



31 March 2020

(20-2585)

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Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1.	<b>Notifying Member:</b> <u>UNITED STATES OF AMERICA</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
2.	<b>Agency responsible:</b> National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT) [1620] <b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b> Please submit comments to: USA WTO TBT Enquiry Point, Email: <a href="mailto:usatbtep@nist.gov">usatbtep@nist.gov</a>
3.	<b>Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [X], 5.7.1 [ ], other:</b>
4.	<b>Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Motor vehicle occupant protection; Quality (ICS 03.120), Test conditions and procedures in general (ICS 19.020), Crash protection and restraint systems (ICS 43.040.80)
5.	<b>Title, number of pages and language(s) of the notified document:</b> Occupant Protection for Automated Driving Systems (34 page(s), in English)
6.	<b>Description of content:</b> Notice of proposed rulemaking - This proposal is one of a series of regulatory actions that NHTSA is considering to address the near- and long-term challenges of testing and verifying compliance with the Federal motor vehicle safety standards (FMVSS) for vehicles equipped with Automated Driving Systems (ADS) that lack the traditional manual controls necessary for human drivers, but that are otherwise traditional vehicles with typical seating configurations. This document seeks to clarify the ambiguities in applying current crashworthiness standards to ADS-equipped vehicles without traditional manual controls, while maintaining the regulatory text's application to more traditional vehicles and vehicles equipped with ADS that may have alternate modes. This proposal is limited to the crashworthiness standards and provides a unified set of proposed regulatory text applicable to vehicles with and without ADS functionality. This NPRM builds on NHTSA's efforts to identify and address regulatory barriers to vehicles with unique designs that are equipped with ADS technologies, including the advance notice of proposed rulemaking on removing barriers in the crash avoidance (100 Series) FMVSS in May 2019, the request for comments on this topic in January 2018, and the research that NHTSA is currently conducting. NHTSA also intends to issue a separate notice regarding removal of barriers in the FMVSS that pertain to telltales, indicators, alerts, and warnings in ADS-equipped vehicles.
7.	<b>Objective and rationale, including the nature of urgent problems where applicable:</b> Prevention of deceptive practices and consumer protection; Protection of human health or safety

<b>8.</b>	<b>Relevant documents:</b> <ul style="list-style-type: none"> <li>• 85 Federal Register (FR) 17624, 30 March 2020; Title 49 Code of Federal Regulations (CFR) Part 571:  <a href="https://www.govinfo.gov/content/pkg/FR-2020-03-30/html/2020-05886.htm">https://www.govinfo.gov/content/pkg/FR-2020-03-30/html/2020-05886.htm</a>  <a href="https://www.govinfo.gov/content/pkg/FR-2020-03-30/pdf/2020-05886.pdf">https://www.govinfo.gov/content/pkg/FR-2020-03-30/pdf/2020-05886.pdf</a> </li> <li>• <a href="#">G/TBT/N/USA/1405 and USA/1405/Add.1</a> - Advance notice of proposed rulemaking (ANPRM): Pilot Program for Collaborative Research on Motor Vehicles With High or Full Driving Automation, National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT)</li> <li>• <a href="#">G/TBT/N/USA/1487 and USA/1487/Add.1</a> - Advance notice of proposed rulemaking (ANPRM): Removing Regulatory Barriers for Vehicles With Automated Driving Systems, National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT)</li> <li>• Removing Regulatory Barriers for Vehicles With Automated Driving Systems; Request for comment published 18 January 2018:  <a href="https://www.govinfo.gov/content/pkg/FR-2018-01-18/html/2018-00671.htm">https://www.govinfo.gov/content/pkg/FR-2018-01-18/html/2018-00671.htm</a>  <a href="https://www.govinfo.gov/content/pkg/FR-2018-01-18/pdf/2018-00671.pdf">https://www.govinfo.gov/content/pkg/FR-2018-01-18/pdf/2018-00671.pdf</a> </li> <li>• Automated Driving Systems 2.0: A Vision for Safety:  <a href="https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/13069a-ads2.0_090617_v9a_tag.pdf">https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/13069a-ads2.0_090617_v9a_tag.pdf</a> </li> </ul>
<b>9.</b>	<b>Proposed date of adoption:</b> To be determined <b>Proposed date of entry into force:</b> To be determined
<b>10.</b>	<b>Final date for comments:</b> 29 May 2020
<b>11.</b>	<b>Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:</b> <a href="https://members.wto.org/crnattachments/2020/TBT/USA/20_2265_00_e.pdf">https://members.wto.org/crnattachments/2020/TBT/USA/20_2265_00_e.pdf</a>