July 7, 2016

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

Re: ET Docket No. 13-49, Comments of National Safety Council to Refresh the Record on Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band

Dear Ms. Dortch:

The National Safety Council (NSC) appreciates the opportunity to respond to the Federal Communications Commission (FCC) Public Notice dated June 1, 2016 (FCC 16-68) (the "PN") to update and refresh the record on the use of unlicensed national information infrastructure (U-NII) devices in and near the 5.9 GHz band designated for Dedicated Short Range Communications (DSRC). NSC believes the Commission should preserve the 5.9 GHz band and its channelization as designed for DSRC safety of life benefits and mobility applications. Any sharing protocol must work around DSRC applications and thorough testing must be done to determine that the protocol is safe before sharing is allowed. Rechannelization of the 5.9 GHz band will negatively impact the safety benefits and rollout of DSRC.

NSC is a 100-year-old nonprofit safety organization whose mission is to save lives by preventing injuries and deaths at work, in homes and communities and in transportation through leadership, research, education and advocacy. NSC advances this mission by working with businesses, government agencies, elected officials and the public on the leading causes of preventable injuries and deaths, with a focus on distracted driving, teen driving, workplace safety, prescription drug overdoses and Safe Communities. Our more than 13,000 member companies have more than 50,000 U.S. worksites.

The National Safety Council is committed to eliminating preventable deaths in our lifetime. Today, unintentional injuries are the fourth-leading cause of death in the United States. Motor vehicle crashes are the leading cause of unintentional death for people from 3 to 25 years of age, and they are a leading killer in all age groups.[1] If we are to eliminate preventable deaths in our lifetime, it cannot be done without massive, near-term gains in highway safety. If safety technologies that can prevent crashes are accelerated into the fleet, more lives can be saved. NSC believes advanced vehicle technology, up to and including fully autonomous vehicles, can provide many societal benefits. However, the most important contribution of this technology is its potential to greatly reduce the number of fatal crashes on our roadways. DSRC enabled vehicles are an important part of this goal.

1. **DSRC is an essential and unique technology for safety of life Vehicle-to-Vehicle (V2V), Vehicle-to-Infrastructure (V2I) and Vehicle-to-Pedestrian (V2P) communications.**

The National Highway Traffic Safety Administration (NHTSA) analyses show that DSRC-based connected vehicle technology could address approximately 80% of the crash scenarios involving

[1] National Safety Council, Injury Facts 2016

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non-impaired drivers. However, the spectrum band this technology uses must be fully available for DSRC communications.

NHTSA is moving forward with a notice of proposed rulemaking to create a new Federal Motor Vehicle Safety Standard (FMVSS) that will require all new vehicles to be equipped with DSRC technology, which is currently under review by the Office of Management and Budget. Government and private sector testing of this technology has been rigorous in support of the NHTSA rulemaking.

2. **DSRC is being deployed this year after years of rigorous research, development and testing to ensure safety in all situations.**

The auto industry and the Department of Transportation have conducted extensive research showing the significant safety benefits of V2V. Through various testing regimes, standard-setting regimes and large-scale pilots, they have also established the best ways for vehicles on the road to exchange and impart information and the best ways for V2V to operate in the field, which includes seven 10 MHz wide channels that accommodate the requirement for very low latency, stability and reliability. The first passenger vehicle deployments will begin this year and the ability to retrofit DSRC devices on older cars in the fleet will greatly increase the technology's penetration rate

We appreciate the testing that you will do to determine if sharing the spectrum can be done safely with other users. The FCC must protect the 5.9 GHz band to capitalize on all the investment (both private and government), research, development, testing and progress. Sharing of the spectrum should not be allowed unless it can be demonstrated that this will not interfere with or negatively affect the safety of life functions of DSRC.

Today, we have millions of drivers behind the wheel, spend millions of dollars on education and enforcement campaigns and recognize billions in economic losses as a result of crashes. The National Safety Council estimates 38,300 highway deaths in 2015 and 4.4 million injuries. Operating a motor vehicle remains one of the deadliest things we do on a daily basis in spite of safer vehicle designs and record-setting seat belt use rates across the nation.

V2X has the potential to prevent thousands of highway crashes, but it can only work if the dedicated spectrum is available. Please maintain 5.9 GHz for this important safety purpose.

Sincerely,

Deborah A.P. Hersman
President & CEO

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