United States Senate
WASHINGTON, DC 20510

June 15, 2022

Dr. Stephen Cliff
Administrator
National Highway Traffic Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Dear Administrator Cliff,

We are deeply troubled by data that the National Highway Traffic Safety Administration (NHTSA) released today revealing more than 500 crashes in vehicles equipped with advanced driver assistance systems (ADAS) and automated driving systems (ADS). We commend NHTSA for making this data public. Understanding the frequency and severity of crashes involving ADS and ADAS is the first step towards addressing the safety risks those systems pose. But publicizing the data alone is not enough. We urge NHTSA to use all its investigative and regulatory authorities to shed needed light on this out-of-control industry and impose guardrails to prevent more deadly crashes.

We have long voiced concerns about technologies without proven track records or proper safety features. In 2018, we wrote to automakers urging them to improve their safety practices, and more recently, we called on regulators—including NHTSA—to address the dangers posed by ADAS and ADS, especially Tesla's Autopilot and Full Self-Driving capabilities.[1]

The data that NHTSA released today demonstrates that we were right to be alarmed—documenting 392 ADAS-involved crashes.[2] Although these systems assist drivers with tasks such as steering and accelerating, as currently deployed, they still require drivers to be ready to take control of a vehicle. While we understand these technologies may bring significant mobility

[1] Office of U.S. Senator Ed Markey, "Senators Markey and Blumenthal Begin Investigation into Safety Protocol and Practices for Driverless Car Testing on Public Roads," press release, May 25, 2018, https://www.markey.senate.gov/news/press-releases/senators-markey-and-blumenthal-begin-investigation-into-safety-protocol-and-practices-for-driverless-car-testing-on-public-roads; Office of U.S. Senator Richard Blumenthal, "Blumenthal & Markey Call for In-Depth Federal Investigation, Recommendations for Automated Driving & Driving Assistance System Improvements after Deadly Tesla Crash," press release, April 22, 2021, https://www.blumenthal.senate.gov/newsroom/press/release/blumenthal-and-markey-call-for-in-depth-federal-investigation-recommendations-for-automated-driving_driving-assistance-system-improvements-after-deadly-tesla-crash.

[2] National Highway Traffic Safety Administration, "Summary Report: Standing General Order on Crash Reporting for Level 2 Advanced Driver Assistance Systems," https://www.nhtsa.gov/sites/nhtsa.gov/files/2022-06/ADAS-L2-SGO-Report-June-2022.pdf (accessed June 15, 2022).

and safety benefits in the long term, we worry that some drivers today are using the technology as a convenience feature and are placing themselves and other road users in danger. Moreover, of the 392 reported crashes, a staggering 273 occurred in Tesla vehicles.[3] This reaffirms the concerns we repeatedly raised and demonstrates the need for immediate action to ensure that all vehicles are, in fact, safe.

Publicizing this data is only a first step. NHTSA should couple this transparency with strong enforcement actions, as appropriate. We are encouraged by NHTSA's recent announcement that it will upgrade to an engineering analysis its preliminary investigation into instances in which Tesla vehicles using Autopilot crashed at first responder sites.[4] We urge NHTSA to act expeditiously, using all its enforcement and regulatory tools to prevent the irresponsible deployment of dangerous and unproven technologies on our nation's roads.

We look forward to continuing to work with you to ensure the safety of all those who use our nation's roads.

Sincerely,

RICHARD BLUMENTHAL
United States Senate

EDWARD J. MARKEY
United States Senate

[3] *Ibid.*
[4] National Highway Traffic Safety Administration, "Preliminary Evaluation (PE21-020)," https://static.nhtsa.gov/odi/inv/2022/INOA-EA22002-3184.PDF (accessed June 15, 2022).