



MEETING SUMMARY

Meeting: Health & Equity Subcommittee
Location: Teleconference
Date: September 15, 2020

Attendees:

First Name	Last Name	Organization
Debi	Besser	Washington Traffic Safety Commission (WTSC)
Daniela	Bremmer	Washington Department of Transportation (WSDOT)
Brian	Chandler	DKS Associates
Kit	Chiu	WSP USA
Andrew	Dannenberg	University of Washington (Chair)
Margo	Dawes	Seattle Department of Transportation (SDOT)
Michael	Harpool	Whatcom Transportation Authority
Paul	Ingrham	Puget Sound Regional Council (PSRC)
Jill	Johnson	Washington State Department of Licensing (WSDOL)
Erika	Mascorro	WTSC
Kyle	Miller	WSDOT
Paula	Reeves	Washington Department of Health, Subcommittee Staff
Anna	Zivarts	Disability Rights Washington

WELCOME, INTRODUCTIONS AND QUICK OVERVIEW OF WORK TO DATE

Dr. Andrew Dannenberg, UW School of Public Health

- The meeting began with a brief welcome from Dr. Andrew Dannenberg, and a round of introductions from meeting attendees.

Topic Closed.

Presentation from Department of Licensing leads on their work and 2020 proposals

Jill Johnson, Legislative and Special Project Manager, Washington State Department of Licensing

- Jill Johnson, representing the Washington State Department of Licensing (DOL), presented an overview of the Licensing Subcommittees recent efforts.
- The licensing subcommittee is co-chaired by Beau Perschbacher, Legislative & Policy Director at the Department of Licensing, and Drew Wilder, Compliance Manager at Vicarious Liability Risk Management.
- Recent work of the licensing subcommittee has focused on legislation put forward for the regulation of AVs.

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- During this past session, two bills were put forward: Bill 2676 and House Bill (HB) 2470.
- Bill 2676 relates to requirements for companies that have self-certified for AV testing.
 - The bill specifies the information that needs to be reported by self-certified testing entities to the DOL.
 - Updates include a requirement for proof of insurance policy with protection for a minimum of \$5 million, and provision of detailed vehicle information, including vehicle identification numbers (VIN).
 - Part of the bill came into force earlier this year on June 11, 2020. The second part, related to reporting on incidents and infractions, won't become active until October 2021.
- HB 2470 is the Uniform Law Commission Bill.
 - The licensing subcommittee has been asked to review HB 2470 to identify potential improvements.
 - The subcommittee held a detailed discussion on the recommendations, but it was determined that many aspects of the bill were premature.
 - They intend on working closely with the legislature to improve the language.
 - They are also trying to examine the risk that the DOL would take on as a result of the language used in this bill.
- During the August meeting, the subcommittee also took a look at various models of AV legislation from different states across the country.
 - The California and Arizona models are of particular interest to the subcommittee, and they will be looking to see what ideas they might be able to adopt, including the concept of a safety protocol for law enforcement.
- Next steps for the subcommittee will be to look out for new legislation during the new session, and move towards implementation of the existing AV testing legislation.
 - The licensing subcommittee is also hoping to pursue some rule-making to define what an AV is.
 - There is currently no state statute that defines what an AV is, which makes AVs difficult to regulate. The DOL is currently seeking legal device to determine whether a definition can be put in place.
- Discussion:
 - Dr. Dannenberg asked for further information on the safety protocol concept.
 - Jill responded that it is an agreement brokered with companies to share information with law enforcement on how to safely disengage vehicles that are fully autonomous so that law enforcement personnel are better equipped to respond in emergency situations.
 - It is currently unclear what the mechanism for disengagement might be. It could be that officers are provided instructions to disengage the vehicle, or that they would contact the owner of the test vehicle to disengage it.
 - Jill noted that from the research conducted to date, it appears that the model used in Arizona is quite similar to what has been put in place in Washington—



WASHINGTON STATE

AUTONOMOUS VEHICLE WORK GROUP

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both Arizona and Washington have AV regulations that stem from an executive order.

- Regulations for testing in Arizona are now quite strict due to past incidents. There remains only one company testing in Arizona, which has made it simpler for them to coordinate.
- Arizona has a copy of their safety protocol on their website. This is a template used to negotiate specific terms with companies.
- Debi Besser noted that there are also several companies that have a published their own law enforcement protocol. This information can be accessed through NHTSA as well as on company websites. Most provide a significant detail, including information on how to cut power to the vehicle, and disengage autonomous driving.
 - Debi shared the following link to the NHTSA website:
<https://www.nhtsa.gov/automated-driving-systems/voluntary-safety-self-assessment>

Topic Closed.

Discussion of Health & Equity Proposal(s) for 2020 State Legislative Report and Presentation to the AV Executive Committee

Dr. Andrew Dannenberg, UW School of Public Health

- Dr. Dannenberg provided an update on the two proposals being put forward to the Executive Committee.
 - The proposals have gone through several iterations within the subcommittee, and are close to final.
 - Dr. Dannenberg walked through the presentation that will be presented to the Executive Committee.
- Proposal 1 relates to the funding of engagement with the public on the impacts of AVs
 - The proposal suggests a budget of \$30,000 to put towards engagement with communities on the potential impacts of AVs.
 - Part of this is anticipated to have an educational component to help enhance public understanding.
- Discussion:
 - Daniela Bremmer asked a question regarding the budget proposed for the engagement. Compared to typical project level engagements, the requested budget appears to be quite low.
 - Paula Reeves responded that while this budget is small, it may be combined with other project efforts for engagement. The intent is not to replace project level engagements, or to match the same level of effort.
 - Francois Larrivee added that the \$30,000 estimate for this proposal is quite minimal, and would not achieve the robust engagement that is currently described in the proposal. However, this is understood to be a starting point for engagement, and there is a need to

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get engagement going before the technology continues to progress. Francois suggested that this proposal be framed as just the first step of a much more substantial engagement effort that needs to take place. There is a need to stress the urgency of this work.

- Dr. Dannenberg responded that he will articulate this verbally in his presentation to the Executive Committee.
- Rad Cunningham commented that they have had several contracts for this type of public engagement in the past, and this funding might be sufficient to get the subcommittee several listening sessions and a report. This would at least be a good starting point. Considering the current budget situation, this smaller budget proposal makes strategic sense.
- Proposal 2 relates to a recommendation for location assessment of equity impacts
 - Current regulations for the self-certification process do not require information about where testing is being done.
 - The proposal is intended to require a preliminary assessment of testing locations to provide a sense of the demographics, existing traffic safety conditions, and area characteristics.
 - To make this assessment less onerous for the self-certified testing entities, this assessment is intended to be a partnership effort between the public and private partners involved.
- Discussion:
 - Jill Johnson commented that this assessment sounds beneficial. However, there is a need to ensure that it does not place additional burden on the DOL, who are already managing the broader self-certification process. The DOL does not receive much funding specific to the self-certification process, and would need support from other entities to make this effort possible.
 - Paula noted that they envision this as a collaboration amongst state agencies. Many agencies already have platforms available that could feed the demographic data needed for the assessment.
 - Daniela commented that there are other existing provisions that require this type of assessment, but those assessment could be quite onerous. Where possible, she recommends that available tools be identified to help simplify this assessment. More information would be helpful.
 - Andy responded that the expectation is to rely on available data. The assessment should require no more than several hours of desktop review.
 - Paula added that it is important to distinguish this effort from more in-depth reviews and impact studies.
 - Daniela commented that at the September 11th meeting of the Infrastructure and Systems Subcommittee, they learned about an initiative to bring a low speed shuttle pilot to Mercer Island, which would be geared towards providing first and last mile access to a low-income user base. This would conceivably have a positive impact. Who gets to decide, based on the assessment, whether a certain test has a positive or negative impact?
 - Dr. Dannenberg responded that the purpose of the assessment is not to serve as a barrier for testing. Testing activities would not have to be approved under this



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assessment. Rather, the assessment is intended to help capture the information so that state agencies have access to data that will help them to understand the implications of AV testing.

- Paula commented that low-speed shuttle pilots of this kind tend to be the exception and not the rule. Testing of SOVs are more often the norm in terms of the testing being done by the self-certified entities, and so this assessment would be more valuable for getting information from them.
- Kit Chiu asked Jill Johnson a question regarding her impression of how companies that have self-certified for testing might respond to this proposal.
 - Jill responded that the companies would likely be more comfortable with providing information at a higher level of aggregation, while more detail might make them uncomfortable.
- Anna Zivarts asked is there is a sense around how the Executive Committee may respond to these proposals.
 - Paula responded that these proposals have been shared with staff at the different agencies. It is unclear whether these proposals will receive sufficient votes. However, time will be taken on both the September and November agendas to enable more thorough discussion of these proposals.
- Debi suggested that the subcommittee may want to consider discussing this proposal with the companies to give them comfort about this assessment.
 - Paula responded that there are representatives from testing companies on the Executive Committee. This proposal could help to begin that discussion.
 - Dr. Dannenberg added that he would like to get this information in front of the committee for feedback first prior to reaching out directly to the testing companies.

Topic Closed.

Questions, Discussion, next steps

All

- The upcoming meeting with the Executive Committee has been scheduled for Wednesday, September 23rd, 2020.

Topic Closed.

NEXT TELECONFERENCE MEETING: October 20th, 2020 12pm – 1pm

MEETING ADJOURNED.