



A bold voice for transportation workers

April 1, 2021

National Highway Traffic Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

RE: Framework for Automated Driving System Safety
Docket No. NHTSA-2020-0106

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Department of Transportation's request for comments entitled Framework for Automated Driving System Safety. TTD consists of 33 affiliate unions representing workers in all modes of transportation, including drivers and other ground transportation workers whose safety, security, and livelihoods have the potential to be seriously impacted by the rollout of automated technologies.¹ We therefore have a vested interest in this policy.[\[1\]](#)

The Framework for Automated Driving System (ADS) Safety was released by the previous administration and specifically avoids setting standards for design features or content of ADS that NHTSA states may freeze development in its current state and hamper innovation. Instead, the framework would include both voluntary guidance and regulatory requirements in a phased-in approach. The document is based on A.V. 4.0, which laid out DOT's approach to ADS technologies.

TTD strongly urges NHTSA to withdraw this framework. As we noted in our comments on DOT's AV Comprehensive Plan, both the plan and the documents that led to its development—A.V. 3.0 and A.V. 4.0—fail to address safety, security, and workforce impacts of the implementation of

¹ Attached is a list of TTD's 33 affiliated unions.

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ADS technologies.² TTD previously filed concerns about DOT’s approach to ADS in A.V. 3.0, in which the department abdicated its responsibility to protect workers and the public from the myriad documented safety problems associated with automated vehicles and failed to take serious steps to examine and mitigate the significant impacts that automated vehicles pose to the American workforce through deskilling and displacement.^[2] We filed further comments in response to A.V. 4.0, raising concerns that it failed to address A.V. 3.0’s many shortcomings and continued to promote ADS implementation without common-sense, reasonable safeguards.^[3]

NHTSA has the duty and responsibility to assert its regulatory authority and oversight to ensure all road users are safe as we implement new technologies. The Framework for ADS Safety fails to provide that safety and instead would enrich the technology sector. As we expressed in our comments on A.V. 4.0, we believe that non-binding guidance and voluntary consensus standards are wholly inadequate to ensure safety and security in transportation.

We also believe that requiring information sharing and transparency is one of the most basic needs of a safety framework, and yet the proposed framework would allow companies to voluntarily opt-out of sharing critical safety information. As we have noted previously “[t]he specter of proprietary information should not stand in the way of NHTSA collecting the information it requires to fully understand any risks or shortcomings of ADS technology and improve system safety.”³

This framework gives the proverbial green light to tech companies who want to use unproven technology on our streets as a way to cut costs and undermine workers. Rather than making any serious attempt to understand and mitigate the disruptive effects automation could have on our economy, the DOT and NHTSA are rushing to embrace technology that could undermine working Americans and further widen the wealth gap in this country. The framework and accompanying questions presume that ADS technology will be deployed in increasing levels of automation but does not presume that safety standards will be deployed to match. The framework also fails to recognize the integral role that transportation workers play in our nation’s safety. The document and accompanying questions never once mention workers or other transportation personnel, sending a clear message that NHTSA is not prepared to build upon the combined knowledge and expertise of transportation workers—or even provide these workers with basic safeguards.

Any framework for automated vehicles must lay the groundwork for true regulatory oversight. The current document entirely fails to meet this standard; instead it turns over the authority to regulate to the industry itself. The documented history of AV safety concerns and their potential to disrupt millions of good American jobs demands a measured, comprehensive legislative and regulatory response. In the absence of federal leadership, automated vehicles are operating across the country with very little oversight. The approach is not based on safety; it is based on deregulation and corporate interests. The DOT and NHTSA should consult with stakeholders representing all road

² <https://ttd.org/policy/federal-comments/previous-administrations-av-comprehensive-plan-should-be-left-in-the-past/>

³ <https://ttd.org/policy/federal-comments/ttd-comments-on-nhtsa-autonomous-vehicle-guidance/>

users including drivers, pedestrians and bicyclists, retired persons, and persons with disabilities; representatives of the workforce that stand to be most impacted by ADS; experts in cybersecurity and data privacy; and others to develop a new framework that accepts regulatory responsibility and prioritizes road users ahead of corporate interests.

We support the development of a comprehensive framework for ADS safety instead of the state-by-state patchwork system that has evolved in the vacuum caused by a lack of oversight, which NTSB has noted poses safety concerns in their comments under this docket.⁴ A broad coalition of organizations representing road users of all types has signed on to lend support to the People-First Autonomous Vehicle Policy published by SafeRoads, and we believe this policy outlines some of the most important steps to ensure safety as ADS technology becomes more widely available.⁵ A clear safety framework based on objective, safety-centered metrics is imminently necessary as ADS technologies are developed to ensure that they can support workers and the public at large.

We call on this administration to treat automated vehicle technology with the seriousness it warrants. America's road users and the millions of men and women who make a living on the front lines of our transportation system deserve nothing less. For this reason, we urge this document to be withdrawn while the administration develops a reasonable and responsible plan to ensure access to safe roads for everyone. We appreciate the opportunity to comment and look forward to working with the administration going forward.

Sincerely,



Greg Regan
President

⁴ https://www.scribd.com/document/498461004/NTSB-letter-to-NHTSA-Feb-1-2021#from_embed?campaign=SkimbitLtd&ad_group=74968X1582515X6f4a89e5f1295e31d9e480991881ff5c&keyword=660149026&source=hp_affiliate&medium=affiliate

⁵ <https://saferoads.org/2020/11/30/av-tenets-press-release/>



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TTD MEMBER UNIONS

Air Line Pilots Association (ALPA)
Amalgamated Transit Union (ATU)
American Federation of Government Employees (AFGE)
American Federation of State, County and Municipal Employees (AFSCME)
American Federation of Teachers (AFT)
Association of Flight Attendants-CWA (AFA-CWA)
American Train Dispatchers Association (ATDA)
Brotherhood of Railroad Signalmen (BRS)
Communications Workers of America (CWA)
International Association of Fire Fighters (IAFF)
International Association of Machinists and Aerospace Workers (IAM)
International Brotherhood of Boilermakers, Iron Ship Builders,
Blacksmiths, Forgers and Helpers (IBB)
International Brotherhood of Electrical Workers (IBEW)
International Longshoremen's Association (ILA)
International Organization of Masters, Mates & Pilots (MM&P)
International Union of Operating Engineers (IUOE)
Laborers' International Union of North America (LIUNA)
Marine Engineers' Beneficial Association (MEBA)
National Air Traffic Controllers Association (NATCA)
National Association of Letter Carriers (NALC)
National Conference of Firemen and Oilers, SEIU (NCFO, SEIU)
National Federation of Public and Private Employees (NFOPAPE)
Office and Professional Employees International Union (OPEIU)
Professional Aviation Safety Specialists (PASS)
Sailors' Union of the Pacific (SUP)
Sheet Metal, Air, Rail and Transportation Workers (SMART)
SMART-Transportation Division
Transportation Communications Union/ IAM (TCU)
Transport Workers Union of America (TWU)
UNITE HERE!
United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)
United Mine Workers of America (UMWA)
United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service
Workers International Union (USW)

These 33 labor organizations are members of and represented by the TTD

