



September 15, 2025

Mr. Nicholas J. Schilling, Jr.  
Office of Legal Policy  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

***RE: Request for Information on State Laws Having Significant Adverse Effects on the National Economy or Significant Adverse Effects on Interstate Commerce***

Dear Mr. Schilling:

Alliance for Automotive Innovation (Auto Innovators) is pleased to submit comments to the U.S. Department of Justice (DOJ) in response to its request for information on State laws that significantly and adversely affect the national economy or interstate commerce. We appreciate the Administration's clear commitment to alleviating unnecessary regulatory burdens and support this recognition that state-level laws and practices can burden commerce in other states and between states, drive up costs, and harm the U.S. market.

Auto Innovators represents the full auto industry, including the manufacturers producing most vehicles sold in the U.S., equipment suppliers, battery producers, semiconductor makers, technology companies, and autonomous vehicle developers. Our mission is to work with policymakers to realize a cleaner, safer, and smarter transportation future and to ensure a healthy and competitive auto industry that supports U.S. economic and national security. Representing over 5 percent of the country's GDP, responsible for supporting nearly 11 million jobs, and driving \$1.5 trillion in annual economic activity, the automotive industry is the nation's largest manufacturing sector.

A competitive domestic automotive industry is a prized asset among nations and a building block for any modern economy. As auto companies currently facing unprecedented geopolitical and economic pressures, government has an essential role to play in keeping the auto industry in the U.S. healthy and competitive and in a position to support the country's economic and national security going forward. This includes fostering a regulatory environment that supports automotive manufacturing and promotes the development and deployment of new and cutting-edge automotive technologies. This also includes reducing the number of state requirements that impede innovation or challenge the ability of auto companies to deploy these technologies across state lines.

**Vehicle Design, Construction, and Performance Requirements**

For several reasons, the design, construction, and performance of vehicles has been traditionally regulated by the federal government. First, there has been widespread recognition that it is inefficient and impractical to require automakers to make different vehicles for different states. Second, there has been an acknowledgement that consumers frequently drive vehicles across state lines and that

conflicting state equipment laws would challenge the ability of consumers to continue to do so. Third, there has been an appreciation for the high level of technical expertise required to develop these standards and a recognition that state regulators do not typically have this required level of expertise. Fourth, due to the additional cost that vehicle equipment requirements impose on consumers and automakers, historically there has been support for such decisions being made in a deliberate and data-driven manner by a central regulator.

However, in recent years, we've witnessed an increase in interest among state policymakers in pursuing and imposing state-specific vehicle equipment requirements. For example:

- In 2024, California and New York each implemented distinct vehicle equipment requirements to protect domestic violence survivors. Specifically, California enacted a law that required auto manufacturers to install technology on all new vehicles that “clearly indicate[s] to a person who is inside the vehicle when a person who is outside the vehicle has *accessed* (emphasis added)” a connected vehicle service or connected vehicle location access. The California law also required auto manufacturers to install a mechanism in all new vehicles that can be used by a driver who is inside a vehicle to “immediately disable connected vehicle location access.” The New York law differs from the California law and instead requires auto manufacturers to provide a “notification inside of a vehicle that is installed with any connected vehicle service that shows when such service is *enabled* (emphasis added) and inform the driver on how to disable or modify the settings for a connected vehicle service.” In addition to creating confusion for domestic violence survivors, these differing equipment requirements impose unnecessary costs on and compliance complexity for auto manufacturers.

Auto Innovators is concerned about the potential misuse of connected vehicle services to stalk or harass domestic violence survivors. In fact, we believe that protections for domestic violence survivors, including any vehicle equipment requirements, should be universally available to domestic violence survivors in all states. With input and guidance from three influential domestic violence organizations, Auto Innovators drafted a legislative proposal that would enable survivors to quickly terminate or disable an abuser's access to a vehicle's connected services, even if the abuser is the account holder. In March of this year, Representative Dan Crenshaw (R-TX) and Representative Debbie Dingell (D-MI) introduced the proposal as the *Safe Vehicle Access for Survivors Act*. Auto Innovators supports enactment of this proposal.

- Over the last dozen years, we've seen many states move forward with developing and implementing regulatory frameworks for autonomous vehicles (AVs). This emerging patchwork of state AV regulatory frameworks has the potential to slow AV deployment across state lines and harm the global competitiveness of the auto industry in the U.S. Of particular concern are state equipment laws that have been included or proposed as part of these AV regulatory frameworks. For example, we've seen provisions that require or propose to require auto manufacturers to install certain vehicle data recording capabilities, two-way communication functionality, and external indicators.

Auto Innovators has long advocated for a federal regulatory framework for AVs. Specifically, we propose that the Department of Transportation update federal motor vehicle safety standards to accommodate AVs and consider new vehicle safety standards for automated driving systems (ADS) that, among other things, explicitly define the ADS as the driver when engaged and permit the nationwide use of ADS marker lamps. While the Department is updating and developing such standards, a halt in state AV regulatory frameworks – specifically with respect to any design, construction, or performance requirements – would be appropriate.

In addition, the decentralization of traffic law development has created significant challenges for AV developers. AV developers must consistently interpret and translate each state’s traffic laws into the system’s programming and capture even the slightest differences. A framework that provides or incentivizes uniformity of state traffic laws and regulations would not only benefit AV development, but also any road user who crosses state lines.

- In 2020, a ballot measure was approved in Massachusetts that requires auto manufacturers to equip vehicles sold in the state with a standardized, non-proprietary, open access telematics platform. In 2023, a ballot measure was also approved in Maine that required auto manufacturers to provide standardized access to the on-board diagnostic systems of vehicles. The ballot measures were introduced and promoted under the pretense of automotive right-to-repair but produce significant and problematic security and safety risks.

Auto Innovators supports the enactment of a comprehensive, consumer-focused right-to-repair law that empowers consumers and guarantees that vehicle owners can have their vehicles repaired safely and securely at the repair shop of their choosing. In collaboration with the collision and repair community, Auto Innovators has drafted and is advocating for the *SAFE Repair Act*. The legislation would preserve parity between franchised dealers and independent repair facilities in being able to perform diagnostic and repair services on vehicles and provide additional protections to consumers seeking to obtain safe and proper vehicle repairs.

### **Consumer Privacy**

A national preemptive privacy law that provides consistent consumer rights and compliance responsibilities across all U.S. jurisdictions would benefit consumers by creating clear privacy rights and protections for all Americans, not just those who live in states that have enacted privacy laws. A federal law could help more consumers understand which data are being collected, when, for which purpose, and with whom they are being shared. It could also lead companies to streamline their privacy disclosures and practices, helping consumers better understand and exercise their rights. Most importantly, a federal law would promote consumer confidence that their privacy is being safeguarded, data is being used appropriately, and that companies will be held accountable if they fail to comply with the law.

Importantly, a federal privacy law would help address the significant uptick in comprehensive privacy laws implemented by states in recent years. Although many of these existing state laws are generally aligned in terms of philosophy and structure, they often differ in meaningful ways that create significant compliance challenges for regulated entities that provide products or services at the national level. For example, state privacy laws may differ in terms of the rights afforded to individuals, controller and processor obligations, how ‘sensitive data’ are defined and treated, approaches to children’s privacy, the stringency of data minimization requirements, restrictions on data sharing or sales, and whether certain entities or activities are fully or partially exempted. The Maryland Online Data Privacy Act, for example, represents an extreme example of the significant ramifications of this state patchwork. The net effect of Maryland’s strict data minimization law may require auto companies to create products and services specific to Maryland consumers. Such a requirement would be in addition to significant resources companies must divert and expend to assess, navigate, and comply with today’s complex and ever-changing legal landscape. The need to comply with numerous divergent state privacy regimes can also force companies to limit their product or service offerings, thereby diminishing consumer choice. These divergent and, in some cases, conflicting privacy laws have prompted confusion for consumers and created unnecessarily challenging compliance burdens for companies.

### **Vehicle Emissions and Other Environmental Standards**

Auto manufacturers are subject to greenhouse gas emissions and fuel economy regulations from three federal agencies and California. To provide regulatory certainty, Auto Innovators supports one national program for fuel economy and CO<sub>2</sub> emissions. In furtherance of that goal, to the maximum extent possible, policymakers should ensure alignment and compatibility between federal and state regulation in this space.

In addition to vehicle emissions standards, there are several states that have implemented or are looking to implement other environmental-related laws. These include laws related to the use of some chemicals, battery recycling, climate-related data reporting, and prohibitions or restrictions on hydrogen vehicles in tunnels. These laws have the potential to restrict vehicle availability in these states and should be carefully considered.

Auto Innovators welcomes the opportunity to provide input into DOJ on State laws that significantly and adversely affect the national economy or interstate commerce. We look forward to continuing to work with DOJ on laws that preserve the health and competitiveness of the auto industry in the U.S.

Sincerely,



Hilary M. Cain  
Senior Vice President of Policy