

AUTONOMOUS VEHICLE WORK GROUP



W.A.V.E.

The Washington Autonomous Vehicle Edition – Volume 1, Issue 1

Welcome to the inaugural newsletter for the Washington State Transportation Commission's Autonomous Vehicle (AV) Work Group! **Each quarter, we'll share the latest** AV news, national and local policy updates, AV Work Group progress, and information about upcoming meetings.

Autonomous Vehicle News

- [Waymo to test AVs with riders in San Francisco, per official blog](#)
- [Uber sells its autonomous vehicle division to self-driving vehicle startup Aurora for \\$400 million](#)
- [Transit manufacturer New Flyer to deploy first heavy-duty automated transit bus in Connecticut](#)
- [Kodiak Robotics reports 800-mile autonomous trucking trip](#)
- [Self-driving truck pioneer TuSimple announces expansion of operations in Arizona](#)
- [Gatik partners with Walmart to move merchandise in vehicles in "autonomous mode" with a safety driver](#)



National Policy Updates

- The outgoing United States Department of Transportation (USDOT) administration introduced the [Automated Vehicles Comprehensive Plan](#) to govern the safety of autonomous driving systems. The Automated Vehicles Comprehensive Plan had a public comment period that ended on March 22nd, the results from that comment period have yet to be announced.
- The Federal Communications Commission's (FCC) proposed rulemaking to reallocate the 5.9 GHz spectrum to AVs remained unresolved. The 5.9 GHz spectrum is currently reserved for intelligent transportation systems such as synced traffic lights, and the FCC has been considering reallocating this existing cellular technology to AVs. [NCHRP 23-10](#) provides a number of white papers and briefing flyers as the subject matter evolves.
- [The Hill](#) reports that there is evolving bipartisan support for AVs in both chambers of Congress.

Updates from the Washington State Legislative Session

[Senate Bill \(SB\) 5460](#), a bill implementing the recommendations of the AV Workgroup sponsored by Senators Joe Nguyen and Kevin Van de Wege, recently passed in the Washington State Senate. Sen. Nguyen built the legislation off of House Bill 2676, a bill passed in 2020 that established standards for AV testing.

Key aspects of SB 5460 include adopting recommendations on defining AVs as vehicles with Society of Automotive Engineers (SAE) automation levels 4 and 5 that do not involve any input from a human operator. The adopted recommendations also include repealing the ban on operating a vehicle with a television screen on public roads to facilitate AV testing, which would not affect current distracted driving laws. The bill will also help clarify rule-making authority for the Department of Licensing (DoL), allowing the agency to be able to respond more efficiently to federal changes in AV policy.

SB 5460 was passed in both chambers of the state legislature on April 11th, 2021 and delivered to the governor on April 23rd, 2021, where it awaits his signature.



Washington Privacy Act

The Washington Privacy Act was revised in 2021 to address growing concerns among Washingtonians about data privacy rights. Similar versions of the bill failed to pass in 2019 and 2020 because legislators **could not reach a compromise on the bill's** enforcement provisions regarding entities that collect large amounts of consumer data.

The 2021 version of the Act, [SB 5062](#), seeks to address the processing of personal data by the private sector and for public health emergencies in response to COVID-19 pandemic. SB 5062 applies to

legal entities in WA that control or process data of 100,000 or more Washington residents or derive over 25% of their revenue from the sale of personal data to third parties. The bill gives consumers explicit rights over the use of their personal data, **which they can use to keep "controllers" accountable**. SB 5062 ended up stuck in committee during the 2021 legislative session, which means that it will likely continue to be debated in the 2022 session.

AV Workgroup Subcommittee Updates

- **The Liability Subcommittee last met in January 2021 to discuss the need to define a "driver" as it relates to liability. This topic was especially relevant to determine "who" would be at fault in an accident involving an AV** and exploring how other states have approached this topic. The next subcommittee meeting is not yet scheduled.
- The Licensing Subcommittee last met in October 2020 to focus on bills being put forth in the current legislative session. The DoL, the lead agency for this subcommittee, has several bills in session that clarify the word **"autonomous" to only include vehicles with SAE automation levels 4 and 5 and the removal of** the ban on television screens in vehicles coded in RCW 46.37.480, section 1. The next subcommittee meeting has not been scheduled.
- The Infrastructure and Systems Subcommittee last met in December 2020 and developed [a Draft 2021 Work Plan](#) to develop a framework for AV infrastructure rollout. The next subcommittee meeting has not yet been scheduled.
- The Safety Subcommittee and the System Technology and Data Security Subcommittee last met in a joint session in February 2021 to discuss the UL4600 safety standard and what role the state and the two subcommittees may have in understanding the standard and advocating for its adoption. [UL4600](#) is a standard that is designed to evaluate the safety of AV products from a goals-based approach grounded in data that seeks to avoid gaps in AV safety testing. Both subcommittees could not reach a consensus regarding UL4600 at the state level, though the System Technology and Data Security Subcommittee did note that the standard was better suited for federal policy instead of state-level policy. Both subcommittees are scheduled to meet again in April 2021.
- **The Workforce Subcommittee is not active at this time, though this subcommittee is more "reactive" in nature;** if recommendations from other subcommittees and the Executive Committee come up that could have impacts on the workforce, members of this subcommittee can and will review the recommendations in question.

Upcoming Executive Committee Meetings

- Tuesday, May 25, 2021 from 9AM to 3PM
- Tuesday, July 27, 2021 from 9AM to 3PM
- Tuesday, October 5, 2021 from 9AM to 3PM

Topics and panelists to be announced soon. Visit our website at avworkgroupwa.org to sign-up for updates.