



July 8, 2021

The Honorable Brandon M. Scott
Mayor, City of Baltimore
Office of the Mayor
250 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

RE: Auto Industry Concerns with Ordinance 21-0001 on Facial Recognition Technology

Dear Mayor Scott:

The Alliance for Automotive Innovation¹ (Auto Innovators) is writing to express concerns with Ordinance 21-0001, which limits almost all uses of facial recognition technology. Under this ordinance, several beneficial uses of facial recognition in automotive technology will be prohibited. This includes technologies that allow parents to set controls for new drivers, such as limits on speed or volume, and provide for personalization of the driver experience by enabling seats, mirrors, climate controls, and radio stations to adjust automatically to a driver's preferred settings as he or she enters the vehicle. While these technologies may recognize the face of a particular user and may be capable of distinguishing one user from another user, they are not intended to identify specific individuals and cannot be used for surveillance purposes. As a result, they should not be captured by a surveillance-focused ban.

In addition, due to the broad definition of facial surveillance, the ordinance may unintentionally prohibit the use of important safety technologies in vehicles that may rely on facial detection capabilities. This includes advanced driver assistance systems or automated driving systems to detect pedestrians and other vulnerable road users for collision avoidance purposes, technologies that help prevent pediatric heatstroke by detecting children that may have been left in a vehicle, and technologies that warn drivers who may be distracted, drowsy, or otherwise inattentive and not paying sufficient attention to the driving environment. For this reason, Auto Innovators strongly cautions against defining "facial surveillance" so broadly that it would capture facial detection technologies. Rather than focusing on technology that "assists in identifying or verifying an individual based on the physical characteristics of an individual's face," Auto

¹ Focused on creating a safe and transformative path for sustainable industry growth, the Alliance for Automotive Innovation represents the manufacturers producing nearly 99 percent of cars and light trucks sold in the U.S. The organization, a combination of the Association of Global Automakers and the Alliance of Automobile Manufacturers, is directly involved in regulatory and policy matters impacting the light-duty vehicle market across the country. Members include motor vehicle manufacturers, original equipment suppliers, technology and other automotive-related companies and trade associations. The Alliance for Automotive Innovation is headquartered in Washington, DC, with offices in Detroit, MI and Sacramento, CA. For more information, visit our website <http://www.autosinnovate.org>.

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Innovators recommends focusing instead on technologies “designed and used to analyze human facial features for the unique personal identification of an individual.”

While the U.S. has historically exhibited leadership in cutting-edge advanced technology that are helping to transform how we live and work, prohibitions on certain technology like the one contained in Ordinance 21-0001 will be a barrier to the U.S. being a pioneer and developer of key safety and mobility technologies that can help reduce or prevent the 94% of motor vehicle crashes that the U.S. DOT attributes to human error.

Moreover, automated vehicles (AVs) have the potential to help expand mobility access. For example, many people are unable to drive due to physical disabilities or advanced age, which challenges their ability to live an independent life and to get to and from work or to health care appointments. AVs can help meet these mobility needs for millions of Americans, ease congestion and gridlock, increase economic opportunities, and reduce environmental impact. We will not achieve these promises should these types of technology bans be put in place.

We ask that you not approve the ban on this technology and thank you for your consideration of Auto Innovators’ position. Please do not hesitate to contact me at jfisher@autosinnovate.org or 202-326-5562, should I be able to provide any additional information.

Sincerely,



Josh Fisher
Director, State Affairs
Alliance for Automotive Innovation

CC: City Council Members