraft.
 - DOT/FAA extended the ability to apply to operate in FAA identification areas without any remote identification.

New Car Assessment Program (RFC 2015 and 2018 RFC)

- <https://www.federalregister.gov/documents/2015/12/16/2015-31323/new-car-assessment-program>

Removing Regulatory Barriers for Vehicles With Automated Driving Systems (RFC 2018 and ANPRM 2019)

- <https://www.federalregister.gov/documents/2018/01/18/2018-00671/removing-regulatory-barriers-for-vehicles-with-automated-driving->

THANK YOU

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