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Docket: BIS-2015-0016
Revisions to the Export Administration Regulations (EAR): Control of Fire Control, Range Finder, Optical, and Guidance and Control Equipment the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

Comment On: BIS-2015-0016-0003
Export Administration Regulations: Control of Fire Control, Laser, Imaging, and Guidance and Control Equipment, etc.

Document: BIS-2015-0016-DRAFT-0023
Comment on FR Doc # 2016-03182

Submitter Information

Name: David Stanley
Organization: Toyota Motor Engineering & Manufacturing North America

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General Comment

See attached file(s)

1. Update ECCN 6A008 to Exclude Civil Automotive LIDAR

Currently, the Note at ECCN 6A008 excludes "Civil Automotive Radar." Partially as a result of this exclusion, radar technology has been adapted for automotive collision avoidance and is now a common feature on production automobiles.
Today, LIDAR systems are the next generation of automotive collision avoidance and are readily available overseas. TEMA believes that updating 6A008 to exclude "Civil Automotive LIDAR" would be consistent with the current Note and with BIS policy of not restricting technologies that are readily available abroad.
TEMA therefore recommends that the Note at 6A008 be revised as follows:
"6A008 does not control Civil Automotive Radar or LIDAR."

2. Update ECCN 6A002 and 6A003 to Exclude Civil Automotive Infrared Focal Plane Array Systems.

To be effective for civil collision avoidance, a LIDAR system must have the capability to detect and track distant objects in real time. To do so, a LIDAR needs high spatial resolution and wide

coverage in a short time period (fast update rate) while the vehicle is in motion. An infrared focal plane array ("IRFPA") is uniquely capable of achieving this performance by using time-of-flight ("TOF") to instantaneously create a 3D depth map.

Currently, however, many of these IRFPA systems are controlled under 6A002 and 6A003. TEMA accordingly suggests exempting civil automotive IRFPA systems from control under 6A002 and 6A003. Doing so would be consistent with exemptions of other technologies on the CCL when used for civil automotive application and would help assure that the research and development of automotive collision avoidance systems is not hindered.

TEMA requests the addition of the following note to ECCNs 6A002 and 6A003:

"6A002 [6A003] does not control Civil Automotive Infrared Focal Plane Array Systems."

Attachments

TEMA Comments to Revisions to EAR re LIDARS (RIN 0694-AF75) Signed

TOYOTA

Toyota Motor Engineering & Manufacturing North America
25 Atlantic Avenue
Erlanger, KY 41018-3151

March 28, 2016

Kevin J. Wolf
Asst. Secretary of Commerce
for Export Administration
Regulatory Policy Division
Bureau of Industry and Security
U.S. Department of Commerce, Room 2099B
14th Street & Pennsylvania Avenue NW
Washington, DC 20230

RIN: 0694-AF75
Re: Public Submission Concerning Proposed Revisions to EAR
Fire Control, Laser, Imaging, and Guidance and Control Equipment

Dear Mr. Wolf,

In reference to RIN 0694-AF75, Toyota Motor Engineering & Manufacturing North America, Inc. ("TEMA"), an U.S. affiliate of Toyota Motor Corporation of Japan, hereby submits its comments with regard to the referenced proposed rule change (hereinafter "Proposed Rule"). The proposed rule should be revised.

Toyota engages in automotive safety research and is interested and invested in LIDAR and infrared focal plane array ("IRFPA") technologies for reducing traffic accidents and fatalities. We feel that the proposed rule should be modified to clarify that LIDAR and Infrared Focal Plane Array Systems designed for Civil Automotive application should be excluded from control under 6A008, 6A002 and 6A003.

1. Update ECCN 6A008 to Exclude Civil Automotive LIDAR

Currently, the Note at ECCN 6A008 excludes "Civil Automotive Radar." Partially as a result of this exclusion, radar technology has been adapted for automotive collision avoidance and is now a common feature on production automobiles.

Today, LIDAR systems are the next generation of automotive collision avoidance and are readily available overseas. TEMA believes that updating 6A008 to exclude "Civil Automotive LIDAR" would be consistent with the current Note and with BIS policy of not restricting technologies that are readily available abroad.

TEMA therefore recommends that the Note at 6A008 be revised as follows:
"6A008 does not control Civil Automotive Radar or LIDAR."

dstanley Monday, March 28, 2016

2. Update ECCN 6A002 and 6A003 to Exclude Civil Automotive Infrared Focal Plane Array Systems.

To be effective for civil collision avoidance, a LIDAR system must have the capability to detect and track distant objects in real time. To do so, a LIDAR needs high spatial resolution and wide coverage in a short time period (fast update rate) while the vehicle is in motion. An infrared focal plane array ("IRFPA") is uniquely capable of achieving this performance by using time-of-flight ("TOF") to instantaneously create a 3D depth map.

Currently, however, many of these IRFPA systems are controlled under 6A002 and 6A003. TEMA accordingly suggests exempting civil automotive IRFPA systems from control under 6A002 and 6A003. Doing so would be consistent with exemptions of other technologies on the CCL when used for civil automotive application and would help assure that the research and development of automotive collision avoidance systems is not hindered.

TEMA requests the addition of the following note to ECCNs 6A002 and 6A003:

"6A002 [6A003] does not control Civil Automotive Infrared Focal Plane Array Systems."

3. Point of Contact

If you require additional information, please contact Mr. Corey Stewart, who is authorized to interact with the U.S. government on TEMA's behalf, as follows:

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Thank you for the opportunity to comment on the proposed rule. Please let us know if we can be of any assistance as you consider this important matter.

Respectfully Submitted,

David Stanley
Manager – Trade Compliance
Logistics Control
Parts Business Management