



QUESTIONS

RESPONSES 7

7 responses



SUMMARY

INDIVIDUAL

Accepting responses



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7 of 7



Responses cannot be edited

Washington State AV Subcommittee -Subcommittee Status Report-

This form is to be used for all subcommittee discussions that do not have specific recommendations. Please note the following:

- 1) All subcommittee meetings are open to the public.
- 2) Form will automatically expand for longer answers as it is filled out.
- 3) Forms can be saved and edited with unique URL given upon submission.
- 4) A copy of the form will be sent to the email address entered upon submission.

* Required

Email address *

malissae@oic.wa.gov

Name of Subcommittee *

Liability

Date(s) of Meeting(s) *

August 30, 2018

Subcommittee Members Present *

Brady Horenstein, Brenda Weist, Christina Postlewait, Dan McGrady, David Forte, Debi Besser, Drew Wilder, Hailey Hamilton, Harris Clarke, Jake Mayson, Jean Leonard, Jennifer Harris, Jim Justin, Joanie Deutsch, Kenton Brine, Lonnie Johns-Brown, Logan Bahr, Mark Matteson, Melanie Smith, Melissa Crawford, Michael Transue, Patrick Conner, Paul Parker, Scott Kennedy, Shannon Walker, Veronica Van Slyke, Armikka Bryant, Joey Aitken, Katie Pettibone, Luke Simon

Discussion Notes:

- 1) Please write an explanation of the discussion, including noteworthy topics of discussion, a summary of the discussion, and the outcome of the discussion
- 2) Please write the next steps and plans for the subcommittee

Noteworthy topics of discussion, summary of discussion, and outcome of discussion

Decision Making

Votes will be taken with a quorum, which will be 2/3 of the total number of members on the subcommittee.

- Each organization represented on the subcommittee will have 1 vote
- o A proxy will be allowed if an organization's main voting representative is unable to attend the meeting.

Proxies must be identified and notice sent to the subcommittee chair before the next meeting.

- The subcommittee will work towards consensus.
- In cases where the minority disagrees with the decision of the subcommittee, a minority report will be provided.

What other organizations/groups or people should be invited to participate in the subcommittee?

It was suggested that the Co-Chair's invite the following groups

- Defense bar association
- o Both Civil and Criminal
- Attorney General's Office
- WA Assn. of Prosecuting Attorneys (WAPA)
- Local Sheriffs

Should the group reach out to the federal government to see what is being don't at that level?

- There is currently a bill in the Senate on this topic with high likelihood of passage

Also suggested to coordinate with the subcommittees on Safety and Licensing because some topics may overlap.

What is the group's work?

Suggestion made to look into the self-certification requirements and review process as outline in the Governor's Executive Order.

- As of this meeting seven (7) companies have self-certified to test AVs in Washington
- o Unclear what the requirements are for a company to self-certify to do testing.
- o Unclear what, if any, review process takes place.

- o What about accidents while testing?
- How are these companies self-certifying?
- o Executive Order 17-021 cites RCW 46.30.020
- What about insurance during testing for these companies?
- Should the same benefits of insurance that apply to regular cars should apply to autonomous vehicles?
- o What about things like lane assist & park assist, etc. Would there be different rates for “safer” vehicles?
- o Currently the problem for insurers with items like lane-assist is that consumers sometimes turn those features off because they are annoyed by them.

If an accident occurs there is currently no way for the insurer to know if the feature was turned on or not.

Also insurers do not always know if the car comes with those features, some can be added aftermarket.

- The varied schemes of ownership
- o Single, pool & fleet
- No matter the ownership model however each driver is different
- What about criminal versus civil liability in the case of an accident?
- Is the subcommittee looking at acceptations to current law where new laws may be needed, or holes in current standing around autonomous vehicles?

Goals for the subcommittee

SHORT TERM GOALS – Decision on items to pursue for next meeting

- Look at self-certification process as it relates to insurance
- o Start with whole frame of the process
- o Look at Executive Order and referenced RCW
- Does Executive Order 17-02 and the self-certification cover commercial as well as personal vehicles?
- Gather information from other states to see how it will shape future discussions
- o These states include: Arizona, California, Idaho, Oregon, Pennsylvania, Utah, and California.
- o Federal Legislation
- How does data privacy impact liability?
- Does the Executive Order 17-02 delve into self-certification of commercial?

MIDTERM GOALS

- Clear legal and policy structure (mid to long term)
- The different types of ownership and how those will impact tort, insurance, etc.

LONG TERM GOALS

- Sort out items for state versus federal regulation
 - Request – look at personal & commercial
 - o Differentiate between personal passenger, commercial passenger, freight & platooning of semis (truck trains with 1 or 0 drivers)
 - How does data privacy impact liability?
 - The different types of ownership and how those will impact tort, insurance, etc. (mid – long term goal)
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Next steps and plans for subcommittee

By the 3rd week of September (Week of Sept 17th – by Sept 20th) the following subcommittee members will pull together information from the following sources will be provided. This will help focus the agenda for the next subcommittee meeting

- Information from California
 - Information from the federal level and FHWA
 - Information from Arizona and Utah
 - Information from national AFL-CIO
 - NAIC
 - Information from AAMVA
 - Presentation previously presented to the committee from a Professor at UC Santa Clara on the topic.
 - Information from Oregon, Idaho and other states where work around autonomous vehicles is being done.
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