March 9, 2020

Ms. Marlene Dortch
Secretary, Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Use of the 5.850-5.925 GHz Band Proposed Rulemaking- 85 FR 6841

The undersigned bicycling and walking organizations thank you for the opportunity to provide comments on the Federal Communications Commission (FCC) proposed rule on "Use of the 5.850-5.925 GHz Band (FCC 19-129)." Our organizations work to promote bicycle friendly and pedestrian friendly communities for everyone, and we believe that ensuring safe streets requires a safe systems approach that includes fast and immediate communication through V2X technology.

Bicyclist and pedestrian fatalities are on the rise, both in real numbers and as a percentage of overall fatalities. Currently one in every five roadway fatalities are a bicyclist or pedestrian. We are twenty percent of fatalities even though we make up twelve percent of transportation trips. Despite vulnerable user safety being identified as a priority by Congress, state Departments of Transportation, and the U.S. Department of Transportation, we have not been able be turn the tide.

We believe that a safe systems approach is one that is "designed to anticipate and accommodate errors by drivers and other road users" and "designed to reduce or eliminate opportunities for crashes resulting in forces beyond human endurance." [1] Vehicle-to-everything (V2X) technology can be an incredible tool as part of a safe systems approach. For instance, it can:

- Provide a warning to a driver in low light conditions, when many bicyclists and pedestrian are hit due to poor visibility;
- Provide a warning to a driver when line of sight is obscured, such as on a windy road or when there are parked cars obscuring a crossing;
- Provide a notification to infrastructure to improve signal timing, providing time for a person biking or walking to safely cross an intersection; and
- Improve the operation of advanced safety features, such as Forward Collision Warning, Automated Emergency Braking, Blind Spot Detection, or Intelligent Speed Assistance by providing real-time information to vehicle systems.

Taking away the majority of the 5.850-5.925 GHz (5.9 GHz) spectrum available for V2X technologies threatens to undermine the ability of these technologies to function. Each of the V2X applications discussed above require uninterrupted high-speed communications and any delay or increase in latency of communications could result in a crash.

[1] Institute of Transportation Engineers, Safe Systems Explanation. Available at https://www.ite.org/technical-resources/topics/safe-systems/

Expert analysis has determined that the reduction in spectrum available for V2X suggested by the FCC does not leave enough spectrum for V2X technologies and would likely cause significant interference with V2X technologies operating in the remaining 30 MHz of spectrum. Analysis by the United States Department of Transportation (USDOT) determines that such an increase in signal interference could render the remaining 30 MHz useless for V2X collision-avoidance applications.[2]

In addition to the threat of interference, V2X applications designed to use 75 MHz of spectrum cannot be compressed to operate in only 30 MHz. A report by USDOT anticipates that this cut in available spectrum would result in the loss of V2X applications, including crash avoidance which could lead to a loss of life for pedestrians and bicyclists.[3]

We oppose any action that would place commercial interests above safety on our roadways. The FCC's proposed rule would permit unlicensed devices to operate in the lower 45 megahertz (MHz) portion of the band at 5.9 GHz, which is likely to undermine safety.

Conclusion

Thank you for the opportunity to comment. The undersigned organizations support maintaining the current 75 MHz allocation for transportation communications in the 5.9 GHz band in order to preserve the promise and functionality of V2X technologies. We oppose any action to reallocate spectrum away from transportation communications without clear evidence that such an action will not negatively impact present and future V2X capabilities.

Thank you for your consideration. Please direct any questions or concerns to Caron Whitaker at caron@bikeleague.org.

Sincerely,

League of American Bicyclists	Washington, DC
East Coast Greenway	North Carolina
Bicycle Advocacy of Central Arkansas	Arkansas
Calif. Assoc. of Bicycling Organizations	California
San Diego County Bicycle Coalition	California
BikeWalkSolana	California

[2] Concerns with Draft FCC NPRM: Use of the 5.850-5.925 GHz Band [ET Docket No. 19-138], USDOT Spectrum Team, December 5, 2019. Available at: https://www.transportation.gov/sites/dot.gov/files/docs/research-and-technology/359811/preliminary-technical-assessment-fcc-59-ghz-nprm-05dec2019-final.pdf

[3] Concerns with Draft FCC NPRM: Use of the 5.850-5.925 GHz Band [ET Docket No. 19-138], USDOT Spectrum Team, December 5, 2019. Available at: https://www.transportation.gov/sites/dot.gov/files/docs/research-and-technology/359811/preliminary-technical-assessment-fcc-59-ghz-nprm-05dec2019-final.pdf

Florida Bicycle Association	Florida
Georgia Bikes	Georgia
Treasure Valley Safe Routes to School Program	Idaho
Ride Illinois	Illinois
Friends of Cycling in Elk Grove	Illinois
Bicycle Indiana	Indiana
Bicyclists of Iowa City	Iowa
MassBike	Massachusetts
Bicycle Alliance of Minnesota	Minnesota
Missouri Bicycle & Pedestrian Federation	Missouri
BikeWalkKC	Missouri
New Jersey Bike & Walk Coalition	New Jersey
Law Office of Diane Albert	New Mexico
Long Island Streets Inc	New York
Po Campo Company	New York
Transportation Alternatives	New York
Bike Cleveland	Ohio
Bicycle Coalition of Greater Philadelphia	Pennsylvania
Bike Pittsburgh	Pennsylvania
Palmetto Cycling Coalition	South Carolina
Walk/Bike Nashville	Tennessee
Local Motion	Vermont
Virginia Bicycling Federation	Virginia
Cascade Bicycle Club	Washington
West Virginia Connecting Communities	West Virginia
Wyoming Pathways	Wyoming