



DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2026-1520]

Updating and Expanding Guidance on Safe Development and Deployment of Automated Driving Systems

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

ACTION: Notice of public availability and request for public comment.

SUMMARY: NHTSA intends to issue comprehensive, updated guidance supporting the safe development and deployment of automated driving systems. The last agency guidance was published in 2017, titled *Automated Driving Systems 2.0: A Vision for Safety* (ADS 2.0). For this initiative, NHTSA will draw on its internal expertise and public feedback gathered through ongoing stakeholder engagement. NHTSA intends to release draft guidance documents on individual topics (or chapters) as they are available. The public is invited to comment on each chapter through this open docket. After reviewing public comments, the agency plans to consolidate all chapters into a final updated guidance document. The public comment period is open for one year and may be extended as necessary.

DATES: Comments must be submitted on or before July 31, 2027.

ADDRESSES:

You may submit comments, identified by the docket number at the heading of this document, by one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Suite W58-213, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: For additional information, please contact Ms. Debbie Sweet, Office of Automation Safety; Telephone: 202-366-1810; Email: debbie.sweet@dot.gov. The mailing address for this official is: National Highway Traffic Safety Administration, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590.

SUPPLEMENTARY INFORMATION:

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I. Background

In September 2016, NHTSA issued guidance titled, *Federal Automated Vehicles Policy* (FAVP), which offered best practices to guide manufacturers and other entities in the safe design, development, testing, and deployment of highly automated vehicles (HAVs). The FAVP was structured in four sections: Vehicle Performance Guidance for Highly Automated Vehicles, Model State Policy, NHTSA’s Current Regulatory Tools, and Modern Regulatory Tools. The guidance was developed after considerable input from a wide range of stakeholders and the agency continued to gather feedback on the FAVP through a public docket and public meetings.

NHTSA analyzed the docket comments, public meeting proceedings, and information from stakeholder discussions, Congressional hearings, and State activities as the foundation for its 2017 guidance, *Automated Driving Systems 2.0: A Vision for Safety* (ADS 2.0). This guidance adopted the nomenclature of Automated Driving Systems (ADS) rather than HAVs to align with the taxonomy in the SAE standard J3016, and focused on SAE Automation Levels 3-5. The vehicle guidance from FAVP was updated in a section of ADS 2.0 with a new name, Voluntary Guidance for Automated Driving Systems. The topics included in this section were streamlined into 12 priority safety design elements, eliminating three elements from FAVP that were not performance based. ADS 2.0 clarified the voluntary nature of safety self-assessments and

provided greater flexibility in how ADS entities might provide such information to the public.

ADS 2.0 also clarified the State and Federal roles through technical assistance to States, a refined version of the Model State Policy from FAVP.

In subsequent years, DOT released *AV 3.0: Preparing for the Future of Transportation* and *AV 4.0: Ensuring American Leadership*, which discussed automation across a wider range of transportation modes, and broader government coordination of automation, respectively.

However, ADS 2.0 remains the most recent NHTSA guidance on the safe and transparent development and testing of vehicles equipped with ADS.

II. Updating Guidance

Given the significant advancements in ADS technology and safety knowledge since 2017, NHTSA believes now is an appropriate time to update its technical guidance. To facilitate this update, the agency is committed to gathering broad stakeholder input that promotes the safe development and deployment of ADS-equipped vehicles, provides Federal leadership, and resolves existing industry ambiguities. Engaging with stakeholders representing a wide range of expertise will help NHTSA issue guidance that enhances safety while fostering ADS innovation.

This public docket is opened as the primary means of transparently communicating with the broader public as NHTSA develops the new guidance. The comment period is open for one year, and NHTSA will extend the comment period if necessary. Submissions to the docket will be reviewed and assessed on a continual basis.

The initial submission to the docket by NHTSA is a list of the potential draft technical chapters the agency is considering including in the new guidance. NHTSA seeks comments on the chapter topics, including whether stakeholders believe the agency should address different or additional topics. NHTSA is also seeking public input on the priority order for developing guidance chapters. NHTSA requests comments on the potential chapter topics and prioritization within 30 days of publication of this notice but will continue to monitor comments received thereafter.

NHTSA currently plans to develop a substantive document for each topic area with in-depth discussion of the technical guidance for that subject matter, which would be included as chapters in a final, collated guidance document. Guidance is not legally binding. Conformity with guidance—as distinct from existing statutes and regulations—is entirely voluntary, and nonconformity will not affect rights and obligations under existing statutes and regulations. *See* 49 U.S.C. § 30111(f); 49 CFR § 5.87.

Although the docket is the official record of drafts and comments, NHTSA intends to hold periodic public meetings to discuss technical input for an updated guidance document.

III. Request for Comment

NHTSA seeks public comment on all agency documents submitted to this docket for the duration of the open comment period. Comments on the initial document addressing proposed chapter topics are requested within 30 days of the publication of this notice.

Issued under authority delegated in 49 CFR 1.95.

Jonathan Morrison,
Administrator.