



Technical Review Documentation:

Invitation to Participate in Technical Review and Party

Letter

Delray Beach, FL.

HWY19FH008

(8 pages)

From: [Harley Sheryl](#)
To: [Doerr, Christopher P](#)
Subject: Technical Review
Date: Wednesday, September 18, 2019 3:59:00 PM
Attachments: [Tech Review Letter-Investigator Doerr PBSO.docx](#)

Good Afternoon,

As per our previous conversation, I am inviting the Palm Beach County Sheriff's Office to participate in the Technical Review of the drafted factual reports regarding the Delray Beach crash investigation. Instructions on how to access the documents are provided in the attached letter. For ease of reviewing, the factual reports have been lined and additional spacing added. You have the option to make corrections directly on the report and resubmitted it or send an email citing page and line number and proposed changes to the text. We will respond back to you regarding your comments and revisions. We would like any revisions or additions you want to make provided to us by October 4th. We realize that you are extremely busy so if you need additional time, please let me know. During the Technical Review, reports are in draft form and can only be provided internally to individuals involved in the investigation. They cannot be released to the public until the information is checked and the reports are finalized. We will let you know before the reports are released to the public. Thank you.

Sheryl



National Transportation Safety Board

Washington, D.C. 20594

Office of Highway Safety

September 18, 2019

Investigator Christopher Doerr
Palm Beach County Sheriff's Office
Vehicle Homicide Investigations/Violent Crimes Division
3228 Gun Club Road
West Palm Beach, Florida 33406

Re: Fatal Collision between Commercial Motor Vehicle and Electric-powered Passenger Car,
Delray Beach, Florida.

Investigator Doerr,

The NTSB's draft Factual reports and attachments for the above referenced investigation are ready for your technical review and comment. The purpose of the technical review is to verify the accuracy and completeness of the factual information. As a party to the investigation, please review the documents and ensure that the information contained within is accurate to the best of your knowledge. In addition to any comment you may have on the draft reports, please also indicate whether you believe any additional information is needed to complete the factual record. The reports are in draft form and are not available for release to the public.

Your technical review should focus on the factual comments only, and not analysis of the case. After the technical review, you may send in a party submission where you offer your analysis, including proposed conclusions, probable cause and recommendations, if you so choose. When you submit your technical review comments, please notify me if you plan to have a party submission as well.

To access the documents, login to the National Transportation Safety Board Secure File Sharing website using your email and established password. Navigate to the "Tech Review" folder where there are (8) separate factual reports for your review. There are also subfolders of corresponding attachments and photographs that are referred in the factual reports for your review. A summary of the documents is provided on the following page.

Sincerely,

Sheryl Harley, IIC

1. Crash Summary Report
2. Highway Factors Group Chairman Factual Report
 - Highway Factors Attachments (4)
 - Highway Factors Photographs (2)
3. Human Performance Group Chairman Factual Report
 - Human Performance Attachments (5)
4. Motor Carrier Factors Group Chairman Factual Report
 - Motor Carrier Attachments (6)
5. Survival Factors Group Chairman's Factual Report
 - Survival Factors Attachments (1)
6. Vehicle Factors Group Chairman's Factual Report
 - Vehicle Factors Attachments (5)
 - Vehicle Factors Photographs (5)
7. Video Study Factual Report
8. Recorder Factual Report
9. Medical Officer Factual Report

From: [Harley Sheryl](#)
To: [Al Prescott](#)
Subject: Technical Review
Date: Wednesday, August 28, 2019 2:54:00 PM

Good Afternoon,

The NTSB would like to invite Tesla to review the Delray Beach Factual Report of the investigation regarding the Forward Facing camera video from the Tesla Model 3. As you know, we normally invite party members to participate in a Technical Review of reports to ensure the factual accuracy of the information presented. We would certainly appreciate Tesla reviewing the draft report, making comments and revisions where applicable. Because this is a preliminary report, it is not for public release and we are requesting that Tesla agree to this stipulation before we provide you with the report. We will address any concerns that you may have about the accuracy of the factual information in the report before releasing it to the public docket. Please let me know if Tesla wishes to participate in the Technical Review process for this investigation. Thank you.

Sheryl Harley
Investigator-in-Charge
Office of Highway Safety
NTSB
490 L'Enfant Plaza S.W.
Washington, D.C. 20594
Office: [REDACTED]
Cell: [REDACTED]
Email: [REDACTED]

From: [Al Prescott](#)
To: [Harley Sheryl](#)
Subject: Re: Technical Review
Date: Friday, August 30, 2019 10:56:39 AM

Hi Sheryl, I'm on vacation this week.

Yes, I would like to review the preliminary report. Also, yes, I agree we will keep the preliminary report confidential.

Do you know the timing?

Thanks, Al

From: Harley Sheryl <sheryl.harley@ntsb.gov>
Sent: Wednesday, August 28, 2019 11:54:44 AM
To: Al Prescott <[REDACTED]>
Subject: Technical Review

Good Afternoon,

The NTSB would like to invite Tesla to review the Delray Beach Factual Report of the investigation regarding the Forward Facing camera video from the Tesla Model 3. As you know, we normally invite party members to participate in a Technical Review of reports to ensure the factual accuracy of the information presented. We would certainly appreciate Tesla reviewing the draft report, making comments and revisions where applicable. Because this is a preliminary report, it is not for public release and we are requesting that Tesla agree to this stipulation before we provide you with the report. We will address any concerns that you may have about the accuracy of the factual information in the report before releasing it to the public docket. Please let me know if Tesla wishes to participate in the Technical Review process for this investigation. Thank you.

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From: [Rodrigues, Nadir](#)
To: [Harley Sheryl](#)
Subject: RE: Delray Beach Highway Factual Report
Date: Thursday, September 19, 2019 9:39:30 AM

Hello Sheryl!

The Florida Department of Transportation District 4 Traffic Operations office would like to review the report, as offered, under the conditions as explained in your email.

Thank you,

Nadir Rodrigues, P.E., CPM | Florida Department of Transportation
District 4 Traffic Operations | Traffic Services Engineer

: [REDACTED] : [REDACTED]

From: Harley Sheryl [mailto:sheryl.harley@ntsb.gov]
Sent: Thursday, September 19, 2019 9:19 AM
To: Rodrigues, Nadir <[REDACTED]>
Subject: Delray Beach Highway Factual Report

EXTERNAL SENDER: Use caution with links and attachments.

Good Morning,

As you know, the National Transportation Safety Board conducted an investigation into the crash that occurred on Friday, March 1, 2019 in the 14,000 block of US 441 (SR 7) in Delray Beach, Palm Beach County, Florida involving a truck tractor in combination with a semitrailer and a electric-powered vehicle (Tesla Model 3). As part of the investigation, we examined the roadway in terms of the appropriateness of the use of the autopilot feature on the vehicle and in terms of the roadway environment. Usually, we invite various agencies to be a party to the investigation which allows them access to the information gathered during the investigation and to view all factual reports. The Florida Department of Transportation is not a party to this investigation, though your agency has cooperated fully with us. We have drafted a Highway Factual Report of the investigation and would like to invite FDOT, as the roadway expert, to review the document for accuracy and provide comments or potential revisions to the text. Since the investigation is still ongoing and this document is only a draft and has not been finalized, it is not available for dissemination outside of the parties directly involved or for public release. If FDOT is willing to review the document under these conditions, we would certainly welcome a chance to have your agency review the report. Please feel free to contact me if you have any further questions. Thank you.

Sheryl Harley
Investigator-in-Charge
Office of Highway Safety

NTSB

490 L'Enfant Plaza S.W.

Washington, D.C. 20594

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