

## Autonomous Vehicle Working Group First Executive Committee Meeting

June 27, 2018, 1-5 PM

1500 Jefferson St SE, Olympia, Washington

### Summary

#### Present Members

Jerry Litt	Darrin Grondel
Mike Kreidler	Senator Curtis King
Jay Cabezuela	Senator Manka Dhingra
Rep. Shelley Kloba	Alex Alben
Charles Knutson	Rep. Zach Hudgins
Pat Kohler	Rep. Mark Harmsworth
Roger Millar	Rep. Matt Shea (phone)
Reema Griffith	Sahar Shirazi, Scott Shogan, Steve Kuciemba (WSP)
Paul Parker	

#### Key Discussion points

- **Budget concern and clarification** - For remainder of 2018, agencies will utilize existing resources to complete tasks and execute subcommittee meetings. Financial needs should be assessed and communicated at next Executive Committee meeting in order to prepare for 2019 budget ask.
- **Changes to operating structure, procedures and polices** - agreement that the following changes should be made
  - All recommendations should be advanced from the Executive Committee, regardless of vote. However, recommendations should be sorted into top level (receiving majority or 2/3 vote, according to committee) and lower level (not receiving majority or 2/3 vote), and differences of opinion should be noted
  - Chairman should be allowed to vote
  - Members should be allowed to designate substitutes when unable to make meetings, and substitutes should have ability to vote
- **Questions over membership of committees** - Request for involvement of private industry representatives in Executive Committee. Representatives Harmsworth will work with Rep. Hudgins to identify a possible proposal to accommodate other interests on the Executive Committee, which will be shared at the Oct. meeting. In the meantime, it was agreed there would be no change, largely due to following points:
  - Structure of committee is defined by legislation. While additional membership is not precluded, involving private industry as members may lead to membership “creep,” and need to allow seats for labor, environmental groups, etc.

- Subcommittees are to be co-chaired by one agency chair and one private industry chair. Subcommittees will submit all recommendations to the Executive Committee, ensuring all interests will be considered
- All subcommittee and Executive Committee meetings are open to the public with allocated time for public comment, allowing all interested parties the opportunity to be heard
- The Executive Committee is supplying recommendations to the Transportation Commission, who will recommend action to the legislature and Governor's office. Neither the Executive Committee nor the subcommittees will enact any policies.

### **Administrative Business**

- The Executive Committee is not expected to meet during session. Suggested frequency of 2-3 meetings annually for Executive Committee, 2-3 meetings for each subcommittee prior to each Executive Committee meeting (6-9 annually)
- Darrin Grondel was elected as chair of Executive Committee, with no objections
- WSP led a presentation and discussion on Connected Vehicle and Autonomous Vehicle technology
- Next meeting set for October 24, starting at 1 PM in Olympia
- Reminder that all meetings are to be open to the public and allow for public comment, whether in person or online.

### **Next Steps**

- Meeting summary notes and updated policies and procedures will be sent to the group
- Subcommittee report out template and guidance will be sent to the group
- Subcommittees should attempt to meet 2-3 times prior to next Executive Committee meeting, and send recommendations for consideration
- Report due to legislature on November 14, shortly after next Executive Committee meeting. An extension will be requested for a January submittal to allow ample time for the Transportation Commission to review recommendations and for the report to be compiled.

## **Detailed notes**

### **Member Introductions and Interest Areas**

**Jerry Litt, Chair of Transportation Commission**, is serving as AV Work Group chair until official chair election.

**Mike Kreidler, Washington State Insurance Commissioner**, is interested in the potential impact of insurance moving from personal liability to product liability. How will this transition happen and how do these liabilities interact?

**Jay Cabezuela, Captain of Washington State Patrol sitting in for Chief John Batiste**, is interested in general traffic and safety and education. He has additional concerns for impacts on commercial vehicles and investigative processes for law enforcement. Detectives will need to understand developing technology.

**Representative Shelley Kloba, 1<sup>st</sup> Legislative District**, prioritizes making sure the interest and safety of people are at the forefront of this process. She would like to ensure that the group is considering the land use changes that come into play due to autonomous vehicles and make sure these changes will benefit the public.

**Charles Knutson, Senior Policy Advisor with the Governor's office**, outlines the governor's keen interest in autonomous vehicles, as demonstrated by his executive order. He believes in cultivating technology, increasing the potential to save lives, improving mobility and fighting climate change with the help of autonomous vehicles.

**Pat Kohler, Director, Department of Licensing**, is interested in developing best practices and guidelines. From the licensing perspective, the challenge will be management of both autonomous and standard vehicles on the road at the same time. Regulations should provide for public safety without preventing industry evolution.

**Roger Millar, Secretary of Transportation**, describes WSDOT's engagement on a national level and their role as stewards for deployment of this technology with infrastructure. Key considerations are economy, safety of citizens, and new opportunities, but discussion is needed to establish how this technology should be managed.

**Reema Griffith, Executive Director, Washington State Transportation Commission**

**Paul Parker, Deputy Director, Washington State Transportation Commission**

**Darrin Grondel, Executive Director, Traffic Safety Commission**, believes autonomous vehicles can help Washington State reach Target Zero, to reduce fatal and serious vehicle crashes. How will this technology interact with different modes and how does it fall into a comprehensive transportation program? How will AV interaction differ between rural and urban communities?

**Senator Curtis King, 14<sup>th</sup> Legislative District**, believes that it is key to ensure implementation is safe, effective, and efficient. He would also like to investigate the potential effects this technology can have on multi-modal transit and congestion.

**Senator Manka Dhingra, 45<sup>th</sup> Legislative District**, is interested in supporting new technologies and the technology industry to promote public safety and potential environmental benefits.

**Alex Alben, Chief Policy Officer, Office of the State Chief Information Office**, is interested in how data collection and data management will be handled with the deployment of autonomous vehicles. What privacy implications will this data management have? It will be important to evaluate what data protection will look like within a moving vehicle and establish the appropriate data solutions.

**Representative Zach Hudgins, 11<sup>th</sup> Legislative District**

**Representative Mark Harmsworth, 44<sup>th</sup> Legislative District**

**Representative Matt Shea (phone), 4<sup>th</sup> Legislative District**, would like to focus on cyber security and transmissions between and from autonomous vehicles. What infrastructure will be needed for security within technology that will be available?

**Sahar Shirazi, Scott Shogan, Steve Kuciemba- Support Staff, WSP**

### Legislation and Policy Review

Paul Parker reviewed the current legislation and policy related to establishment of a work group, and then Executive Order for autonomous vehicles. No concerns or questions.

### Subcommittee Organization

Reema Griffith reviewed the proposed subcommittee organization.

Rep. Harmsworth expressed two concerns with subcommittee organization—1) What considerations are there for staffing and cost? 2) How do we ensure that cross-over of subcommittees will not prevent ability to deep-dive when groups contribute to more than one subcommittee?

Reema Griffith explains that this organization structure allows for customization of priorities in each subcommittee, resulting in a more streamlined process. Regarding budget, agencies will need to use existing resources to lift subcommittees in this biennium. At the next Executive Committee meeting, there will be an opportunity to better evaluate what funding is needed to continue this process. Rep. Harmsworth requests additional research on fiscal implications for the future of this group.

Rep. Hudgins and Senator King agree with smaller groups as they seem to parallel policy decisions. Smaller groups allow more focus of time and expertise with the ability to report back to the Executive Committee, allowing entities that are not on the Executive Committee to have input.

Charles Knutson also agrees with the organization structure, but adds that he spoke to Reema about clarifying governor's intent. If committees fail to provide concrete recommendations to Transportation Commission, perhaps we should revise the procedures to use less strong language, maybe "potentially provide recommendations." Charles suggests edits to requirement for recommendations, so that all recommendations are forwarded, regardless of majority vote. Perhaps a top line/bottom line format, explaining which recommendations are preferred, and which were voted as not preferred. Reema clarifies that WSTC is still committed provide something to legislature.

Pat Kohler suggests that subcommittee report-outs should be shared at Executive Committee meetings so everyone is informed about what other groups are doing.

Rep. Kloba suggests modifications to the suggested membership for some of these subcommittees to ensure that they include the appropriate interest groups (i.e. pedestrian or bicyclists in Safety Subcommittee). Pat Kohler follows up with a statement about subcommittee co-chairs and representation- when choosing someone from private sector, be sure to choose representatives ranging from both large manufacturers and small technology startups. This ensures interests of the whole sector are represented. Reema clarifies that co-chair requirements are not defined within the law, but suggest private and public sector co-chairs so that work is more of a partnership, and includes multiple levels of interest and expertise.

Reema, Darrin Grondel, and Roger Millar discuss how subcommittee chairs should use current resources to get attendance at subcommittee meetings. Agencies should make due with existing resources for this fiscal year, but it may be a matter of coordinating and steering resources that have been allocated for intelligent transportation or other technology advancements.

Motion passes to continue with proposed organization.

### **Proposed Work Program and Schedule- Sahar Shirazi**

Jerry Litt and Darrin Grondel clarify that the Executive Committee and the WSTC make recommendations regarding AV to legislature, they do not enact policy.

Charles Knutson requests clarification that Executive Committee responsibility phrasing be changed to “serve as clearing house for all AV related issues within the AV work group”.

Roger Millar proposed proxies should be able to vote in Executive Committee decisions as they are representing entities rather than individuals, and may represent the agency in absentee’s stead. Alex Alben agrees. Reema suggests consistent designee to promote speed and discussion of the work group and Pat Kohler adds that it should be someone informed enough to make decisions on behalf of the agency.

Rep. Hudgins proposes that the Chair of the Executive Committee should have a vote and suggests a softer approach to move all recommendations from the Executive Committee. Because autonomous vehicles are a new topic, it may be useful for legislature to understand the landscape with some help to sort through it. This puts less pressure on agreement with certain policies and allows more recommendations with a wide filter while distinguishing where and what these recommendations come from. The Executive Committee should move subcommittee recommendations forward with some discernment from policy makers. This makes the AV Working group more of a collection and vetting process and makes the Chair vote less of a contentious issue.

Senator Dhingra also approves of a comprehensive list of suggestions, but believes the 2/3 vote is important to identify which recommendations are most valuable. Ranked in a certain order, there is still specific recommendations reflecting the expertise of the work group. Rep. Harmsworth also agrees with the ranking idea as it promotes more friendly and open discussion. Senator King adds that when the Chair has a vote, with a 2/3 vote there are fewer concerns with chair dominating the voting process.

Sahar asks whether voting members need to be present to vote, versus a quorum of substitutes. Senator King states that a 2/3 vote and quorum would be most feasible as it is difficult to have everyone present at a meeting. Rep. Harmsworth adds that legislative members will get a substitute of the same caucus.

Rep. Kloba states that the frequency of meetings will better inform attendance. Reema clarifies that the Executive Committee will meet at most three times annually, but it is up to the group, and will not need to meet during session, however subcommittees will need to meet during session.

### **Public Sector Involvement**

From public seating, Mike Ennis – Association of Washington Businesses (AWB), makes a statement that he is concerned that the Executive Committee does not include those from private business. He would like to see private representation on the Executive Committee. Rep Harmsworth and Charles Knutson seem interested in private sector on the Executive Committee.

Senator Dhingra adds that they would need to ensure both large and small private sector are represented, but also allowing the complete recommendation list to move on to legislature there is still opportunity for private sector to be heard in subcommittee. Alex Alben clarifies that the statute outlines the membership requirements, stating that the executive membership and commission may invite individual relevant stakeholders as appropriate. The statute provides that private sector can be invited at any time. Mike Kreidler adds that public representatives are responsive to private sector interests as well as to the public.

Rep. Kloba and Rep. Hudgins address this concern stating the private and public sector are involved at the subcommittee level and private interest voices will be heard considering the provision that all recommendations will be sent to the Commission and ultimately the Legislature. Moving all recommendations means that bodies will not be muted by the executive work group. There is flexibility in the statute to allow external groups to be heard. The 2/3 vote requirement will also help for finding consensus. Reading the statute, it was not envisioned to have specific business groups at the Executive Committee level but lots of room at the subcommittee level. The intention is not to mute voices of people who are not explicitly in the work group. It is the responsibility of the subcommittee to ensure all perspectives are making it to the Executive Committee and on to legislature. Mike Ennis, AWB, responds that he would like private industry on the Executive Committee, even with the provisions Rep. Hudgins laid out.

Jerry Litt states that any involvement of the private sector on the Executive Committee should not detract from their work on the subcommittees. Mike Kreidler adds that if a seat is provided for business, then other groups will want to be accommodated as well. Roger Millar said that the intent is to create an inclusive and open forum, allowing involvement of labor groups, environmental groups, and cities, but also needs to be practical. Senator King reminds the group that the Work Group only makes recommendations, the legislature also receives other inputs. There needs to be control on the size of this committee. Jerry Litt adds that this is a new topic so there is an ongoing educational process where you are inviting different groups to come and inform the group. Subcommittee meetings are also a public hearing format.

Alex Alben clarifies role of the group in the statute is defined as “executive and legislature work group”, run by the Transportation Commission, where the “commission may invite additional participation at any time”.

### **Nomination of Executive Committee Chair**

Roger Millar explains that the Executive Committee Chair serves as traffic control for the group and should probably be an agency head as it is more in-line with their day-to-day job. In this work group, safety is top priority, so he nominates Darrin Grondel as Chair of the AV Work Group Executive Committee. This is seconded by Curtis King.

Rep. Hudgins adds that would be useful to have a co-chair should a legislature member become chair in the future.

### **National trends and developments in CVs and AVs Presentation—Scott Shogan, WSP**

#### **Discussion**

- Connectedness and interaction between vehicles and roadside elements using Wi-Fi, GPS, etc.
- Push should be to get educated and start discussions before you start regulating. Expect a lengthy transition period from current automation to Level 5 automation.
- Connectivity and long haul truck automation -- What conversations are happening with service and fiber providers? The two pathways are: 1) Spectrum dedicated by FCC for this purpose. Public utility designated solely for vehicle communication related to safety; 2) Use next generation cellular technology which may conflict with corporate use of the spectrum, but need to determine if there are impacts to safety—development cycle will be longer for this.

### **Safe Testing and Deployment Guidelines Presentation- Cathy Curtis, Brian Ursino, AAMVA**

#### **Discussion**

- AAMVA establishes guidance provided for accident communication and response.
- Laws related to distracted driving and driving under the influence will remain in effect until Level 5 vehicles are in use. Company distracted driving policies will be powerful implementation strategies.
- Some specialized Level 4 vehicles where there is no passenger interaction with the vehicle (i.e. MCity bus) will not have been influenced by licensing or distracted driving laws

### **State Agency Presentations**

#### **Jay Cabazuela, Captain of Washington State Patrol**

Washington State Patrol has an established relationship with AAMVA and is also interested in AV influences on industrial trucking. WSP received training about extracting data from vehicles to reconstruct incidents in order to identify fault. Washington State Patrol is Co-Chairing the Safety Subcommittee.

#### **Beau Perschbacher, Policy and Legislative Director, Department of Licensing**

DOL has established a website with self-certification of companies performing testing (seven total). DOL will be trying to establish how vehicle registration and licensing will change with autonomous vehicles. Department of Licensing is leading the Licensing Subcommittee.

#### **Secretary Roger Millar, WSDOT**

The State DOT is responsible for looking at the whole system, not just the vehicle. Industry over time is going to sort out vehicle issues, but from the agency perspective how will we ready the transportation system for these vehicles. There is a significant opportunity for safety, but the investments for biking or

public transit choices people want need to be considered. New technologies in infrastructure mean you can practice both active and passive management. Over \$1 billion of Washington State resources has been invested in intelligent transportation infrastructure which has the capability to integrate with these vehicles, and spaces are available where AV technologies can be tested. Automation of road work areas is essential as well. We don't necessarily want to be on the leading edge of AV policy and development, but we want to learn from other good work that is going on in the rest of the country. Information from other work groups in the nation should be available in the next nine months. WSDOT is leading the Infrastructure and Systems Subcommittee.

**Lonnie Johns-Brown, Legislative Director, Office of the Insurance Commissioner**

We are anticipating that AV and standard operation vehicles will be on the road together and want to understand where other states are in development. The Office of the Insurance Commissioner will be leading the Liability Subcommittee. They are already trying to invite people to work group, reach out to Lonnie if you are interested. The times and dates of subcommittee meetings will be on transportation commission website.

**Alex Alben, Chief Privacy Officer, Office of the State Chief Information Officer**

The goal of the CIO is to take advantage of work being done in Washington state from UW or other developments in the tech field. The information the car has and what it can use must be balanced with the protection of privacy. We need to value AV as a technology driven system, but in a way that also values privacy and security. The Office of the CIO will co-chair the Systems Technology and Data Security Subcommittee.

**Debi Besser, Program Manager, Washington Traffic Safety Commission**

CV /AV has the potential to save lives and achieve Target Zero goal. Generally, the strategy to save lives is through changing behavior. Technology can continuously improve when there is an incident, which is not the case for human drivers. The ability to understand and correctly use the features of lower level AVs will be extremely important in helping us communicate the potential of higher level vehicles to save lives in the future. We are currently moving staff around so you have personnel focused on autonomous vehicles. Washington Traffic Safety Commission is Co-Chairing the Safety Subcommittee.

**Public Comment** – None.

**Next Meeting Information**

October 24, 2018 at 1:00 pm in Olympia. Skype or WebEx was requested to better accommodate call ins. Designees are permitted.