



March 31, 2023

Larry W. Minor, Associate Administrator for Policy  
Federal Motor Carrier Safety Administration  
U.S. Department of Transportation  
Dockets Operations, W12-140  
1200 New Jersey Avenue SE  
Washington, DC 20590-0001.

*Submitted via the Federal eRulemaking Portal*

**Re: Parts and Accessories Necessary for Safe Operation; Exemption Application From Waymo LLC, and Aurora Operations, Inc. Docket No. FMCSA-2023-0071**

Dear Associate Administrator Minor,

The Autonomous Vehicle Industry Association (“AVIA”) writes to express support for the Parts and Accessories Necessary for Safe Operation Exemption Application (“Exemption Application”) filed by Waymo LLC (“Waymo”) and Aurora Operations, Inc. (“Aurora”) on behalf of a class of motor carriers operating autonomous driving systems (“ADS”)-equipped commercial motor vehicles (“CMVs”), as published in the Federal Register on March 9, 2023.<sup>1</sup> AVIA supports the advancement of autonomous CMV technology and encourages the Federal Motor Carrier Safety Administration (“FMCSA”) to approve the requested exemptions to 49 C.F.R. §§ 392.22(b), 393.25(e), and 393.95(f).

As background, AVIA is comprised of the world’s leading technology, ridesharing, trucking, and automotive companies.<sup>2</sup> Our mission is to realize the benefits of autonomous vehicles (*i.e.*, SAE Levels 4 and 5-capable vehicles) and support the safe and expeditious deployment of these technologies. With its broad array of technical expertise and experience in the technology, automobile, and autonomous trucking sectors, AVIA welcomes engaging with FMCSA as the Agency evaluates this Exemption Application.

This Exemption Application represents a collective effort by autonomous trucking developers to adopt a new safety solution that meets the needs of autonomous trucks while ensuring the safety of all road users. Expeditiously approving the requested exemptions will

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<sup>1</sup> Parts and Accessories Necessary for Safe Operation; Exemption Application From Waymo LLC, and Aurora Operations, Inc., 88 Fed. Reg. 14665 (Mar. 9, 2023).

<sup>2</sup> Waymo and Aurora are members of AVIA, as are Gatik AI, Kodiak Robotics, Inc., TuSimple, and Waabi Innovation US Inc. The latter four companies are signatories to the statement of support found in Appendix A of the Exemption Application.



contribute to the safe operation of ADS-equipped CMVs by providing an immediate and effective means for warning other motorists of the presence of a stopped ADS-equipped CMV.

As detailed in the Exemption Application, 49 C.F.R. § 392.22(b) would require human intervention in an ADS-equipped CMV operation to place currently permitted warning devices around the vehicle whenever it is stopped on the highway for any reason other than a necessary traffic stop, a requirement which undermines the potential benefits and efficiency of ADS-equipped CMVs. The cab-mounted warning beacons proposed in the Exemption Application eliminate the need for such human intervention. This solution not only serves the needs of ADS-equipped CMVs, but could also be applied to traditional CMVs, sparing human drivers the need to exit a vehicle in potentially unsafe road conditions. As detailed in the Exemption Application and its attachments, independent research from the Virginia Tech Transportation Institute, along with research by Aurora, supports the assertion that the proposed cab-mounted warning beacons achieve a level of safety that is equivalent to, or greater than, the level of safety provided by the current requirements—thereby meeting the requirements of 49 U.S.C. § 31315(b).

By granting the proposed exemptions, FMCSA would authorize the use of an alternative method in warning motorists of the presence of a stopped CMV that achieves the underlying regulation's safety purpose and removes an impediment to the wider deployment of ADS-equipped CMVs. The proposed solution represents not only the technical expertise of members of the autonomous trucking industry, but also a collective desire by a number of industry members to use this technology. AVIA appreciates the opportunity to comment on the Exemption Application, and we encourage FMCSA to grant the requested exemptions expeditiously.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Ariel S. Wolf', is written over a faint circular stamp.

Ariel S. Wolf

General Counsel  
Autonomous Vehicle Industry Association