NOTIFICATION

Addendum

The following communication, dated 31 March 2022, is being circulated at the request of the delegation of the United States of America.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Title:** Occupant Protection for Automated Driving Systems

|  |  |
| --- | --- |
| **Reason for Addendum:** | |
| [ ] | Comment period changed - date: |
| [ ] | Notified measure adopted - date: |
| [X] | Notified measure published - date: 30 March 2022 |
| [X] | Notified measure enters into force - date: 26 September 2022 |
| [X] | Text of final measure available from[[1]](#footnote-1):  <https://www.govinfo.gov/content/pkg/FR-2022-03-30/html/2022-05426.htm>  <https://www.govinfo.gov/content/pkg/FR-2022-03-30/pdf/2022-05426.pdf>  <https://members.wto.org/crnattachments/2022/TBT/USA/final_measure/22_2458_00_e.pdf>  Effective date: 26 September 2022. Optional early compliance (i.e., prior to the effective date) is permitted. Petitions for reconsideration must be received on or before 16 May 2022. The incorporation by reference of certain publications listed in the rule was approved by the Director as of 6 February 2012. |
| [ ] | Notified measure withdrawn or revoked - date:  Relevant symbol if measure re-notified: |
| [ ] | Content or scope of notified measure changed and text available from1:  New deadline for comments (if applicable): |
| [ ] | Interpretive guidance issued and text available from1: |
| [ ] | Other: |

**Description:** TITLE: Occupant Protection for Vehicles With Automated Driving Systems

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Final rule

SUMMARY: This final rule amends the occupant protection Federal motor vehicle safety standards (FMVSSs) to account for future vehicles that do not have the traditional manual controls associated with a human driver because they are equipped with Automated Driving Systems (ADS). This final rule makes clear that, despite their innovative designs, vehicles with ADS technology must continue to provide the same high levels of occupant protection that current passenger vehicles provide. The occupant protection standards are currently written for traditionally designed vehicles and use terms such as "driver's seat" and "steering wheel," that are not meaningful to vehicle designs that, for example, lack a steering wheel or other driver controls. This final rule updates the standards in a manner that clarifies existing terminology while avoiding unnecessary terminology, and, in doing so, resolves ambiguities in applying the standards to ADS-equipped vehicles without traditional manual controls. In addition, this final rule amends the standards in a manner that maintains the existing regulatory text whenever possible, to make clear that this rule maintains the level of crash protection currently provided occupants in more traditionally designed vehicles. This final rule is limited to the crashworthiness standards to provide a unified set of regulatory text applicable to vehicles with and without ADS functionality.

DATES:

Effective date: 26 September 2022. Optional early compliance (i.e., prior to the effective date) is permitted. Petitions for reconsideration must be received on or before 16 May 2022. The incorporation by reference of certain publications listed in the rule was approved by the Director as of 6 February 2012.

This final rule is identified by Docket Number NHTSA-2021-0003. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/NHTSA-2021-0003/document> and provides access to primary documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov) by searching the Docket Number.

Petitions for Reconsideration: WTO Members and their stakeholders interested in submitting petitions for reconsideration of this final rule are asked to submit to the USA TBT Enquiry Point by or before [4pm](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et) on or before 16 May 2022. Petitions for reconsideration of this final rule received by the USA TBT Enquiry Point from WTO Members and their stakeholders by or before 16 May 2022 will be shared with the regulator by e-mail and will also be submitted to the [Docket](https://www.regulations.gov/docket/NHTSA-2021-0003/document) on Regulations.gov.

The notice of proposed rulemaking notified as [G/TBT/N/USA/1593](https://docs.wto.org/imrd/directdoc.asp?DDFDocuments/t/G/TBTN20/USA1593.DOCX) identified by Docket Number NHTSA-2020-0014. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/NHTSA-2020-0014/document> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov) by searching the Docket Number.

**\_\_\_\_\_\_\_\_\_\_**

1. This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained. [↑](#footnote-ref-1)