



December 20, 2024

The Honorable Sharon Kershbaum, Director
c/o Catherine Kaufman, Senior Policy and Legislative Analyst,
Policy and Legislative Affairs Branch,
District Department of Transportation
250 M Street, SE
Washington DC
20003

RE: Autonomous Vehicles Testing Program Notice of Second Proposed Rulemaking

Dear Director Kershbaum,

On behalf of Chamber of Progress – a tech industry association supporting public policies to build a more inclusive society in which all people benefit from technological advancements – I write in response to the Department’s Notice of Second Proposed Rulemaking to establish an autonomous vehicle testing program in the District.

While we applaud the Department for creating a permanent program for testing autonomous vehicles in the District, we are concerned that the testing program is limited to driver-in testing. Autonomous vehicles present enormous potential to reduce roadway deaths, promote sustainable transportation systems, spur job growth, mitigate transit gaps, and expand mobility.

In order to bring these benefits to the District, we encourage DDOT to move toward a comprehensive deployment framework rather than focus narrowly on driver-in testing. Implementing the proposed rules as written would stunt the development of autonomous vehicles and denying DC residents their benefits.

Autonomous vehicles present enormous potential benefits.

Autonomous vehicles will bring safer streets and reduce the number of accidents. The National Highway Traffic Safety Association (NHTSA) released crash data reporting nearly 43,000 lives were lost in traffic-related fatalities in 2022.¹ Despite nearly a decade of work to achieve Vision Zero in the District, our roadways remain deadly. Traffic deaths have been increasing in the District since 2022, with 50 deaths so far this year.²

¹<https://www.nhtsa.gov/press-releases/traffic-crash-death-estimates-2022#:~:text=The%20National%20Highway%20Traffic%20Safety,42%2C939%20fatalities%20reported%20for%202021.>

² <https://mpdc.dc.gov/page/traffic-data>

We recently commissioned a poll of DC residents and found that they are extremely concerned about roadway safety and are interested in exploring new technologies that could decrease traffic collisions and fatalities. 93% of DC residents are concerned about distracted drivers, and 85% are concerned about impaired drivers, which along with speeding are some of the top contributors to roadway fatalities in the U.S.³

In fact, research shows that at least 90% of car crashes are caused by human error.⁴ By removing human error from the roads, autonomous vehicles can help eliminate the leading causes of crashes and fatalities. A 2023 study found that autonomous ridesharing services in Los Angeles, San Francisco, and Phoenix experienced 57% fewer police-reported crashes and 85% fewer crashes involving injuries compared to human drivers.⁵ Our organization applied that research to traffic data in New York⁶ and California⁷ and found that 1,800 traffic-related deaths could have been avoided in the last 5 years if autonomous vehicles had been widely deployed.

Autonomous vehicles also promote sustainable transportation systems. According to the Southwest Research Institute, autonomous vehicles can be up to 20% more fuel efficient than human-driven vehicles.⁸ Since autonomous vehicles are programmed to follow traffic rules and speed limits, autonomous vehicles will ultimately use less energy. Most AVs are also predicted to be electric, making them a cleaner transportation option than vehicles using internal combustion engines.⁹ Deploying autonomous vehicles can help the District reach its goals to achieve carbon neutrality by 2045.

Autonomous vehicles can also promote job growth. Our research found that nationwide, replacing 13% of vehicles on the road with AVs over the next 15 years could create 455,000 jobs. Those jobs would be high-paying and accessible without a college degree, with 59% of workers without a degree earning more than the U.S. median wage.¹⁰

³https://progresschamber.org/wp-content/uploads/2024/11/Chamber-of-Progress_Morning-Consult_DC-AV-Survey-Memo.pdf

⁴ <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812115>

⁵<https://waymo.com/blog/2023/12/waymo-significantly-outperforms-comparable-human-benchmarks-over-7-million/>

⁶<https://medium.com/chamber-of-progress/avs-could-have-saved-over-500-lives-and-stopped-83-000-injuries-in-new-york-over-the-last-five-cf843e86ff49>

⁷<https://progresschamber.org/wp-content/uploads/2024/03/AV-Safety-Research-California-Traffic-Fatality-Analysis-03-24.pdf>

⁸<https://www.swri.org/press-release/vehicle-fuel-efficiency-improvement-connectivity-automation-arpa-nextcar>

⁹<https://www.eesi.org/papers/view/issue-brief-autonomous-vehicles-state-of-the-technology-and-potential-role-as-a-climate-solution#:~:text=A%20recent%20study%20suggests%20that,keeping%20climate%20change%20in%20check.>

¹⁰<https://progresschamber.org/wp-content/uploads/2024/03/Opportunity-AV-How-Many-and-What-Type-of-Jobs-Will-Be-Created-by-Autonomous-Vehicles.pdf>

Autonomous vehicles can also promote job growth by connecting District residents with more accessible transportation options. Only 21% of Americans with disabilities participated in the labor force in 2021.¹¹ Mobility challenges and inaccessible transit options present significant obstacles for people with disabilities trying to reach jobs and education.¹² A study by the National Disability Institute found that widespread adoption of AVs could connect people with disabilities with over 4 million jobs.¹³

Autonomous vehicles will also increase transportation options for communities who are currently underserved or face mobility challenges. In neighborhoods where public transit options are scarce, autonomous vehicles can increase transportation options and connect residents to mobility hubs.¹⁴ 58% of DC residents believe that AVs can help fill transit gaps where the Metro has yet to expand.¹⁵

AVs can also be beneficial for those who cannot rely solely on public transit. Our survey found that a strong majority of residents felt AVs would be helpful for people who commute at atypical times, elderly residents, female commuters traveling by themselves, and parents traveling with their children.¹⁶ AVs can also improve transit services for people with disabilities or other mobility challenges. Public transit and paratransit options often do not meet these communities' needs, with unreliable service times and longer commutes to access pharmacies, hospitals, and schools.¹⁷ According to the Urban Institute, AVs can improve paratransit services, making them more affordable and flexible for riders because they can provide customizable, curb-to-curb service.¹⁸

Limiting the operation of autonomous vehicles will stunt the development of the technology and delay full deployment in the District.

The rules themselves risk unnecessarily limiting testing in D.C. For example, the rule limits the number of vehicles operators can test on public roads at one time. The cap of ten vehicles is unnecessarily low and will arbitrarily restrict testing operations. Similarly, the rules do not provide clear guidance for operators who have already received permission to test under the Council's Autonomous Vehicle Testing Program.¹⁹ For these

¹¹ <https://www.axios.com/2023/03/17/autonomous-cars-disabled-americans-jobs>

¹² <https://www.nationaldisabilityinstitute.org/wp-content/uploads/2023/02/ndi-economicimpactsofremovingtransportationbarriers.pdf>

¹³ <https://www.nationaldisabilityinstitute.org/wp-content/uploads/2023/02/ndi-economicimpactsofremovingtransportationbarriers.pdf>

¹⁴ <https://media.maymobility.com/May-Mobility-Cities-Today-AVs-Transforming-Public-Transportation-Case-Study.pdf>

¹⁵ https://progresschamber.org/wp-content/uploads/2024/11/Chamber-of-Progress_Morning-Consult_D-C-AV-Survey-Memo.pdf

¹⁶ https://progresschamber.org/wp-content/uploads/2024/11/Chamber-of-Progress_Morning-Consult_D-C-AV-Survey-Memo.pdf

¹⁷ <https://transitcenter.org/wp-content/uploads/2021/06/BayAreaFactSheet.pdf>

¹⁸ <https://www.urban.org/urban-wire/shared-autonomous-vehicles-could-improve-transit-access-people-with-disabilities-if-regulated#:~:text=Because%20AVs%20don't%20need,and%20can't%20currently%20drive.>

¹⁹ <https://code.dccouncil.gov/us/dc/council/code/sections/50-2352.01>

operators, it is unclear whether their existing permits will be honored under the new rules or if they would be forced to cease operations and re-apply under the proposed rules. As a result, testing operations that have already begun may be forced to cease as the Council's program expires and the new rules go into effect. Taken together, these barriers would unnecessarily stifle and potentially freeze testing operations in the District.

In general, limiting operations of autonomous vehicles to driver-in testing will stunt the long-term development of the technology. Driverless testing is a crucial phase for deployment, as it ensures the vehicles can appropriately respond to real-time road conditions. Before deploying in a new city, AV operators map the streets in detail and conduct tests of their technology in virtual simulations, closed courses, and public roads with human safety drivers in the car. Before testing without a human driver, AV operators must also certify to safety agencies that their technology can operate safely.

Only after completing these tests can AVs be tested on the roads without human drivers, a crucial final step in ensuring the technology responds correctly to real-time road conditions. By requiring a human operator for all testing, this rule would make the final testing stage impossible, effectively preventing full deployment of AV technology in the District.

Limiting operations of autonomous vehicles to driver-in testing also limits the types of vehicles that can be tested in the District and denies access to novel uses of the technology. While many AVs on the road today use traditional vehicle designs, other applications of the technology may not rely on those same designs. For example, zero-occupant autonomous delivery vehicles have been deployed in Palo Alto, Mountain View and Houston.²⁰ These vehicles are designed exclusively for delivery of goods and do not have a steering wheel or seats.²¹ Autonomous rideshare operators have also developed novel vehicle types without a dedicated space for a human driver.²² Requiring a human driver to be present for all testing could make it more difficult for these novel designs to launch in the District, denying D.C. residents the benefits of innovation.

Finally, limiting operations to testing rather than focusing on a comprehensive pathway to deployment sets D.C. back compared to other states. At least 20 states have approved pathways to deployment.²³ Residents and visitors to some of these states have already started to see benefits. In San Francisco, in the month after they were opened to the public, autonomous ridehailing services logged over 26,000 paid trips with over 36,000 passengers.²⁴ These services experience fewer accidents than human-driven cars,

²⁰ <https://medium.com/@nuroteam/driving-forward-nuro-goes-driverless-in-3-cities-f83384a89e49>

²¹ <https://www.wired.com/video/watch/wired-news-and-science-nuro-car>

²² <https://www.8newsnow.com/news/local-news/zoox-introduces-driverless-robotaxi-in-las-vegas/>

²³ <https://www.bakerdonelson.com/autonomous-vehicle-statutes-and-regulations-across-the-50-states>

²⁴ <https://www.sfchronicle.com/sf/article/cruise-waymo-san-francisco-18472568.php>

making the streets safer for their passengers, other drivers, and other road users. D.C. should join these other states by adopting a pathway to deployment in order to bring these benefits to its residents and visitors.

Altogether, these rules risk further delaying the full deployment of autonomous vehicles in the District. The rule's narrow focus on driver-in testing ignores novel vehicle types and applications of autonomous technology, blocks crucial testing phases, and would set D.C. back compared to other states that have embraced AVs. As a result, District residents and visitors would be denied the benefits of autonomous vehicles—new job opportunities, sustainable and accessible transportation options, and safer streets. In order to unleash these benefits, we urge you to develop rules that would allow for driverless testing and deployment of AVs in the District.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ruth Whittaker', with a large, stylized initial 'R'.

Ruth Whittaker
Director of Civic Innovation Policy
Chamber of Progress