



## National Council on Disability

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An independent federal agency making recommendations to the President and Congress to enhance the quality of life for all Americans with disabilities and their families.

September 21, 2017

The Honorable John Thune  
Chairman  
United States Senate Committee on Commerce, Science, and Transportation  
511 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Bill Nelson  
Ranking Member  
United States Senate Committee on Commerce, Science, and Transportation  
716 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson:

On behalf of the National Council on Disability (NCD) – an independent federal agency tasked with advising Congress, the Administration, and other federal agencies regarding policy matters affecting the lives of people with disabilities – I write to commend the inclusion of disability considerations in the current Senate staff discussion draft of the “AV Start Act of 2017;” to encourage the inclusion of those provisions in the legislation to be introduced; and to urge prompt consideration and markup of the bill once introduced.

In late 2015, NCD released its “Self-Driving Cars: Mapping Access to a Technology Revolution” report, which examines the challenges and advances associated with this revolution in transportation technology. Many people with disabilities are transportation disadvantaged because their disabilities prevent them from driving even a modified conventional vehicle. In our report, NCD proposes model federal legislation that seeks to ensure that autonomous vehicle technology addresses the needs of people with disabilities from the outset, while improving the safety of the nation’s roads for generations to come.

In our report, NCD recommended Congress pass legislation to preclude discrimination on the basis of disability by states or any other governmental authority in the licensing for the use of AVs. NCD strongly supports the language in the staff discussion draft that stipulates that states may not issue licenses in a manner that discriminates on the basis of disability. This language in the proposed bill is consistent with our recommendation and will help to prevent discrimination against people with disabilities.

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Another of NCD's most important recommendations to Congress in our report was to urge development of national guidelines for AV licensing at the state level so as not to impose unnecessary limitations on people with disabilities, thus limiting their ability to benefit from the technology; and to ensure that any restrictions be based on actual risks rather than unsubstantiated fears and misconceptions. Accordingly, NCD was pleased with the staff discussion draft's inclusion of the Working Group on Disability Access of the newly created Highly Automated Vehicles Technical Safety whose charge is to provide the Secretary of Transportation with recommendations for rulemaking, guidance, and policy.

We applaud the Committee and its staff for working with NCD from the very beginning of this Committee's consideration of this issue and for actively engaging with the disability community during development of the draft language. As NCD noted in our 2015 report, autonomous vehicle (AV) technology has enormous potential to alleviate the transportation disadvantages faced by many in the disability community, especially those who cannot obtain a driver's license for a conventional or even a modified vehicle. It's clear from the discussion draft that the Senate Commerce Committee recognizes this as well and is interested in ensuring that the policy landscape encourages innovation in a positive direction for people with disabilities. It is NCD's advice to this Committee that you preserve the inclusion of the disability provisions in the bill that is introduced so that people with disabilities are not in any way shut out of accessing and benefiting from this leap forward in transportation technology.

Respectfully,

A handwritten signature in black ink, appearing to read "Clyde Terry". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Clyde Terry  
Chairperson