



August 26, 2026

Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue SE
West Building Ground Floor, Room W12-140
Washington, DC 20590-0001

Re: Federal Motor Vehicle Safety Standards; Modernization of FMVSS No. 135 To Accommodate ADS-Equipped Vehicles [Docket No. NHTSA–2026–0728]

The American Association of Motor Vehicle Administrators (AAMVA) thanks the National Highway Traffic Safety Administration (NHTSA) for the opportunity to comment on its Notice of Proposed Rulemaking (NPRM) to amend the requirements of Federal Motor Vehicle Safety Standard (FMVSS) 135, “Light vehicle brake systems,” for vehicles equipped with Automated Driving Systems (ADS) which do not have manually operated driving controls. AAMVA represents the motor vehicle and law enforcement administrators of the United States and Canada, whose members administer driver licensing, vehicle registration and titling, and vehicle safety enforcement on behalf of the public. State motor vehicle agencies and law enforcement interact with ADS-equipped vehicles every day, including in roadside enforcement and emergency response.

While AAMVA appreciates the agency’s proposal to update FMVSS 135 to accommodate vehicle automation technologies, AAMVA cautions NHTSA from amending the standard to allow for the removal of manual service brake controls and parking brakes for ADS-equipped vehicles given the importance of the systems in emergency situations. Discarding these mechanical controls raises significant safety concerns across all operational states, especially during times of inoperability. Historically, human-operated controls have allowed first responders to safely interact with and manipulate vehicles during emergency situations. As automated driving systems evolve, NHTSA must ensure that first responders retain the ability to control and interact with ADS-equipped vehicles under emergency circumstances using manual controls.

AAMVA recommends that NHTSA fully resolve critical operational details before continuing with amendments to this vehicle standard. NHTSA proposes requiring ADS-equipped vehicles without manually operated driving controls to have on-board systems to activate service and parking brakes. Passengers might also be provided with a control intended to signal the vehicle to stop which would be separate from the primary braking mechanism and not classified as part of the service or parking brake systems. NHTSA indicates that it “is taking no position at this time as to how a passenger should be able to direct an ADS-operated vehicle to stop, or how the ADS should respond to such direction,” depending instead on its defect authority to monitor these advancements. Permitting on-board controls as the main braking mechanism in ADS-equipped vehicles which do not have manual controls and passenger stop-mechanisms simultaneously without standardized guidelines introduces ambiguity and inconsistency, posing severe risks to public safety. NHTSA should establish concrete requirements for how these on-board systems and passenger-stop mechanisms will function together in practice before amending this standard to omit manual controls.

Furthermore, the on-board requirement for ADS-equipped vehicles “precludes the use of an external command system in which the braking signal can only be sent from outside the vehicle, rather than being directed by an on-board ADS.” AAMVA concurs that remote braking controls should not serve as the exclusive activation mechanism. Even when equipped with remote capabilities, ADS-equipped vehicles must maintain internal controls to initiate braking with priority given to manual controls in emergency scenarios. To the extent that remote operators manage any vehicle functions, AAMVA reminds NHTSA that these individuals must hold appropriate driving credentials that reflect their authority to operate a vehicle regardless of their location.

To promote innovation alongside public safety, NHTSA should modernize FMVSS 135 while preserving manual braking controls critical for passenger and first-responder emergency use. AAMVA urges NHTSA to defer continuing with amendments to this standard until critical operational parameters are established, including on-board system functionality and passenger-stop mechanism cross-functionality. Additionally, AAMVA agrees externally controlled brakes should not serve as the sole braking mechanism and emphasizes that any operator controlling an ADS-equipped vehicle remotely must meet strict credentialing standards. Thank you again for your continued efforts to advance automated technologies and ongoing commitment to safety.

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