

<b>Section in H.R. 3388 (as passed by the House)</b>	<b>Provisions in H.R. 3388, SELF DRIVE Act (as passed by the House)</b>	<b>Comparable Provisions in S. 1885, AV START (as amended by Senate Commerce 10/4/17)</b>
<b>Section 1.</b> Short title; table of contents	Titled the “Safely Ensuring Lives Future Deployment and Research In Vehicle Evolution Act,” or the SELF DRIVE Act.	Titled the “American Vision for Safer Transportation through Advancement of Revolutionary Technologies Act,” or the AV START Act.
<b>Section 2.</b> Purpose	<i>“The purpose of this Act is to memorialize the Federal role in ensuring the safety of highly automated vehicles as it relates to design, construction, and performance, by encouraging the testing and deployment of such vehicles.”</i>	“To support the development of highly automated vehicle safety technologies, and for other purposes.”
<b>Section 3.</b> NHTSA authority and State preemption for autonomous motor vehicles	<p>States and their political subdivisions may establish motor vehicle safety standards <i>only</i> if they are identical to federal standards.</p> <p>States and their political subdivisions are preempted from enacting laws and regulations that place an “unreasonable restriction” on the design, construction, or performance of HAVs in the following areas:</p> <ul style="list-style-type: none"> <li>• registration</li> <li>• licensing</li> <li>• driving education and training</li> <li>• insurance</li> <li>• law enforcement</li> <li>• crash investigations</li> <li>• safety and emissions inspections</li> </ul>	<p>N/A</p> <p>States and cities are preempted from adopting laws, regulations, and standards that regulate the design, construction, or performance of HAVs with respect to the subject areas of the SER. [Nelson #1 (modified)]</p>

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	<ul style="list-style-type: none"> <li>• congestion management of vehicles on the street</li> </ul> <p>N/A</p> <p>Laws and regulations established by states and their political subdivision on motor dealers and the sale, distribution, repair, or service of HAVs are not preempted.</p> <p>With regard to liability, simply complying with FMVSS does not exempt an entity from liability at common law.</p> <p>The federal government, states and their political subdivisions may prescribe standards for HAVs that impose a higher performance requirement than those established by FMVSS.</p> <p>The House does not prohibit states from issuing driver licenses or driver tests for the operation or use of dedicated HAVs in a manner that would discriminate on the basis of disability.</p>	<p>Once NHTSA establishes a standard that addresses a particular subject matter area, state and local laws will no longer be preempted. [Nelson #1 (modified)]</p> <p>Laws and regulations established by states and their political subdivision on motor dealers and the sale, distribution, repair, or service of HAVs are not preempted. [Nelson #1 (modified)]</p> <p>With regard to liability, simply complying with FMVSS does not exempt an entity from liability at common law. [Nelson #1 (modified)]</p> <p>N/A</p> <p>States are prohibited from issuing driver licenses for the operation or use of dedicated HAVs in a manner that discriminate on the basis of disability. [Nelson #1 (modified)]</p>
<p><b>Section 4.</b> Updated or new motor vehicle safety standards for</p>	<p>Secretary shall issue a final rule within 24 months that requires the submission of safety assessment certifications by HAV developers. In the meantime, developers are required to submit a Safety</p>	<p>Within 90 days of enactment, HAV developers are required to submit a Safety Evaluation Report (SER) that describes how they are addressing the safety of their system. Manufacturers who introduce their HAV</p>

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highly automated vehicles	<p>Assessment Letter (SAL) or its successor to NHTSA – which is now the Vehicle Safety Self-Assessment (VSSA), as outlined in <a href="#">USDOT’s Automated Driving Systems: A Vision for Safety 2.0</a>.</p> <p>The VSSA covers 12 areas: system safety, operational design domain (ODD), object and event detection and response (OEDR), fallback (minimal risk condition), validation methods, human machine interface (HMI), vehicle cybersecurity, crashworthiness, post-crash ADS behavior, data recording, consumer education and training, and federal/state/local laws.</p> <p>The Secretary is not required to make the VSSA publicly available.</p> <p>The Secretary is prohibited from conditioning deployment or testing of HAVs on their review of the VSSA.</p> <p>[N/A]</p>	<p>into interstate commerce after enactment are required to submit SERs least 90 days before selling, or otherwise commercializing, their HAV. [Sec. 9(c)]</p> <p>The SER covers the 9 issue areas for HAVs and their components: system safety, data recording, cybersecurity (including in the supply chain and how occupants will be warned about cyber vulnerabilities), human-machine interface (HMI), crashworthiness, capabilities and limitations, post-crash behavior, account for applicable laws, and automation function. Manufacturers would also be required to provide aggregate results comparing the safety level of their HAV with a vehicle that is not highly automated and that is driven by a human driver. [Sec. 9(a)] [Blumenthal #10] [Gardner #1] [Klobuchar #2 (modified)]</p> <p>The Secretary must make SERs publicly available within 60 days of receipt. [Blumenthal #11]</p> <p>SERs are open to discovery, subpoena, court orders, and other judicial processes under federal and state law. [Nelson #1 (modified)]</p> <p>The Secretary is prohibited from conditioning deployment or testing of HAVs on their review of the SER. [Sec. 9(a)]</p>

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	<p>N/A</p> <p>After the final rule is issued for safety assessment certifications, the Secretary must review it every 5 years and issue updates when necessary.</p> <p>The Secretary must initiate or continue a review of FMVSS and begin research on new FMVSS for HAVs within 180 days of enactment.</p> <p>Within 1 year, the Secretary must publish an HAV rulemaking and safety priority plan. This will outline how NHTSA will approach three ongoing priorities for the following 5 years: updating FMVSS, issuing new FMVSS, and considering objective performance standards for HAVs and whether additional NHTSA authorities are needed.</p>	<p>When the Secretary reviews an SER, they will be required to verify the manufacturer’s SAE level designation for the vehicle’s level of automation. The process by which the Secretary (or the manufacturer, for that matter) will do so is not clearly defined. [Booker #3]</p> <p>If a motor vehicle standard is issued that addresses a specific category of the SER, the manufacturer is no longer obligated to provide information on that aspect of the vehicle in the SER. [Sec. 9(a)]</p> <p>[N/A]</p> <p>The Director of Volpe must consult with stakeholders and submit research on potential conflicts between HAVs and existing FMVSS within 180 days of enactment. [Sec. 4(b)]</p> <p>Within 180 days of enactment, Volpe must submit a report to the Secretary that identifies FMVSS provisions that may be in conflict with HAVs. This may include language that refers to human drivers performing the driving task, the position of a human driver in the vehicle, or address other aspects of humans driving [Sec. 4(b)]. Additionally, the Highly</p>

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	<p>After the rulemaking and safety priority plan is published, it must be updated every 2 years or more frequently, if the Secretary considers it necessary.</p> <p>The Secretary must initialize the first rulemaking proceeding on FMVSS for HAVs within 18 months of enactment. Thereafter, the Secretary shall continue initiating rulemakings in accordance with the rulemaking and safety priority plan.</p> <p>If the Secretary deems it necessary to change the rulemaking and safety priority plan, they can issue an interim update. This must be made public and submitted to House Energy &amp; Commerce and Senate Commerce.</p>	<p>Automated Vehicles Technical Committee (see Section 9 of this chart) will submit a rulemaking report for long-term HAV standards within 5 years of enactment. [Sec. 10(d)]</p> <p>The Volpe report is a one-off process. However, the HAV Technical Committee will have a work plan and the Secretary shall regularly provide them with recommendations for areas of focus. [Sec. 10(e)(2)]</p> <p>Within 90 days of receiving the Volpe report on HAV-incompatible FMVSS, the Secretary must commence a rulemaking to incorporate the report by reference into relevant safety standards. This rule must be finalized within 1 year of receiving the report – which would be a year and a half after enactment. If the Secretary does not complete the rulemaking proceeding within 1 year of receiving the report, the revisions to regulations that are contained in the report will be incorporated by reference into the relevant FMVSS. [Sec. 4(d)]</p> <p>The Secretary may revise portions of the Volpe report that they determine to not be practical, objective, or meet motor safety needs. [Sec. 4(d)]</p>
<p><b>Section 5.</b> Cybersecurity of</p>	<p>Developers of HAVs and partially automated vehicles must develop a cybersecurity plan within</p>	<p>HAV developers must develop a written cybersecurity plan within 18 months. [Sec. 14(b); Sec.</p>

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<p>automated driving systems</p>	<p>180 days of enactment.</p> <p>Developers are not explicitly required to send their cybersecurity plan to USDOT.</p> <p>The security plan must describe how the developer will detect and respond to cyber attacks, compromised systems, and attempts to spoof the system. This includes addressing “foreseeable vulnerabilities” and responding to incidents.</p> <p>N/A</p> <p>Developers must identify one person as their point of contact for cybersecurity matters.</p> <p>The Secretary is neither instructed nor required to issue a rulemaking requirement for making cybersecurity plans publicly available.</p>	<p>14(c)]</p> <p>Developers are not explicitly required to submit their plan to NHTSA, but the Secretary has the authority to inspect a developer’s cybersecurity plan to determine whether or not they are in compliance. [Sec. 14(b)(3)]</p> <p>The cybersecurity plan must include a process for: risk-based prioritized identification and protection of safety-critical vehicle control systems; efficient detection and response to potential cybersecurity incidents; institutionalizing the voluntary exchange of cybersecurity information; training employees on cybersecurity issues. [Sec. 14(b)] [Gardner #2]</p> <p>A manufacturer’s cybersecurity plan must describe how they will evaluate elements of the supply chain to identify and address cybersecurity vulnerabilities. [Hassan #4 (modified)]</p> <p>Developers must identify one person as their point of contact for cybersecurity matters. [Sec. 14(b)(2)(E)]</p> <p>Manufacturers of highly automated vehicles or automated driving systems are required to make summaries of their cybersecurity plans publicly available in a way that is suitable for public disclosure. [Schatz #2]</p>

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	<p>[N/A]</p> <p>[N/A]</p> <p>N/A</p>	<p>The Secretary is authorized to cooperate with AV developers to create incentives for sharing information about vulnerabilities and work with third-party security researchers. [Sec. 14(c)]</p> <p>All federal agencies researching cybersecurity risks for HAVs shall coordinate with the Secretary on their findings. [Sec. 14(d)]</p> <p>The Secretary is instructed to develop educational cybersecurity resources to make consumers aware of motor vehicle cybersecurity risks and how to minimize them. These resources must be available to the public on NHTSA’s website. When developing these resources, the Secretary is instructed to consult with industry, safety organizations, state and local governments, security researchers, and the National Institute of Standards and Technology. Manufacturers are required to include information that refers consumers to this cybersecurity resource website in owners’ manuals or on their website. [Wicker #2 (modified)]</p>
<p><b>Section 6.</b> General exemptions</p>	<p>A new FMVSS exemption category is created under <a href="#">49 USC 30113</a>(b)(3)(B) for HAVs, provided that the safety level of the vehicle is at least equal to nonexempt vehicles.</p> <p>In their application for an exemption, the</p>	<p>Creates a new process for receiving FMVSS exemptions under <a href="#">49 USC 30113</a> by which the Secretary can begin proceedings to review applications for exemptions and renewals of exemptions specifically for HAVs. [Sec. 6(a)]</p> <p>[N/A]</p>

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	<p>manufacturer must describe why the exemption is necessary to support the development of HAV technology.</p> <p>Exemption applications must include a detailed analysis of why the vehicle will be as safe or safer than noncompliant vehicles – this must be supported by evidence from on-road operations and validation and testing data.</p> <p>Manufacturers must report crashes involving their exempted vehicles to USDOT.</p> <p>The cap on exempted vehicles increases each year that a manufacturer has an exemption. In the year that the exemption is granted, a manufacturer may have up to 25,000 exempted vehicles, then 50,000 in their second year, and 100,000 in their third and fourth years.</p> <p>The Secretary cannot raise the exemption cap above 100,000 vehicles.</p>	<p>In accordance with existing exemption laws, manufacturers must verify that the safety level of the exempted vehicle is at least equal to nonexempt vehicles. The Secretary may require additional information to be included in order to do so. [Sec. 6(a)]</p> <p>Manufacturers are not explicitly required to report crashes involving exempted vehicles.</p> <p>The exemption cap automatically increases every year after enactment, regardless of how long a manufacturer has had an exemption. In the first year following enactment, the Secretary is authorized to grant exemptions for up to 15,000 vehicles per manufacturer in the first year; 40,000 in the second year; 80,000 in the third and fourth years. [Sec. 6(a)] [Blumenthal #4 (modified)]</p> <p>After the exemption has been in place for 4 years, the manufacturer may petition the Secretary for an exemption for more than 80,000 vehicles. When a manufacturer applies for a renewal of their exemption, the Secretary is required to first evaluate the safety equivalence of vehicles under the previous exemption compared to compliant vehicles. [Sec.</p>



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	<p>Exemptions and exemption renewals can be granted for up to 4 years.</p> <p>The Secretary cannot grant exemptions for <u>crashworthiness standards</u> in FMVSS until one year after the secretary has issued <i>both</i> the safety assessment certification rule and the rulemaking and safety priority plan (see Section 4).</p> <p>The Secretary can grant exemptions to occupant protection standards <i>only if</i> the exemption is for a vehicle that will not carry its operator or human passengers.</p> <p>The Secretary can only grant exemptions from crashworthiness standards if it is a truly driverless vehicle that does not have a steering control system (read: steering wheel) for human drivers, provides impact protection equal to nonexempt vehicles, <i>and</i> provides a safety level that is at least equal to nonexempt vehicles. (In other words: if the exemption is for removing a steering wheel, you must install airbags and/or other components that would protect the occupant just as much as an airbag in the steering wheel would.)</p> <p>The Secretary must establish a public and searchable online database of vehicles with FMVSS</p>	<p>6(a)] [Blumenthal #4 (modified)]</p> <p>Exemption and renewal periods are not changed – the term remains at 2 years, per <a href="#">49 USC 30113(e)</a>.</p> <p>Crashworthiness exemptions are not specifically addressed.</p> <p>Exemptions to occupant protection standards are not specifically addressed.</p> <p>Crashworthiness exemptions for fully driverless vehicles are not specifically addressed. However, the rulemaking tied to the Volpe report would likely address these issues. (See Section 4 of this document)</p> <p>The Secretary is not required to establish a database of exempted vehicles, but must publish notice of</p>

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	<p>exemptions must be created. This database must include the vehicle identification number for each exempted vehicle, but cannot include information about the owner.</p> <p>N/A</p>	<p>applications for FMVSS exemptions and provide an opportunity for comment. (Note: this is already the case for exemptions, as outlined in 49 USC 30113(b)(2)) [Sec. 6(a)]</p> <p>A manufacturers' eligibility for exemption sunsets when either (a) when a standard related to that exemption is enacted or (b) "the earlier of the date that is 10 years after the date of enactment of this Act." [Blumenthal #6]</p>
<p><b>Section 7.</b> Motor vehicle testing or evaluation</p>	<p>Modifies <a href="#">49 USC 30112(b)(10)</a> to explicitly allow entities that are not traditional auto manufacturers (e.g., tech firms, universities) to introduce HAVs into interstate commerce solely for testing and evaluation purposes. Entities must agree not to sell, lease, or offer for sale or lease those HAVs after they conclude testing/evaluation</p> <p>Entities that are testing and evaluating HAVs under this section must disclose identifying information to NHTSA, including: entity name, address,</p>	<p>Modifies <a href="#">49 USC 30112(b)(10)</a> to allow manufacturers to introduce HAVs into interstate commerce "solely for the purposes of testing, evaluation, or demonstration." Entities must agree not to sell, lease, or offer for sale or lease those HAVs after they conclude testing/evaluation. This does not explicitly mention tech firms or universities, but Section 2 of AV START uses the term "manufacturer" as defined in <a href="#">49 USC 30102(a)(6)</a> to mean a person "manufacturing or assembling motor vehicles or motor vehicle equipment" or "importing motor vehicles or motor vehicle equipment for resale." Tech firms and universities should fall under this umbrella. [Sec. 5]</p> <p>Entities that are testing and evaluating HAVs under this section must disclose identifying information to NHTSA, including: entity name, address, description</p>

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	<p>description of each type of HAV, and proof of insurance for the state where they are testing.</p> <p>N/A</p>	<p>of each type of HAV, and proof of insurance for the state where they are testing. [Sec. 5]</p> <p>Manufacturers are permitted to make certain driving controls (e.g., steering wheel, brake pedals) inoperable while the automated driving system is performing the dynamic driving task. [Sec. 7] [Blumenthal #19]</p>
<p><b>Section 8.</b> Information on highly automated driving systems made available to prospective buyers</p>	<p>Within three years, the Secretary must complete research on the most effective methods and terminology for educating consumers about the capabilities and limitations of partially automated and highly automated vehicles.</p> <p>N/A</p>	<p>The Secretary shall establish a working group on responsible education for HAVs within 180 days of passage. The working group will identify responsible marketing strategies and recommend educational outreach procedures and responsible marketing strategies and programs for educating consumers about the capabilities and limitations of HAVs. [Sec. 12(a)] [Duckworth #5 (modified)]</p> <p>Members of the working group will include: traditional auto manufacturers; developers of automated driving systems; motor vehicle dealers; motor vehicle owners and operators, including fleet managers, vehicle rental companies, and transportation network companies; consumers or consumer advocacy groups, USDOT AV proving grounds; public health organizations; marketing professionals; experts in consumer education; safety organizations and organizations with experience in drivers' education; tech companies; and other</p>

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	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>After completing the study, the Secretary is instructed to initiate a rulemaking to require manufacturers to inform consumers about their vehicles' capabilities and limitations.</p> <p>N/A</p>	<p>members the Secretary deems appropriate. [Sec. 12(d)(1)] [Duckworth #6 (modified)]</p> <p>Consumer education working group would be required to develop voluntary marketing strategies for manufacturers to inform consumers about the comparative safety of HAVs versus non-HAVs in terms of crashes, fatalities, and other injuries (if known). The group must also consider topics pertaining to consumer data collection, privacy, and data ownership. [Blumenthal #9] [Schatz #3]</p> <p>Members of the working group will serve without compensation. [Sec. 12(d)(2)]</p> <p>The working group will terminate 2 years after enactment. [Sec. 12(e)]</p> <p>The working group will submit a report of its findings and recommendations to Congress. This report will also be made available to the public. The Secretary shall consult with the Federal Trade Commission about the recommendations of the working group, as appropriate. [Sec. 12(b)(2); Sec. 12(d)(3)]</p> <p>The Secretary is not instructed to issue a rulemaking after the report is completed.</p> <p>Instructs the Secretary to must promulgate a rule within 3 years requiring clear and concise</p>

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		information on an AVs' capabilities and limitations must be given to consumers at the point of sale and in the owner's manual. [Markey #2 (modified)]
<p><b>Section 9.</b> Highly Automated Vehicle Advisory Council</p>	<p>The Secretary is instructed to establish a Highly Automated Vehicle Advisory Council ("Council") within 6 months after enactment.</p> <p>The Council will serve as an advisory body that the Secretary may consult.</p> <p>The Council must be comprised of a diverse group of representatives from industry, academia, state and local authorities, safety and consumer advocates, engineers, labor organizations, academia and independent researchers, a representative from NHTSA, and other members deemed appropriate by the Secretary.</p>	<p>The Secretary is instructed to establish a Highly Automated Vehicles Technical Committee (the "Committee") within 180 days of enactment. [Sec. 10 (a)]</p> <p>The committee will provide recommendations on rulemaking, policy, and guidance regarding HAV safety. This includes recommendations for performance standards and the harmonization of national HAV standards with international standards. It will essentially guide the Secretary in rulemaking procedures for HAVs and provide a blueprint for them to follow. [Sec. 10(a)]</p> <p>The Committee must be comprised of individuals who are specially qualified to serve because of their technical knowledge of automated driving systems, vehicle-to-vehicle infrastructure systems, or the impact of such systems on FMVSS. This shall include 1 representative from a number of organizations including: SAE International, AV proving grounds designated by USDOT, HAV manufacturers, safety organizations, State and local government agencies, and other members deemed necessary by the Secretary. [Sec. 10 (b)(1)] [Schatz 4 (modified)]</p>

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	<p>Council terms are for 3 years.</p> <p>There is not a designated chair for the Council.</p> <p>The Secretary can fill vacancies in the Council whenever they arise – vacancies will not impact the Council’s ability to vote or take other actions.</p> <p>There is not a cap on Council members.</p> <p>Each subcommittee must include 15-30 members.</p> <p>Council recommendations will be reported to House Energy &amp; Commerce Committee and Senate Commerce, Science, and Transportation Committee. The Secretary is not required to act on Council recommendations.</p> <p>The Council must comply with the requirements of the Federal Advisory Committee Act (FACA).</p>	<p>Committee terms are not defined.</p> <p>The designated chair of the Committee will be the Secretary or their designee. The chair cannot vote, unless to break a tie. [Sec. 10(b)(3)]</p> <p>The Secretary may appoint new members to the Committee at any time. [Sec. 10(b)(1)(B)]</p> <p>The Council will be composed of 15 voting members. [Sec. 10(b)(1)(A)]</p> <p>Each working group (or subcommittee) of the Committee must include at least one manufacturer of HAVs and other individuals who are subject matter experts on the issue the working group will address. [Sec. 10(c)(5)(A)]</p> <p>The Committee will periodically release recommendations on voluntary HAV standards. It will release a work plan within 180 days of enactment that will guide its development of a report containing recommendations for “consensus-based, feasible, and objective standards for potential rulemaking” for HAVs. This report must be published within 5 years. [Sec. 10(d)]</p> <p>The Committee will not be subject to the requirements under the Federal Advisory Committee</p>

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	<p>The Secretary can detail any USDOT personnel to the Council to assist in carrying out its duties, with or without reimbursement.</p> <p>Council members will serve without pay, except for travel and per diem will be paid each member for meetings called by the Secretary.</p> <p>The Council will end 6 years after enactment.</p> <p>There are no requirements for how often the Council meets.</p> <p>The Council is not required to form specific subcommittees (working groups).</p> <p>The Council may form subcommittees as needed to address ten issue areas within its scope:</p>	<p>Act (FACA). [Sec. 10(f)]</p> <p>The NHTSA Office of Rulemaking and NHTSA Office of Vehicle Safety Research shall provide support to the Committee. [Sec. 10(c)(3)]</p> <p>Committee members will serve without compensation. Travel and per diem are not mentioned. [Sec. 10(b)(2)]</p> <p>The Committee will be dissolved 5 years after enactment, upon submitting their final report. [Sec. 10(f)]</p> <p>The Committee will meet at least 4 times per year. These meetings will be open to the public unless the meeting will discuss internal rules and practices of NHTSA, sensitive information and trade secrets that cannot be disclosed, matters involving criminal accusations, or investigatory measures that could interfere with enforcement proceedings. [Sec. 10(c)(4)]</p> <p>The Committee is required to form a working group to develop voluntary best practices regarding HAV accessibility for people with disabilities. [Sec. 10(c)(5)]</p> <p>The Committee will study issues relating to HAVs. It may form temporary working groups, as necessary,</p>

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	<ul style="list-style-type: none"> <li>• Advancing mobility access for the disabled community.</li> <li>• Mobility access for seniors and populations underserved by traditional public transportation services</li> <li>• Cybersecurity</li> <li>• Developing a framework for manufacturers and NHTSA to share information during testing and deployment that could help to reduce public safety risks</li> <li>• Labor and employment issues</li> <li>• Environmental impacts of AVs and alternative fuel sources that may be developed/deployed alongside AVs.</li> <li>• Protection of consumer privacy and data security</li> <li>• Occupant protection for AVs and potential changes to vehicle design that may impact crashworthiness and placement of components (e.g., airbags, seatbelts)</li> <li>• Testing and deployment of AVs in rural, remote, mountainous, insular, or unmapped areas</li> <li>• Independent verification and validation procedures for HAVs that can enhance safety</li> </ul> <p>N/A</p>	<p>to address specific issues in its scope:</p> <ul style="list-style-type: none"> <li>• System safety</li> <li>• Automated steering and braking</li> <li>• Crashworthiness for vehicles with unconventional seating positions or vehicles not intended for human occupancy</li> <li>• Event data recording and data access and sharing</li> <li>• Accessibility for people with disabilities</li> <li>• Potential conflicts with existing FMVSS</li> <li>• HAV interaction with roadway and infrastructure assets</li> <li>• Other issues the Secretary considers appropriate, including safeguards against misuse. [Sec. 10(c)(1) and Sec. 10(c)(2)] [Duckworth #8 (modified)] [Klobuchar #1 (modified)]</li> </ul> <p>The Secretary must begin a study within 60 days of enactment that will research the potential implications of AVs for the nation’s mobility ecosystem, infrastructure, environment, fuel</p>



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	N/A	<p>economy, public transit use, V2V/V2I, etc. The Secretary must submit this report to Congress within 18 months of enactment. [Duckworth #4 (modified)]</p> <p>Requires the Secretary to conduct a study on ways to encourage manufacturing of HAVs and related components in the United States. Secretary is then instructed to develop recommendations for methods to incentivize manufacturing HAVs in the U.S. [Udall #1 (modified)]</p>
<p><b>Section 10.</b> Rear seat occupant alert system</p>	<p>The Secretary must issue a final rule within 2 years that requires all new passenger vehicles to have rear seat occupant alert system.</p> <p>The rule must take effect on September 1 of the calendar year that begins 2 years after the date on which the rule is issued.</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>The Secretary must issue a final rule within 2 years that requires all new passenger vehicles to have rear seat occupant alert system. [Blumenthal #1]</p> <p>The rule must take effect on September 1 of the calendar year that begins more than 30 months after the date on which the rule is issued. [Blumenthal #1]</p> <p>In issuing the final rule, the Secretary shall consider additional technologies that work with add-on child restraint systems to alert the driver in addition to the vehicle based system. [Blumenthal #1]</p> <p>Adds a provision to <a href="#">23 USC 402</a> to allow states to use highway safety funding to educate the public on the risks of leaving children unattended in a vehicle. [Blumenthal #1]</p> <p>Instructs the Secretary to enter into an agreement with an independent third party to conduct research</p>

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		on rear seat occupant alert systems in the vehicle and in child restraint systems. The Secretary is instructed to submit the report from this study to Congress during the 180 day period after the final rule is issued. [Blumenthal #1]
<b>Section 11.</b> Headlamps	<p>The Secretary must complete research into developing updated FMVSS or performance requirements for motor vehicle headlamps within 2 years.</p> <p>After completing the research, the Secretary must initiate a rulemaking to revise FMVSS for headlamps if they determine that it would enhance headlamp performance or improve overall safety.</p> <p>If the Secretary determines that a revision to the headlamp standard is not necessary, they must submit a report to House Energy &amp; Commerce and Senate Commerce that describes the reasons why.</p>	Updates to FMVSS for headlamps are not required.
<b>Section 12.</b> Privacy plan required for highly automated vehicles	<p>Manufacturers cannot sell, lease, import, or otherwise introduce into interstate commerce a partially or highly automated vehicle until they have developed a written privacy plan for consumer data.</p> <p>The privacy plan must describe the manufacturers' practices for collecting, using, sharing, and storing consumer data.</p>	<p>Privacy plans are not explicitly required.</p> <p>N/A</p> <p>N/A</p>

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	<p>This process does not apply to manufacturers who alter or combine consumer information in a way that ensures the data cannot compromise their anonymity or privacy.</p> <p>The Federal Trade Commission (FTC) is instructed to conduct a study beginning 180 days after enactment that examines: which entities have access to vehicle owner or occupant data; which entities in the HAV marketplace have privacy plans and the details thereof; and what disclosures are made to consumers.</p> <p>If FTC finds manufacturers to be in violation of the requirement to develop written privacy plans during its study, the violation will be treated as an unfair or deceptive act or practice.</p> <p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>N/A</p> <p>Instructs the Secretary to establish an HAV Data Access Advisory Committee within 180 days of passage. The Committee will provide Congress with recommendations on cybersecurity issues relating to highly automated vehicles. The committee will be comprised of the USDOT Secretary (or designee) and the FTC Chairman (or designee), as well as one representative each for 17 different types of public and private entities. The committee will meet at least 4 times a year. [Inhofe #2 (modified)]</p> <p>Prohibits federal agencies from enacting regulations pertaining to ownership of, control of, or access to, information or data stored by an HAV until the</p>



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	<p>The bill includes “partially automated vehicles” with SAE Levels 2-5 automated systems.</p> <p>Does not define dedicated highly automated vehicles (dedicated HAVs).</p> <p>The Secretary is not instructed to immediately review SAE International standard J3016.</p> <p>If SAE International issues an update to J3016, the Secretary must publish a notice in the Federal Register within 90 days.</p> <p>If the Secretary decides not to accept the revised standard, the current definitions will remain in effect and the Secretary shall notify SAE of the decision.</p> <p>If the Secretary approves of the SAE revision, they are authorized to modify any necessary regulations and standards to align them with the new taxonomy and definitions.</p>	<p>This bill does not include partially automated vehicles, but focuses entirely on highly automated vehicles with SAE Levels 3-5 automated systems.</p> <p>Defines dedicated highly automated vehicles (dedicated HAVs), which are vehicles meant to be operated exclusively by a Level 4 or 5 automated driving system for <i>all</i> trips. [Sec. 2(b)(4)]</p> <p>The Secretary shall review SAE International standard J3016 to ensure that the taxonomy and definitions are “clear and objective” and may provide feedback to SAE for potential updates. [Sec. 8(b)(1)]</p> <p>If SAE International issues an update to J3016, the Secretary must publish notice of the revision in the Federal Register within 120 days. [Sec. 8(b)(2)(A)]</p> <p>If the Secretary decides not to accept the revised standard, the current definitions will remain in effect and the Secretary shall notify SAE of the decision. [Sec. 8(b)(2)(B)]</p> <p>The Secretary is instructed to use SAE J3016 definitions and is not explicitly authorized to make their own changes to the definitions. Instead, they may offer feedback to SAE. [Sec. 8(b)(1)]</p> <p>N/A</p>

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	<p>The Secretary may update SAE definitions related to automated vehicles on their own volition, <i>if</i> they determine that “materially changed circumstances regarding HAVs” have impacted motor vehicle safety and require changing the definitions.</p>	