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December 3, 2018

Mr. Finch Fulton
Deputy Assistant Secretary for Transportation Policy
Office of the Secretary
Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

**RE: Notice of Request for Comments: Preparing for the Future of
Transportation: Automated Vehicles 3.0
Notice of Request for Comments
Office of the Secretary
Department of Transportation
Docket No. DOT-OST-2018-0149**

Dear Mr. Fulton:

The Transport Workers Union of America, AFL-CIO (TWU), submits the following comments in response to the Department of Transportation (DOT) Office of the Secretary’s (OST) Notice of Request for Comments: Preparing for the Future of Transportation: Automated Vehicles 3.0 (AV 3.0). The TWU represents 150,000 workers employed across every transportation sector in America, including those who earn a living by operating and maintaining public transit buses, school and shuttle buses, and other commercial motor vehicles (CMVs). We therefore have a vested interest in this document and accompanying proceedings.

With this notice, the OST solicits feedback on AV 3.0, DOT’s recent iteration of voluntary principles intended to provide guidance to States, industry, manufacturers and others as they test and deploy Automated Driving Systems (ADS). Unlike the previous guidance upon which this document builds, AV 3.0 provides guidance for testing and deploying ADS-equipped public transportation buses and other large CMVs. AV 3.0 also makes beginning overtures toward considering how CMVs with ADS would impact today’s driving workforce.

As we have stated in previous filings with the DOT, the TWU believes this technology remains unproven and unsafe. A number of incidents have occurred when this advanced technology did not function properly, resulting in dangerous situations, including some that were fatal. It stands to reason that those dangers would be greater if public transportation buses carrying upwards of 100 passengers suffer from similar defects. Additionally, and critically, this technology could have devastating impacts on the millions of Americans employed in driving and driving-related occupations. This fact must be addressed responsibly and proactively.

Given this, the TWU has serious concerns with AV 3.0. In this new guidance, AV 3.0 adopts a hands-off policy to addressing CMVs equipped with ADS: “[t]he right approach to achieving safety improvements begins with a focus on removing unnecessary barriers and issuing voluntary guidance, rather than regulations that could stifle innovation.” Further, AV 3.0 urges States to remove “barriers” governing automated vehicle technologies and explains that DOT will consider creating exceptions to the “barriers” that remain.

This policy is misguided and dangerous. The “barriers” that AV 3.0 references are the regulations that DOT, its modal agencies, and the States put in place on the basis that they were necessary to protect public safety. While these safety standards are dismantled, no new regulations will take their place. As a result, the public will be subject to the whim of manufacturers and the industry, which may or may not adhere to the voluntary standards.

We especially are troubled by the application of this approach to the public transportation sector. AV 3.0 states that, “...FTA is not proposing a one-size-fits-all approach or providing a paper checklist for safety certification. Rather, FTA will provide transit agencies with tailored technical assistance as they develop” systems to test and deploy automated transit buses. But transit agencies differ drastically in size and scope, and we question whether they have the expertise to safely use automated transit buses. Additionally, with more than \$90 billion of transit repair projects waiting to be funded, FTA and transit agencies should focus their resources on bringing our transit systems back to a state of good repair – not experimenting with and subjecting the riding public to unregulated and potentially dangerous autonomous transit vehicles.

Further, AV 3.0 identifies the potential for automated transit vehicles to harm today’s workforce. The document acknowledges that “new, high-tech skills” will be needed to operate and maintain automated transit buses and encourages agencies to consider retraining bus operators. AV 3.0 also references the study DOT will undertake at the direction of Congress to examine how automated CMVs could impact workers.

We believe this concern must be addressed fully, proactively, and in consultation with labor. Nearly 170,000 Americans drive transit or intercity buses for a living and millions of Americans work in driving-dependent jobs. Some estimates show that between 2.2 and 3.1 million existing full- and part-time jobs may be substantially altered or eliminated due to autonomous vehicle technology. Other estimates show that more than 4 million driving jobs will be impacted.

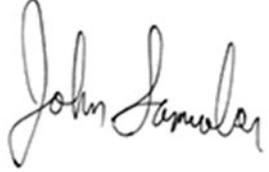
Frontline workers, such as bus operators and maintainers, are harmed especially seriously by market disruptions, such as those caused by automation. When these workers lose their jobs, they face severe and long-lasting hardships in the labor market, including higher levels of unemployment and lower labor force participation. Workers who find subsequent employment, on average, never recover the full wages and benefits they once earned.

Given the resources DOT is devoting to ADS and its work to harmonize regulations in order to facilitate the deployment of automated CMVs, it is incumbent on the federal government to address these workforce effects before they occur. This includes, but is not limited to, ensuring that workers have the skills they need to successfully interact with advanced technology systems used in their workspace.

How this advanced technology is tested and deployed, and the degree to which it will harm public safety and today’s workforce, will be determined by the deliberate policy decisions made by lawmakers. But, AV 3.0 is the wrong choice. It eliminates safety standards without setting a regulatory framework and makes no real progress toward addressing the massive worker dislocation this technology will cause. Simply, it rushes technology at the expense of workers and safety.

For the reasons mentioned above and described at length in the comments filed by the AFL-CIO's Transportation Trades Department, we urge DOT to reverse the path laid out in this document.

Sincerely,

A handwritten signature in black ink that reads "John Samuelson". The signature is written in a cursive style with a large, looped initial "J".

John Samuelson
International President