Montana Transportation Interim Committee NHTSA Standing General Order Overview

Katie Timmons

Counsel, Autonomous Vehicle Industry Association | KMTimmons@Venable.com



The Autonomous Vehicle Industry Association

The Autonomous Vehicle Industry Association (AVIA) is comprised of the world's leading technology, ridesharing, trucking, and automotive companies. Our mission is to advance and promote the benefits of autonomous vehicles (AVs) and to support the safe and rapid deployment of these innovative and potentially life-saving technologies.





Шaabi





















Federal AV Regulation in the United States

Oversight Authority

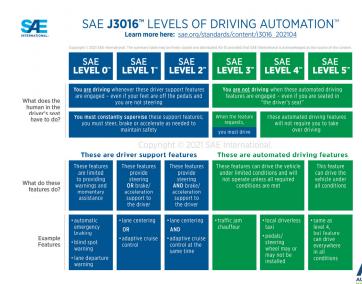
- The federal government is responsible for oversight and administering vehicle safety standards.
 - The primary regulator is the U.S. Department of Transportation:
 - National Highway Traffic Safety Administration ("NHTSA")
 - Federal Motor Carrier Safety Administration ("FMCSA")
- Under its authority under the National Traffic and Motor Vehicle Safety Act, NHTSA
 issued a Standing General Order ("SGO") in 2021 requiring certain manufacturers and
 operators of vehicles equipped with ADS or Level 2 ADAS systems to report certain
 crashes.



AV Levels of Automation

ADAS vs. ADS

- SAE Level 2 Advanced
 Driver Assistance
 Systems ("ADAS"):
 provide limited
 functionality (e.g., lane-keep assist and adaptive cruise control
 simultaneously).
- Automated Driving
 Systems ("ADS"):
 systems that perform the
 entire dynamic driving
 task



Standing General Order

Overview

- Issued in 2021 and amended in 2023, the SGO requires certain manufacturers and operators of ADS and ADAS to report certain crashes that occur while the ADS or ADAS system is engaged.
- The Order is directed at more than 100 companies.
- Information provided pursuant to the Order is made public on a monthly basis.
- Although Level 2 ADAS technology have been involved in many more incidents than ADS technology, ADS technology has more stringent requirements under the Order.

Key Requirements

- Reporting of crashes where ADS or ADAS was engaged at 30 seconds immediately prior to the crash.
- All entities must report certain more significant crashes within 24 hours. An updated report must be submitted 10 days later.
- All entities must report crashes that result in certain air-bag deployments or vehicle tow-aways within 5 calendar days.
- ADS manufacturers and operators must also report any crash that occurs on a publicly accessible road on a monthly basis.
- All entities must submit monthly reports, even if no crash occurred.



