

[Products Liability Law Daily Wrap Up, NHTSA NEWS—MOTOR VEHICLES—NHTSA takes ‘historic first step’ to modernize occupant protection standards for self-driving cars, \(Mar. 18, 2020\)](#)

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By Susan Engstrom

The agency's proposal would remove unnecessary and unintended barriers to innovative vehicle designs.

The National Highway Traffic Safety Administration (NHTSA) issued a proposal to modernize several Federal Motor Vehicle Safety Standards (FMVSS) and clarify ambiguities in current occupant protection standards for vehicles equipped with automated driving systems (ADS) that are designed without traditional manual controls. The [Notice of Proposed Rulemaking](#) (NPRM) is limited to the crash worthiness standards and provides a unified set of proposed regulatory text applicable to vehicles with and without ADS functionality. Comments must be received on or before 60 days after the date of publication in the *Federal Register* ([NHTSA News Release](#), March 17, 2020; [85 FR 17624](#), March 30, 2020).

The proposed rule seeks to revise safety requirements and test procedures to account for the removal of manually operated driving controls in ADS vehicles. For example, the NPRM would apply frontal passenger protection requirements to the traditional driver seating position when a steering wheel is not present and would clarify the applicability of some occupant protection standards to vehicles with no occupant compartment, such as occupant-less delivery vehicles.

"With more than 90 percent of serious crashes caused by driver error, it's vital that we remove unnecessary barriers to technology that could help save lives," said Acting Administrator James Owens. "We do not want regulations enacted long before the development of automated technologies to present an unintended and unnecessary barrier against innovation and improved highway safety."

The proposal would not change existing occupant protection requirements for traditional vehicles with manual controls. According to the agency's news release, the NPRM is one of a series of regulatory actions that NHTSA is considering to further modernize vehicle standards for new technologies.

Regulations affected by the proposed rule include:

- FMVSS No. 201, *Occupant protection in interior impacts*
- FMVSS No. 203, *Impact protection for the drivers 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*

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