March 9, 2020

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

Re: Use of the 5.850-5.925 GHz Band
ET Docket No. 19-138
FCC 19-129
FRS 16447

NAFA Fleet Management Association appreciates the opportunity to submit written comments to the Federal Communications Commission ("FCC") in response to the Commission's Notice of Proposed Rulemaking ("NPRM") to amend its rules for the use of the 5.850-5.925 GHz (5.9 GHz) band.

NAFA is opposed to the FCC's proposal to permit unlicensed devices to operate in the lower 45-megahertz portion of the 5.9 GHz band, while only reserving the upper 30-megahertz for exclusive use in Intelligent Transportation System (ITS) operations. NAFA requests that the full 5.9 GHz band be preserved for ITS operations, such as Cellular Vehicle to Everything (C-V2X) devices and Dedicated Short Range Communications (DSRC).

NAFA is the world's premier not-for-profit association for professionals who manage fleets of sedans, law enforcement vehicles, trucks, and buses of all types and sizes, and a wide range of military and off-road equipment for organizations across the globe. NAFA is the association for the diverse vehicle fleet management profession regardless of organizational type, geographic location, or fleet composition. NAFA's Regular and Associate Members are responsible for the specification, acquisition, maintenance and repair, fueling, risk management, and remarketing of more than 4.6 million vehicles, including over 1.6 million trucks.

Vehicle-to-Everything (V2X) technologies are a critical component of ITS operations that aid in preventing and mitigating roadway crashes. V2X communications can enable vehicles and other road users to communicate in real-time with each other and the surrounding infrastructure and coordinate traffic and avoid collisions, thus saving lives and reducing congestion. NAFA believes these technologies present a significant opportunity to go beyond managing the risk associated with operating a motor vehicle through policy, by actively mitigating risks through the avoidance of operator error. The National Highway Traffic Safety Administration (NHTSA) estimates this technology has
the potential to intervene and help prevent up to 80% of all non-impaired light vehicle crashes, saving thousands of lives.

This NPRM is short-sighted in that as proposed, it will fundamentally jeopardize and impede the development and deployment of these advanced vehicle safety technologies. These technologies have the potential to reap both social and economic benefits many magnitudes above what is forecasted to be gained through the opening of up a portion of the 5.9 GHz band for unlicensed use.

The FCC's contention that ITS operations are being deployed too slowly within the 5.9 GHz band is at odds with the expected outcome of the NPRM. Recent technical assessments of the FCC's NPRM from the U.S. Department of Transportation ("DOT") do not support FCC's assertion in paragraph 10 that "designating 30 megahertz of spectrum will be sufficient to support ITS-related functions in the 5.9 GHz band". The DOT expects that the shift proposed in the NPRM could defer accident reduction for another five years.

It would be worthwhile for the FCC to undertake a rigorous analysis of the potential transportation public safety costs associated with such a delay. In the past, NHTSA calculated that the total cost related to the economic and societal harm from motor vehicle crashes amounted to $836 billion in a single year. The study relied on data collected from 2010, a year in which 32,999 people were killed in motor vehicle crashes. In 2018, 36,560 people died in motor vehicle traffic crashes on U.S. roadways. Even the high-end estimates for the potential gains from unlicensed use of the full 75-megahertz of the 5.9 GHz band do not outweigh the likely possible cost of motor vehicle crashes if V2X technology deployment is delayed.

Additionally, the FCC's proposal would be expected to upend essential V2X deployments taking place today. There are currently 123 planned or operational connected vehicle deployment locations in the U.S., with more than 18,000 vehicles

1 Proposed rule would mandate vehicle-to-vehicle (V2V) communication on light vehicles, allowing cars to 'talk' to each other to avoid crashes, NHTSA, December 13, 2016. Available at: https://one.nhtsa.gov/AboutNHTSA/PressReleases/ci.nhtsa_v2v_proposed_rule_12132016.print
4 The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised), NHTSA, May 2015. Available at: https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812013
5 2018 Fatal Motor Vehicle Crashes: Overview, NHTSA, October 2019. Available at: https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812826
deployed with aftermarket V2X communications devices, and over 6,000 infrastructure V2X devices having been installed at the roadside in 25 states.\(^7\) The DOT is currently engaged in 5.9 GHz band testing activities that are focused on ensuring spectrum availability with no harmful interference.\(^8\) This testing has already produced valuable insights the FCC should consider regarding its NPRM, such as the recent finding that interference will occur when DSRC, LTE-CV2X, and unlicensed Wi-Fi (UNII) are positioned in adjacent channels.\(^9\) These findings are alarming, given the potential impact the FCC proposal could have on the reliability of V2X communications in this configuration.

Any reallocation or band clearing for unlicensed use should be delayed until DOT/FCC testing evaluating whether sharing between unlicensed usage and V2X may be accomplished without harmful interference is concluded. NAFA firmly holds the position that a proposal to prioritize faster Wi-Fi and revenues for the broadband industry over the lives of the American public would be intrinsically misguided and harmful.

Safety is a significant issue for fleet managers. In the business world, safe driving means fewer crashes, lower insurance premiums, and the use of less fuel, but it also means the protection of a company’s greatest assets – its employees. NAFA and its members have always understood the far-reaching implications vehicle crashes can have as fleet vehicles interact with the other vehicles on the road. For the general welfare of employees and those with whom they share the road, safety and risk management are a must.

We appreciate your consideration and look forward to being a part of this important process. If you have any questions or need additional information, please feel free to contact me or Patrick O’Connor (patoconnor@kentoconnor.com), NAFA’s U.S. Legislative Counsel, at (703) 351-6222.

Sincerely,

Bill Schankel, CAE
Interim Chief Executive Officer

---

\(^7\) Preserving the 5.9GHz Safety Band for Transportation, U.S. DOT Intelligent Transportation Systems Joint Program Office, February 21, 2020. Available at: https://www.transportation.gov/research-and-technology/preserving-59ghz-safety-band-transportation-
