



## MEETING SUMMARY

**Meeting:** Safety Subcommittee  
**Location:** State Farm, 1000 Wilmington Drive, DuPont  
**Date:** May 8, 2019

First Name	Last Name	Organization	Executive Committee Member? (Y/N)
Shelly	Baldwin	Washington Traffic Safety Commission (WTSC)	N
Logan	Bahr	Association of WA Cities	N
Ted	Bailey	WSDOT	N
Debi	Besser	WTSC	N
Kenton	Brine	NW Insurance Council	N
Tim	Coley	Washington State Patrol	N
Jennifer	Cook	AAA Washington	N
Ty	Cordova	State Farm Insurance	N
Aimee	D'Avignon	Washington Department of Health	N
Doug	Dahl	TransitLab Consulting	N
Mandie	Dell	WTSC	N
Francois	Larrivee	Hopelink	N
Mi Ae	Lipe	Driving in the Real World	N
Steve	Marshall	City of Bellevue	N
Mark	Medalen	WTSC	N
Markell	Moffett	WSP USA	N
Paul	Parker	WA State Transportation Commission (WSTC)	N
Paula	Reeves	Washington Department of Health	N
Stephanie	Sams	Washington State Department of Licensing	N
Yes	Segura	Smash the Box	N
Warren	Stanley	WSDOT	N
Shannon	Walker	Seattle DOT	N
Angie	Ward	WTSC	N
Alan	Werner	Washington Society of Professional Engineers (WSPE)	N
Bryce	Yadon	Futurewise	N
Rad	Cunningham	Washington Department of Health	N

### WELCOME AND INTRODUCTIONS

#### Kenton Brine

- Introductions
- Review agenda

*Topic closed.*

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### REVIEW MEMBERSHIP AND APPROVE CHARTER

Kenton Brine

- Review of Subcommittee Voting Members List
  - Anyone missing from the list?
    - No comments.
  - Subcommittee charter has process to add additional members at a later date.
- Approving Charter:
  - Group walked through content of charter – reviewed at 3/12/19 meeting as well
  - Motion to approve charter as-is (Francois Larrivee)
  - Second to motion (Warren Stanley)
  - Final call for questions
    - Section 2 Purpose: Reference to “road users”, suggest changing to “people” to be centered around people/citizens
      - **DECISION:** Group agreement, change made live during meeting
  - Subcommittee vote to approve charter – all “Yeas”, no “Nays” in-person or via phone
    - **VOTE: Subcommittee Charter approved as written**
  - Reminder that for subcommittee voting any opposing viewpoints will be on record for reference

*Topic Closed.*

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### AV WORKGROUP EXECUTIVE COMMITTEE UPDATES

Paul Parker / Debi Besser

- Two meeting dates for Executive Committee meetings have been set
    - June 28<sup>th</sup> 10am-2pm
    - Sept 26<sup>th</sup> 10am-2pm
    - Both held at the SeaTac Conference center
  - Executive Committee direction given to Subcommittee organizers:
    - Anticipate most activity is occurring at subcommittee level
    - Looking to subcommittees to make recommendations – policy and legislative
  - Safety Subcommittee made two recommendations in 2018, neither moved through legislation.
    - Executive Committee membership has changed, which may bring different perspective to the same recommendations
  - WSTC adding additional members to expand dimensions of Executive Committee
  - Reviewed in-person handout of additional members being invited to join Executive Committee. Categories and selected organizations (organizations to elect an individual as representative to attend meetings) include:
    - Data & Technology – INRIX
    - Shared/Electric – ACES Northwest
    - Automakers – Association of Global Automakers
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- Local Government – Association of Washington Cities
- Consumers/Traveling Public – AAA Washington
- Environment – Futurewise
- Transit – Washington State Transit Association
- Academic – University of Washington, Smart Transportation Applications & Research Laboratory (STAR Lab)
- Transportation Network Company – Uber
- Underrepresented Communities – Puget Sound Sage
- Freight – Washington State Trucking Association
- Pending Invites to (anticipate appointments by May 15<sup>th</sup>):
  - AV Technology & Testing - Waymo
  - Labor – Washington State Labor Council
  - Counties – Association of Washington Counties

*Topic Closed.*

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### LEGISLATIVE UPDATES

Shelly Baldwin

- Personal Delivery Devices (PDD) legislation ([HB1325](#)) passed and signed by Governor Inslee
  - PDDs controlled by operations center in Washington DC, local representatives to address issues that arise
  - About 3ft wide, 2 ft tall – “little coolers on wheels”
  - Automated, planned route – last mile delivery service
  - Reduced carbon footprint
  - Used currently in Europe, mainly on college campuses
  - Unique code to open PDD to retrieve package
  - Limited to 6 miles per hour (originally 10 miles per hour, lowered in amended bill language)
  - \$100,000 liability insurance required for manufacturer/operators
  - Maximum weight 120lbs
  - Bill language does not classify PDDs as vehicles. Law that defines vehicles modified to exclude PDDs
  - Pedestrian Advocacy Group, Feet First, posed several concerns to legislature
    - Language added to pedestrian code that added “and PDD” everywhere pedestrians are listed, granting same rights to PDD that are granted to pedestrians
      - One exception: If on a sidewalk, a PDD does have to yield to a pedestrian
    - Questions posed by Feet First to lawmakers:
      - How do PDDs cross the street?
        - Bill language states the PDDs will use wheelchair curb ramps to enter roadways for crossing

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- What happens if a DD gets stuck in the roadway?
  - Bill language does not address
  - PDD manufacturer anticipated to state a representative will be sent out to resolve case-by-case
- This subcommittee should track activities of PDDs to identify potential (or real) safety issues that arise following legislation passing and what PDD implementation may lend to the bigger picture of AVs
- Subcommittee discussion on PDDs:
  - If an accident occurs, who is liable?
    - Operators/manufacturers of the PDD – case-by-case determination
    - If a local jurisdiction takes action to allow PDDs on their sidewalks, does that change the liability at all?
      - No. Insurers have been engaged in conversation throughout legislative process to address liability questions.
      - Want to make sure that policyholders are not held responsible for activities related to PDDs unless they specifically have policies to cover them
        - E.g. Homeowners insurance will not cover
        - No direct connection to a person operator, only companies as operators
        - Companies offering services that utilize PDDs are liable

*Topic Closed.*

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### INTRODUCE AV STATUTORY PROPOSALS FROM UW

Debi Besser

- Review the University of Washington's School of Law review and recommended revisions to RCWs
- UW presented to Executive Committee – Committee requested that subcommittees review and provide feedback
- UW School of Law will attend June 12<sup>th</sup> meeting to discuss in more detail
- **ACTION ITEM:** Subcommittee chairs will send out copy of UW review and recommendation presentation for members to review before next meeting (June 12<sup>th</sup>)

*Topic closed.*

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### RCW UPDATE RECOMMENDATION FROM LICENSING SUBCOMMITTEE

Debi Besser

- Licensing Subcommittee met on April 18<sup>th</sup>, discussed recommendation to update RCW for Television Screens in vehicles - [RCW 46.37.480](#)
  - Licensing Subcommittee recommended RCW language changes sent to Safety subcommittee members prior to this meeting.
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- Reason for initial discussion – Truck platooning:
  - Front/Lead Truck is able to see road/environment
  - Following Truck has restricted sight of road/environment, as it follows very closely to Front/Lead Truck
  - Following Truck has TV screen with live feed of what Front/Lead Truck can see
  - Current RCW prohibits the Following Truck’s use of live TV
- Discussions regarding live TV/video in vehicles are occurring around the country for various reasons, not just truck platooning
- Not just for entertainment purposes - has been approved for backing up and for slow speeds –
- Licensing Subcommittee asked Safety subcommittee specifically to review – Does Safety Subcommittee agree this is a good revision? If so, is this the right language?
- Subcommittee discussion on recommended TV screen RCW changes:
  - Vehicles are manufactured with an assumed to be sold in all 50 states, need to make sure any changes that auto manufacturers must follow for Washington would also align with other states
    - Copy of recommended language changes has been sent to Global Automakers Association for review/feedback
  - Two phrases need further definition to assist in review of RCW language changes - “Driving Environment” and “Entertainment”
    - Would TV screens be permitted in all driving environments?
    - Limitations for speed of vehicle?
    - Level of driver control (automation level) of vehicle?
    - What is considered “driving environment”? Does the sonar and radar range that extends beyond the vehicle count in the driving environment limitations?
    - What constitutes “entertainment”?
  - Federal government does regulate equipment permitted/restricted in vehicles
    - Do not want to wait for federal government to take action on this
  - Teslas and other vehicles currently deployed on the roads already have TV screens, used for managing vehicle settings and operation
    - Updating RCW language to fit what is already deployed makes sense
    - Technology is changing everyday, need to make sure RCW language allows for technology evolution and innovation without unintentional restriction
  - SAE does have definitions and taxonomy related to this ([J3016](#)) – Make sure we check what may already be developed to address this matter
  - Concerns that current law is not enforceable as written – if no longer enforced, is there benefit in updating at all?
    - New distracted driving laws are being used for distractions over Television Viewer RCW
  - Two different issues here:

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- 1 – Enabling use of video in limited circumstances for truck platooning. Specific language changes to current RCW is a good solution.
- 2 – How vehicles screens in existing and future cars can be a source of distraction, and if limitations are needed.
- Suggest subgroup to review and discuss in more detail, to report back to Subcommittee at June 12<sup>th</sup> meeting with recommended changes (if any)
  - Michael Transue, Global Automakers Association - Coordinator
  - Alan Werner, Washington Society of Professional Engineers
  - Yes Segura, Smash the Box
  - Tim Coley – Washington State Patrol
  - Kim Mathis – Washington State Patrol
  - Shelly Baldwin, Washington Traffic Safety Commission (WTSC)
  - Representative from Licensing Subcommittee
    - Understood that this is not really a licensing issue, but want a representative from Licensing Subcommittee to be involved since the recommendation came from that group
    - **ACTION ITEM:** Stephanie Sams will identify representative from Licensing Subcommittee to participate in subgroup
  - **ACTION ITEM:** Debi Besser to provide information to Michael Transue offline to start subgroup discussions, then Michael Transue will coordinate subgroup discussion from there
  - **ACTION ITEM:** Subgroup to be prepared to provide an update on the progress of the review and recommended changes (if any) at June 12<sup>th</sup> meeting

*Topic closed.*

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## TOPIC SURVEY RESULTS AND FUTURE DISCUSSIONS

### Kenton Brine

- Initial subcommittee discussions resulted in broad set of ideas for group to focus on, have spent the last year narrowing focus and prioritizing
  - 2018 Work Plan focused on two concepts for recommendations
    - Health Impact Assessment: Recommendation to Executive Committee was approved. Executive Committee recommended to WSTC, who recommended to Legislature in annual report.
      - Ultimately not funded by Legislature.
    - Public Education Campaign: Recommendation to Executive Committee was approved. Executive Committee recommended to WSTC, who chose not to move forward to Legislature
      - Hesitation on cost of recommendation – Executive Committee requested that subcommittee take another look at cost and potential alternative funding sources
      - WTSC still working on Public Education Campaign through existing channels and resources
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- Question to group – Do we reopen the initial large list of idea to review validity now? Expand to new ideas?  
Focus on trying to get initial recommendations approved this round?
    - Need to define a process to filter and prioritize ideas
    - Subcommittee members took a survey to identify potential interest in ideas and priority
      - Public Education was #1 – Focusing on ADAS and AVs
      - Safety Data Needs and Access #2
    - Agree as a group not to focus on more than 3 recommendations at a time.
    - Should top 2 ideas be broken out into lower levels of focus?
      - e.g. Public Education: Could focus on one aspect of education, such as educating the public on the technology and automation levels already deployed in vehicles on the road today
      - Breaking down ideas to lower levels of focus may give more change that recommendation(s) will move forward through to legislation
      - Policy changes that do not require funding will most likely have better change of moving forward
  - Two projects are being actively pursued by WTSC for FY2020
    - Public Education: WTSC is developing a Strategic Communications Plan.
      - Hoping subcommittee members can help shape the development of the plan.
        - What to say
        - How to say it
        - Who to say it to
      - Project does not include execution of the plan, just development for potential future execution.
    - Crash Investigation Data: WTSC evaluating what data is needed for vehicles equipped with level 2 safety systems now when a crash occurs.
      - What safety systems are in the vehicle?
      - Which safety systems were turned on?
      - Were the safety systems operating correctly?
      - Mechanism to measure effects of safety systems
      - WTSC goal to start gathering data to understand and evaluate from a Washington State perspective
      - Project involves data systems, research users, law enforcement, etc.
      - Long-term goal – Identify crash data elements need to be in place and available to prepare for level 4 and 5 vehicles
  - Suggestion to explore adding implied consent language into law(s) for investigators, state patrol, etc. when an C/AV is involved in an accident
    - Similar to breathalyzer tests – consent is implied when vehicle is registered
    - Not just for autonomous vehicles, for any vehicle with connectivity or any level of automation
    - Data from cameras, monitoring features, steering wheel position, etc. would be accessible
    - Same concept as black boxes on airplanes
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- Limit to crashes with death, serious injury or property damage
- Can improve safety, liability, investigation, etc.
- Suggest subgroup to explore this topic further for a potential recommendation
  - What is the state of current law?
  - How are data accessed now, via a warrant?
    - Yes, a warrant is currently required.
    - Would need to know if AV is owned by individual or by company, fleet, etc.
  - What kind of data would recommendation propose be accessed?
  - How would it be protected against privacy violations?
  - Who would have access to the data?
  - **ACTION ITEM:** Debi Besser to reach out to all Subcommittee organizers on this topic to identify which subcommittees are interested in participating in a subgroup
  - Volunteers from this Subcommittee to participate in a subgroup on this topic:
    - Steve Marshall, City of Bellevue – Coordinator
    - Warren Stanley, Washington State Department of Transportation
    - Tim Coley, Washington State Patrol
    - Logan Bahr, Association of WA Cities – Will engage local law enforcement
  - **ACTION ITEM:** Debi Besser to provide information to Steve Marshall offline to start subgroup discussions, then Steve Marshall will coordinate subgroup discussion from there
  - **ACTION ITEM:** Subgroup to be prepared to provide an update on the progress of research and findings at June 12<sup>th</sup> meeting
- Suggested topic to explore – public education and outreach on the technology in vehicles today (e.g. ADAS)
  - Many drivers are afraid of the technology in vehicles today – do not know how it works, when to use it, etc.
  - Much of the population does not understand how to use the technology, how it makes them safer, and that the driver needs to be in control (autonomous assistance)
  - Questions were posed to group of vehicle magazine readers, driving instructors, and members of the National Safety Council:
    - Questions:
      - Do you have vehicles with ADAS?
      - Have you used it?
      - Are you afraid of it?
      - Have you had a bad experience with it?
    - Responses:
      - 2/3 of people are resistant to change. See some advantages but worried about how drivers will use the technology and if they will become complacent.
      - 1/3 see real value of ADAS technology for safety.



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- Many are not worried about their own driving, but other drivers' misuse of the technology. Not seeing how ADAS technologies present in vehicles can prevent other drivers from causing them an issue.
  - Enormous need to address this with the public and driver training industry
  - Driving school in Los Angeles is starting to address ADAS with teen drivers.
    - Combine with street driving lessons.
    - Not just classroom experience, but experiential in vehicle to integrate safe driving techniques and how to use technology properly
    - Hoping for a nationwide effort to start addressing this.
  - Some auto dealers are starting to have specific employees specifically trained in ADAS and vehicle technologies that can provide guidance and training to those purchasing vehicles with the technology – above and beyond the standard training received when purchasing a vehicle
  - Question – What is the process for a subcommittee recommendation to get through Legislation?
    - Process is still being developed by Executive Committee, needs help from Subcommittees
    - Process as it is now:
      - Subcommittee makes formal recommendation to Executive Committee
      - Executive Committee reviews, and if approved, recommends to WSTC
      - WSTC reviews, and if approved, includes in annual report on Work Group to Legislature for consideration
      - Legislature reviews, and if approved, moves to a bill to be processed through legislation
    - How budget requests should go through the process is still unclear
      - Does the budget request go through the WSTC budget or an individual agency's budget (in which case the agency needs to sponsor the recommendation)?
    - How much engagement Subcommittees and individual agencies need to have during session to see a recommendation through the legislative process is unclear
  - Health Impact Assessment topic:
    - Suggest breaking down the topic into smaller pieces and prioritizing
      - Suggest subgroup to explore this topic further for a potential recommendation
      - Volunteers from this Subcommittee to participate in a subgroup on this topic:
        - Rad Cunningham, Washington Department of Health – Coordinator
        - Shannon Walker, City of Seattle
        - Yes Segura, Smash the Box
      - **ACTION ITEM:** Debi Besser to provide information to Rad Cunningham offline to start subgroup discussions, then Rad Cunningham will coordinate subgroup discussion from there
      - **ACTION ITEM:** Subgroup to be prepared to provide an update on the progress to refine the scope of the HIA at June 12<sup>th</sup> meeting
  - Public Education topic:
    - Washington Department of Health is interested in continuing to talk about health impacts.
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- An opportunity to share information to inform decision making for various steps along the path of AV development
  - WSTC budget was approved in Legislature to include \$100,000 for Communications work on the AV Work Group
    - Develop and maintain a standalone website to support the work of the Executive Committee and Subcommittees, and to provide general information on how AVs work and progress of AVs in the state
    - Develop fact sheets on AVs and the Work Group that Executive Committee and Subcommittee members can use for informational purposes
    - How does the WSTC's Communications work align with the WTSC's Strategic Communications Plan effort?
      - WTSC effort is more about planning for ongoing public outreach and education
      - WSTC effort is more about providing information on the AV Work Group itself
      - WTSC and WSTC do need to collaborate on these efforts to keep in alignment
  - Why did the Public Education recommendation not make it through Legislature?
    - Subcommittee members feel it was too broad of a recommendation
    - Budget request associated with the recommendation was large, Executive Committee requested the Subcommittee take another look at budget request and identify possible alternative funding sources for at least some of the effort
  - How can the Public Education recommendation be broken down further?
    - Address technologies present in vehicles today
      - Dealerships, driver education programs, outreach to vehicle manufacturers
      - Build campaign around information already available (e.g. NHTSA, SAE, AAA)
        - AAA foundation and research institutes have conducted studies on public attitudes towards AVs, year-to-year incident studies, ADAS capability testing (auto braking, lane deviation, etc.)
      - Separate ADAS and AV – Different concepts that often get mixed up
    - Separate efforts to assess public perception and to actually conduct education campaign
    - Leverage existing communication channels – WSTC AV Work Group website, dealerships, car rental companies, etc.
    - Incremental so as not to overwhelm recommendations and feel we are getting ahead of legislation and technology
    - Suggestions for Yes Segura (Smash the Box) to present at June 12<sup>th</sup> meeting – Data on self-driving cars in Seattle today
    - Be cognizant of auto manufacturer standpoint – Technology is different in different vehicles
      - If a citizen reads a fact sheet about one type of vehicle and ADAS technology, they may assume all vehicles' ADAS technologies are similar.
      - Education materials need to be consistently refreshed as technology evolves
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- Need to make sure to engage auto manufacturers to get information about their specific vehicles and ADAS capabilities
  - Hope to expand subcommittee membership to include different perspectives, such as car clubs, driving instructors, etc.
  - Look at actual pilot projects and demonstration projects.
    - Examples include Waymo in Kirkland, GM in Bellevue, Tesla moving into WA.
    - Kick the tires. What is already happening? What is coming?
    - Different categories – cars, robo-taxis, commute pool, etc.
    - Refine communication materials to address public citizens at a “this is how it applies to my life” perspective
  - Suggest breaking down the Public Education topic into smaller pieces and prioritizing
    - Suggest subgroup to explore this topic further for a potential recommendation
    - Volunteers from this Subcommittee to participate in a subgroup on this topic:
      - Debi Besser, Washington Traffic Safety Commission – Coordinator
      - Kenton Brine, NW Insurance Council – Coordinator
      - Jennifer Cook, AAA Washington
      - Francois Larrivee, Hopelink
      - Steve Marshall, City of Bellevue
      - Doug Dahl, TransitLab Consulting
      - Mi Ae Lipe, Driving in the Real World
      - Alex Alston, Washington Bikes – Specific focus on educating the public on where current testing and deployments are happening (transparency)
    - **ACTION ITEM:** Debi Besser and Kenton Brine will coordinate subgroup discussion
    - **ACTION ITEM:** Subgroup to be prepared to provide an update on the progress of refined scope and priority of Public Education topic at June 12<sup>th</sup> meeting
  - Suggestion to set aside most of June 12<sup>th</sup> meeting to topic of Public Education and Outreach on currently available C/AV technologies in vehicles
    - Presentations from Yes Segura (Smash the Box) and Mi Ae Lipe (Driving in the Real World)
    - Presentations/Updates from Subgroups
      - Licensing Subcommittee RCW Updates on TV screen / live video feeds
      - Implied Consent for Vehicle Data
      - Health Impact Assessment Scoping and Prioritization
      - Public Education Scoping and Prioritization
    - Panel discussion on presented topics, how best to move forward
    - Group discussion on how to manage Work Plan through end of 2019
  - **ACTION ITEM:** All Subcommittee Members – Between now and June 12<sup>th</sup> meeting, think about how best to move forward as a group
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- How subcommittee processes information and turns into to recommendations
- The nexus between the Subcommittee's mission and the Governor's mandate for AV Work Group
- Responses subcommittee has received on recommendations so far
- How to blend actionable recommendations and feasible funding requests

*Topic closed.*

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### WORK PLAN UPDATES AND NEXT STEPS

Kenton Brine

- **ACTION ITEM:** Debi Besser will document planned activities discussed today in the Safety Subcommittee Work Plan and send out to subcommittee members as draft for review prior to June 12<sup>th</sup> meeting.
- June 12<sup>th</sup> meeting will dive into Work Plan activities in more detail
- 3 Subcommittee meetings planned
  - June 12<sup>th</sup>
  - July 10<sup>th</sup>
  - September 11<sup>th</sup>
    - This meeting will focus on finalizing recommendations for Executive Committee (meeting September 26<sup>th</sup>)
- Location of June 12<sup>th</sup> meeting TBD – Will update meeting invite when location is identified.
- Reminder that no emailed votes will be accepted in subcommittee meetings. Must attend subcommittee meeting either in-person or via phone for vote to be counted.

**NEXT MEETING:** June 12, 2019

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*Meeting adjourned.*