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April 30, 2026

Mr. Peter Simshauser
Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Ave, SE
Washington, DC 20590

RE: Docket No. NHTSA-2021-0070

Dear Mr. Simshauser:

The Texas Department of Transportation appreciates the opportunity to respond to the National Highway Traffic Safety Administration's (NHTSA) Request for Comment (RFC) on their information collection activities regarding "Incident Reporting for Automated Driving Systems (ADS) and Level 2 Advanced Driver Assistance Systems (ADAS)."

As advanced vehicle technologies continue to mature, TxDOT supports practices that reinforce safety oversight while enabling innovation, including NHTSA's proposed extension of this information collection. However, the estimated burden of approximately two hours per report may be reasonable for large, established entities but may underestimate the effort required for newer or smaller entities that must coordinate across engineering, legal, and compliance functions. Similarly, assigning zero hours for training may understate the ongoing effort needed for onboarding and internal knowledge transfer as personnel and technologies evolve.

As deployments expand, the volume of incident reports (particularly for ADS) may increase. Additional clarity around a tiered reporting framework based on incident severity could help ensure attention remains focused on the most safety-critical events while avoiding unnecessary burdens. NHTSA could consider prioritizing reporting where incidents materially disrupt transportation system operations, such as when emergency response, public transit service, or rail operations are impeded, traffic flow is halted, or an autonomous vehicle (AV) must be moved by the operating company, public safety personnel, or through towing.

Further clarification regarding how NHTSA evaluates compliance with applicable guidance, reporting requirements, and safety standards would also be helpful. This could include clarifying the intent of towed-vehicle reporting where a crash does not otherwise meet covered criteria, as well as providing insight into how NHTSA assesses incidents involving failures to follow basic roadway rules or traffic control devices (e.g., failing to stop for an activated school bus stop arm). NHTSA may reconsider whether incidents in which an AV was operating outside its Operational Design Domain should be treated as potential Confidential Business Information under the current Standing General Order.

TxDOT appreciates NHTSA's continued engagement with national stakeholders and its commitment to advancing safety while refining incident reporting requirements. If you have any questions, please call me at (512) 305-9515, or you or your staff may contact Melanie Alvord, Director, Federal Affairs, at (512) 944-5135 or Melanie.Alvord@txdot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Williams".

Marc D. Williams, P.E.
Executive Director

cc: Darran Anderson, Senior Director, Strategy and Innovation
George Villareal, Director, Traffic Safety
Melanie Alvord, Director, Federal Affairs