COVID-19 Impacts on Work Group Activity

- A challenging year for Work Group efforts and recommendations
  - Sudden shift to virtual constrained collaboration and progress
  - Public and Private Sector attention shifted to response / recovery, and keeping the lights on
  - Budget restrictions and cuts – short and long term effects on Work Group recommendations and actions

- AV development and testing has been disrupted and motivated to shift
  - COVID-19 put the brakes on elements of AV development previously a priority
  - Highlighted key use cases to focus AV testing and deployment on (e.g. contactless delivery)

Opportunity to Refocus
Re-evaluate Work Group priorities and road map
Provide discrete direction to subcommittees
Long-Term Impact of COVID-19 on AV and Mobility

What do the trendlines tell us today?
What trends are likely to stick?
What are the impacts of the economic damage?
Long-Term Impact of COVID-19 on AV and Mobility

• Delivery use cases more likely to be here to stay
  » COVID accelerating use case that is not COVID-dependent
  » Opportunity for increased policy focus

• COVID likely to delay AV service launches
  » Economic impact on development
  » Concerns on multiple passengers/vehicle cleaning

• Uncertain impact on long-term fundamentals
  » Nature of work is set to change, but long term impacts are unclear
  » Where people choose to live may also change with different work arrangements
Executive Committee Future Path Work Session

• Overarching questions posed to the Executive Committee (EC):
  » What should the focus of the Work Group be through to the sunset date of 2023?
  » What role the Cooperative Automated Transportation (CAT) policy goals adopted by the EC play in guiding that direction?

• Proposal put forward on use of CAT policy goals as a framework for action

• Live-polling exercise used to identify priorities and direction for the Work Group’s path moving forward
Adopted CAT Policy Goals

• **#1 Organize for Innovation:** Enable organizational change that empowers officials to be flexible, accelerate decision-making, and adapt to changing technology.

• **#2 Shared Mobility:** Encourage and incentivize shared mobility, including an emphasis on high occupancy and shared modes for moving people and goods.

• **#3 Economic Vitality and Livability:** Create resilient and efficient regional networks and empower local agencies to create resilient, multimodal local networks.

• **#4 Infrastructure and Context Sensitive Street Design:** Promote durable, physical and digital networks that accommodate the movement of people and goods in ways that are appropriate for the context.
• **#5 Land Use:** Encourage land use development patterns that support multimodal connectivity to efficient local and regional networks.

• **#6 Equity:** Work with marginalized communities to increase access to desirable mobility options.

• **#7 Safety:** Increase the safety of transportation systems and infrastructure to support the safe movement of people and goods.

• **#8 Environment:** Reduce the local and cumulative environmental impacts of mobility to improve air and water quality, energy conservation and mitigate climate change.
Re-cap of Questions from the Live Polling Exercise

**Part 1** Rank in Order of Priority
- Broad Work Group focus areas
- Near-term testing activities
- Deployment-oriented activities
- CAT-oriented activities

**Part 2** Free-form Questions:
- What action or focus area did you not see that you feel should be prioritized?
- In a few words, what single outcome do you see as the most critical to the success of this group?
• Results showed no strong preference on how to prioritize broad Work Group focus areas
• Split outcomes possibly due to a balance of differing perspectives across the EC on Work Group priorities
• Results showed clear interest in having open discussions with companies undergoing testing
• Understanding of motivations for testing may help to inform further policy revisions and implementation
Results signal particular interest in actions that help lay the groundwork for deployment, including:

- Near-term infrastructure investments
- Topics requiring legislative reform
- AV data guiding principles
Results suggest continued interest in conducting scenario planning to explore alternative AV futures.

This may point to a potential interest/need for better understanding of impacts and policy implications.

**RANKING QUESTION #4:**

**CAT-oriented activities**

1. Conduct scenario planning to explore alternative AV futures and potential impacts and policy implications.
2. Based on policy goals, prioritize a list of deployment scenarios to enable focused policy and strategy discussion.
3. Develop engagement opportunities for disadvantaged communities for Work Group discussions.
4. Develop AV health and equity guiding principles to apply across all subcommittees.
Matrix of Contributing Actions

- Prioritizes actions and outlines potential contributing actions for each subcommittee
- These are suggestions/recommendations, not a mandate/must
- Meant to start discussion and help subcommittees see how they fit in the bigger picture of each action
- Provides context for the priorities identified for each focus area/action
Example Action #1

“Conduct open discussions with companies with DOL self-certification to understand what motivates testing decisions.”

<table>
<thead>
<tr>
<th>Executive Committee</th>
<th>Health and Equity Subcommittee</th>
<th>Infrastructure &amp; Systems Subcommittee</th>
<th>Liability Subcommittee</th>
<th>Licensing Subcommittee</th>
<th>Safety Subcommittee</th>
<th>System Technology &amp; Data Security Subcommittee</th>
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<td>Contribute to the discussion and ensure that key questions and considerations around motivations for testing are considered.</td>
<td>Contribute to discussions as a subcommittee as its members desire.</td>
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<td>Facilitate and provide guidance on discussions with self-certified companies.</td>
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<td>• Provide an overarching perspective on testing considerations to address areas not covered by any subcommittee.</td>
<td>• Ensure motivations for testing decisions do not conflict with health and equity objectives.</td>
<td>• Identify potential alignment between motivations for testing and priorities from the perspectives of infrastructure and other supporting systems that may encourage testing opportunities.</td>
<td>• Consider the liability implications of various testing scenarios that are of interest to industry partners.</td>
<td>• Engage self-certifying entities through the DOL.</td>
<td>• Ensure motivations for testing decisions do not conflict with or compromise safety objectives.</td>
<td>• Identify potential alignment between motivations for testing decisions and priorities for testing related to safety.</td>
<td>• Ensure that motivations for testing decisions do not conflict with or compromise objectives related to workforce safety and rights.</td>
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“Conduct open discussions with companies with DOL self-certification to understand what motivates testing decisions.”

- **Health & Equity**: Identify conflicts or opportunities to support health and equity objectives.
- **Infrastructure & Systems**: Identify alignments between testing motivations and infrastructure & systems investments.
- **Liability**: Consider **liability implications** of testing activities.
- **Licensing**: Provide guidance to the DOL on engagement with self-certified testing companies.
- **Safety**: Identify opportunities for alignment with priorities related to safety testing.
- **System Technology & Data Security**: Ensure testing does not compromise objectives around data security and privacy.
- **Workforce**: Ensure testing activities do not compromise objectives around workforce safety and rights.
“Develop AV health and equity guiding principles to apply across all subcommittees.”

Health and Equity Subcommittee leads the development

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- **Health and Equity Subcommittee**
  - **Lead the development of health and equity guiding principles in consultation with other subcommittees to ensure applicability.**
  - **Provide insight on how the health and equity guiding principles can interact with the work of the subcommittees, and give insight on ways to make the principles broadly applicable.**
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- **Infrastructure & Systems Subcommittee**
  - **For example:**
    - Develop and maintain ISO and NIST best practices for health and equity principles.
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- **Other subcommittees provide insight on use cases and applicability to support development.**

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“Develop AV health and equity guiding principles to apply across all subcommittees.”

- **Health & Equity**: Lead development of guiding principles in consultation with other subcommittees.
- **Infrastructure & Systems**: Support development of language to clarify responsibilities associated with equity.
- **Liability**: Contribute insight on how principles may interface with existing decision-making frameworks.
- **Licensing**: Provide insight on emergent issues around licensing for future AV use and access.
- **Safety**: Identify potential safety impacts that have disparate impacts for different parts of the population.
- **System Technology & Data Security**: Provide insight on how data practices may impact representation and privacy.
- **Workforce**: Provide input on how principles could be made to support workers rights and displacement.
Other Sample Actions

• Implementation of ESHB 2676 (AV testing and reporting)
• Identify and pursue pilot funding
• Prioritize near-term infrastructure investments
• Prioritize topics needing legislative reform
• Develop AV data guiding principles

• Review ULC model bill language
• Develop education plan for ADAS and AV
• Conduct scenario planning to explore alternative AV futures
• Prioritize a list of deployment scenarios
• Develop engagement plan for disadvantaged communities
### Examining Other States’ Regulatory Frameworks

<table>
<thead>
<tr>
<th>California</th>
<th>Arizona</th>
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<tbody>
<tr>
<td>Adopted Regulations</td>
<td>Governor’s Executive Order</td>
</tr>
<tr>
<td>Multiple agencies with regulatory authority (DMV, CHP, CPUC)</td>
<td>One agency with regulatory authority (DOT)</td>
</tr>
<tr>
<td>“Heavy touch” regulatory environment</td>
<td>“Light touch” regulatory environment</td>
</tr>
<tr>
<td>Applicable to SAE Level 3 thru 5</td>
<td>Applicable to SAE Level 4 thru 5</td>
</tr>
<tr>
<td>Permit application, fee, and approval</td>
<td>Self-certification</td>
</tr>
<tr>
<td>$5 million insurance policy (or equivalent)</td>
<td>No requirement beyond existing motor vehicle insurance requirements</td>
</tr>
<tr>
<td>Law enforcement interaction protocol for driverless vehicle testing</td>
<td>Law enforcement interaction protocol required for all AV operations</td>
</tr>
<tr>
<td>Passenger services pilot program in second year</td>
<td>Allows passenger services operations</td>
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</table>
Industry representatives shared their insights and experiences testing in other states, offered input into Washington State’s AV policy development, and provided overviews of work, products, and future plans.

Key Messages from Industry

- Need a clear path to deployment
- Avoid a patchwork of regulation
- Leverage existing regulations and laws
- Remove unnecessary barriers to testing and deployment
Focus on Washington State AV Policies

House Bill 2676 - Minimum Requirements for AV Testing

• Passed legislature and signed by Governor Inslee March 2020
• RCW 46.92.010 – Self-certification requirements (effective October 2021)
  » Outlines required information and unique identification number
  » Specifies collision and moving violation reporting requirements
  » Notification of testing activities
• RCW 46.30.050 – Liability insurance requirement
  » Requires umbrella liability insurance policy for no less than $5 million per occurrence in order to test on public roadways
Focus on Washington State AV Policies

House Bill 2470 – Automated Operation of Vehicles

• HB 2470 introduced in 2020 session, not passed

• Would place authority into State agencies’ hands to certify and manage AV qualifications to operate on public roadways

• Varying perspectives on level of regulation needed and the State’s role
  » Presentation from Uniform Law Commission on history and intent of Model AV Bill used to draft HB 2470
  » Presentation from industry on alternatives to HB 2470 / Model AV Bill that removes potential restrictions to innovation and deployments
• University of Washington Law School – AV Law National Scan
  » AV Policies and Initiatives from all 50 states
  » Scanned topics included ongoing testing, local preemption, oversight entities, infrastructure development, safety, data and privacy concerns, public education, liability and insurance, and health and equity concerns

• Expert presentations to Subcommittees
  » Infrastructure initiatives
  » Other states’ AV progress and lessons learned
  » ADAS advancements and challenges
  » Cybersecurity
  » Emerging mobility and equity
Next Steps

Final Executive Committee meeting this year: November 12th

• Recommendations from multiple subcommittees anticipated
  » Path to clarify what vehicles are subject to AV regulations in Washington
  » Development of a law enforcement interaction plan requirement
  » Structured public outreach and engagement process
  » Public-private partnership to report on testing locations – traffic safety, demographics, area characteristics – to help inform future decision making

Annual Report to the Legislature: Due date pushed to January 8th, 2021
Thank You!