



# NHTSA issues proposal to modernize crashworthiness standards for automated vehicles

19 March 2020

On 17 March 2020, the U.S. National Highway Traffic Safety Administration (NHTSA) issued a [Notice of Proposed Rulemaking \(NPRM\)](#) to amend several crashworthiness and occupant protection Federal Motor Vehicle Safety Standards (FMVSS). While not covering all applicable FMVSS, this NPRM is a start in the effort to make way for vehicles equipped with automated driving systems (ADS) designed without traditional manual controls. Among the numerous FMVSS 200 series standards that NHTSA proposes to amend are:

- FMVSS No. 201 (Occupant protection in interior impact)
- FMVSS No. 203 (Impact protection for the driver from the steering control system)
- FMVSS No. 204 (Steering control rearward displacement)
- FMVSS No. 205 (Glazing materials)
- FMVSS No. 206 (Door locks and door retention components)
- FMVSS No. 207 (Seating systems)
- FMVSS No. 208 (Occupant crash protection)
- FMVSS No. 214 (Side impact protection)
- FMVSS No. 216a (Roof crush resistance)
- FMVSS No. 225 (Child restraint anchorage systems)
- FMVSS No. 226 (Ejection Mitigation)

NHTSA has tentatively decided that other FMVSS 200 series standards do not need revision to reflect ADS, but the agency does plan to issue a separate future notice on telltales and warnings (FMVSS No. 101) as they relate to ADS where there is no occupant in the driver's seat.

According to the NPRM, the modifications proposed “accomplish several high-level changes that span one or more of the standards,” but the agency emphasized that its purpose was to “clarify the unintentional barriers” to innovation in the FMVSS 200 series. Some issues flagged for further research include novel seating arrangements, rear seat protections, occupant seat use patterns, and traditional manual controls in dual-mode ADS-equipped vehicles.

Several of the rules NHTSA proposes to modernize are based on traditional driver seat configuration, including FMVSS No. 208 for occupant crash protection testing. As an example, FMVSS No. 208 provides different protective requirements for the left front “driver” seat than those for the right front “passenger” seat. A fully autonomous vehicle does not need a steering wheel and related apparatus so occupant protection needs for the left front seat (traditionally the driver’s seat) would more closely resemble those for the right front seat (a passenger seat). NHTSA’s proposal would allow the same occupant protection requirements for the front “passenger seat” to apply to what was the “driver’s seat” in vehicles equipped with ADS designed without traditional manual controls. The proposal would not change existing occupant protection requirements for vehicles with manual controls.

While the issuance of the NPRM is a significant development in federal action toward ADS proliferation, additional changes will be needed to adapt the regulatory structure in anticipation of an ADS future. Like NHTSA’s granting of Nuro’s exemption in February 2020, the NPRM signals the agency’s intention to continue expanding ADS coverage and will likely impact existing and future petitions for exemption from the covered FMVSS requirements. The NPRM is one of a series of proposed rulemakings under development by NHTSA to address ADS technology and remove barriers to innovate vehicle designs. The agency will take comments for 60 days from the date of publication in the Federal Register.

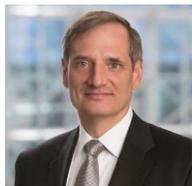
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