



MEETING SUMMARY

Meeting: Safety Subcommittee
Location: Helen Sommers Building | 106 11th Ave. SW, Olympia WA | Room #G015A&B
Date: November 8, 2019

Attendees:

First Name	Last Name	Organization	Subcommittee Voting Member? (Y/N)
Ted	Bailey	Washington State Department of Transportation (WSDOT)	N
Joel	Barnett	Federal Highway Administration, Washington Division	N
Debi	Besser	Washington Traffic Safety Commission (WTSC)	N
Kenton	Brine	NW Insurance Council	Y
Brian	Chandler	DKS Associates	Y
Jennifer	Cook	AAA Washington	N
Tim	Coley	Washington State Patrol	N
Doug	Dahl	TransitLab Consulting – TARGET ZERO	Y
Mandie	Dell	WTSC	N
Brad	Klippert	Washington State House Republicans Caucus	N
Francois	Larrivee	Hopelink	Y
Mi Ae	Lipe	Driving in the Real World	Y
Kyle	Miller	WSDOT	N
John	Milton	WSDOT	Y
Markell	Moffett	WSP USA	N
Mathew	Perkinson	Washington Utilities and Transportation Commission	N
Paula	Reeves	Washington Department of Health	Y
Bryce	Yadon	Futurewise	Y
Tom	Foster	WSP (new co-chair)	Y
Steve	Marshall	City of Bellevue	Y
Jane	Wall	Washington State Association of Counties	N
Michael	Transue	Association of Global Automakers	Y

WELCOME AND INTRODUCTIONS

Kenton Brine & Debi Besser

- Introductions
- Review agenda

Topic closed.

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2020 Meetings

Debi Besser

- Subcommittee Co-Chair Replacements
 - Subcommittee co-chairs have two-year terms – both the private and public sector co-chairs' terms are up as of the end of 2019
 - Public co-chair, Captain Dan Hall of WSP, is succeeded by Captain Tom Foster of WSP
 - Tom will begin co-chair position at first 2020 subcommittee meeting
 - Private co-chair, Kenton Brine of the Northwest Insurance Council, is stepping down and a new private co-chair must be elected
 - Responsibilities of private co-chair
 - Overall, a minimal lift to support this position
 - Attend subcommittee meetings, in person
 - Attend pre-meetings to prepare agenda, discuss topics and review ideas coming forward
 - Attend post-meetings to debrief subcommittee meeting discussion and action items
 - During months where a subcommittee is held, approximately 2-4 hours of time commitment beyond subcommittee meeting itself
 - Exiting private co-chair noted that this subcommittee functions very well, and the co-chairs are fully supported
 - Nominations
 - No offline nominations were received prior to subcommittee meeting
 - Formal in-room nomination of Michael Transue, representing the Global Association of Automakers
 - Motion on the floor to accept the nomination and elect Michael Transue as new subcommittee private co-chair
 - Motion seconded.
 - Discussion: None.
 - Vote: Unanimous vote to approve.
 - **Motion carried.**
 - 2020 Meeting Planning
 - Subcommittee has held an average of 5 to 6 meetings per year, with less meetings during Legislative session
 - Meeting attendees agreed to carry this cadence forward into 2020.
 - Discussion on what months meetings should occur in based on when Executive Committee meetings will be held, to ensure subcommittee has time to meet and prepare recommendations prior to presenting to Executive Committee.
 - Months selected: February, May, July, August, and November
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- Discussion held on what week/day each month meetings should be held, based on co-chair and attendee availability
 - Week/Day selected: Fourth Thursday of each month
- Attendees agreed that 10am to 12pm works for each 2020 meeting
- 2020 meetings expected to be held at the WTSC offices
 - ACTION ITEM: Mandie Dell to confirm WTSC conference room availability for selected meeting dates/times
- Planned 2020 meeting schedule:
 - Thursday, February 27th 10am – 12pm
 - Thursday, May 28th 10am – 12pm
 - Thursday, July 23rd 10am – 12pm
 - Thursday, August 27th 10am – 12pm
 - *Tom Foster unavailable to attend, Captain Tim Coley (WSP) will attend as proxy*
 - Thursday, November 26th 10am – 12pm
 - *Following subcommittee meeting, it was identified that this meeting date falls on the Thanksgiving holiday. Subcommittee members will identify an alternative November 2020 meeting date at the next subcommittee meeting.*

Topic closed.

RCW 46.37.480 Recommendation

Michael Transue

- Recommendation form provided to subcommittee members prior to meeting
 - Review of RCW 46.37.480 Television Viewers originated in the context of truck platooning, and expanded to a broader discussion of distracted driving
 - Two newer RCWs have superseded this RCW to address distracted driving
 - RCW 46.61.672 – Use of electronic devices in vehicles
 - RCW 46.61.673 – Dangerously distracted driving
 - Recommendation: Repeal RCW 46.37.480(1)
 - *No person shall drive any motor vehicle equipped with any television viewer, screen, or other means of visually receiving a television broadcast when the moving images are visible to the driver while operating the motor vehicle on a public road, except for live video of the motor vehicle backing up. This subsection does not apply to law enforcement vehicles communicating with mobile computer networks.*
 - Discussion:
 - If this RCW is an obstacle for AVs and related technologies, WSP is comfortable with the repeal of 46.37.480(1)
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- Suggestion that as AV policy research and development continues, any AV-specific RCWs have distinct, separate RCWs so as not to muddy the waters down the road
- Suggestion to add language into the recommendation form that this RCW is in conflict with or superseded by other RCWs that are more enforceable
 - Want to prevent negative optics of requesting repeal of law instead of revising or recommending new laws to support AV policy
 - The repeal of this RCW section is seen as language cleanup, rather than a direct repeal, as it is only repealing one section of an RCW that is no longer relevant
 - Other RCWs are more enforceable and have graduated fine schedules/higher penalties
- This topic has been discussed with the Executive Committee, a formal recommendation has not yet been made – subcommittee plans to take formal recommendation (if endorsed by the subcommittee) to the next Executive Committee meeting for review and endorsement.
 - Note that if brought forth to the Executive Committee, the recommendation will go to the Washington State Transportation Commission (through presented recommendation) and the Washington State Legislature (through annual report) for potential legislative action, regardless of Executive Committee voting action
- Does the repeal of this RCW section enable trucking platooning – the “following” truck having a viewing screen of the “lead” truck’s view?
 - Not necessarily. The ability to use a viewing screen does not directly enable truck platooning.
 - Driving actions are affected by this RCW change – truck platooning has further driving implications than just using a screen
 - Note that the subgroup reviewing this RCW did not focus on its impacts to truck platooning, but rather in the context of distracted driving
- Does the repeal of this RCW section enable, or at least make a step towards the ability to remove side mirrors from vehicles, and use in-vehicle cameras in their place?
 - Other laws exist that prohibit the removal of side mirrors that would need to be evaluated
 - Suggestion for what RCWs may impact replacement of side mirrors with in-vehicle cameras as future subcommittee discussion topic
 - This repeal is a step toward continued exploration of using screens as AVs develop/evolve
- Motion on the floor to approve the recommendation to repeal RCW 46.37.480(1) and move forward to the Executive Committee in 2020 as an official recommendation.
 - Motion seconded.
 - Discussion: None.
 - Vote: Unanimous vote to approve.
 - **Motion carried.**

Topic closed.

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UPDATES FROM SUBGROUPS

Education – Kenton Brine / Debi Besser

- Subgroup working to identify audiences and target messages to shape an AV public education plan
- Subgroup plans to meet before the end of 2019 to continue plan development
- Discussion:
 - Has the subgroup reached out to auto dealers as part of the discussion and plan development?
 - Not yet. It would be great to have auto dealer engagement in development of the plan, as both a key audience and a stakeholder for AV public education
 - Auto dealers can bring a unique perspective, as they currently provide frontline engagement and education to drivers
 - **ACTION ITEM: Michael Transue will provide an auto dealer contact(s) to Debi Besser and Kenton Brine for subgroup engagement**
- Is the intention of the subcommittee to develop the education plan and then pursue implementation of the plan, or stop at plan development?
 - The focus now is on what conversations need to be had with the public on AVs and related technologies; what key messages should be developed
 - Group may look at a future budget request for implementation of the education plan, anticipating 2021 or later

Crash Data Access and Analysis – Steve Marshall / Debi Besser

- Multiple entities have identified there is a lack of vehicle data available now
 - Limited access to data regarding if lane keeping, lane departure, and blind spot warning, etc. features were in use at the time of a crash. These would be useful during crash investigations.
 - WTSC established project to explore the data needed, assess opportunities, and potential approaches to establish
 - Potential methods of getting data – Crash reports, databases, VIN decoder database/mechanism, etc.
 - Insurance Institute for Highway Safety has volunteering to be part of project group to see what national resources may be available
 - Project group's first meeting is in December 2019
 - Complicated to obtain vehicle data now – with the amount, accuracy and granularity of data available in the new generation of vehicles, there are great opportunities to find out more information when a crash occurs
 - Policy for crash data access could be similar to implied consent policy in place for breathalyzer testing
 - Crash data access would be limited to crashes involving fatalities, serious injury and/or property damage to limit scope and reach
 - Key questions this project group is exploring:
 - What data is available?
 - How can we get better access?
 - How can we get faster access?
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- No other state currently looking at crash data access
- Next steps are to initiate monthly meetings with project group members, scope out the effort, issue an RFP and hire a consultant to conduct study
- Discussion:
 - How is access to vehicle data different than accessing the data we carry around on our phones, which is protected?
 - When a vehicle is involved in a crash, vehicle data should be treated similar to a black box on an airplane
 - Privacy is protected as much as possible, while still trying to accomplish primary goal of aiding in investigation of what happened
 - How did the crash occur
 - what could have been prevented
 - what components/elements contributed
 - Newer vehicles come with more technology – cameras, sonar, radar, etc.
 - Driver involved in crash may state traffic light was green, vehicle camera can confirm truth
 - Authorities must be involved to access data
 - Data could aid analysis to identify where issues are to prevent future crashes
 - Example: Near misses reported in an intersection, data could identify the *why* – are there patterns or elements that are causing these near misses?
 - Data could be used to refine crash reasoning categories for a better delineation of crash causes
 - Many agencies, manufacturers, and other entities are having discussions on this
 - There are competing interests that need to be identified and mitigated
 - Private sector companies are concerned that proprietary data may be revealed/derived if data is shared
 - Insurance industry interested in crash data as well, as they shift to a different model for insurance for AVs to determine who/what is at fault
 - Encourage private sector to engage in this project, can provide insight on what data they are willing to provide without compromising competitive edge
 - To ensure protection of customer data – Can the data be put in a format that allows for aggregation and sanitization of personally identifiable and proprietary data, in an effort to meet everyone’s needs?
 - First question this project is asking is what data is needed, then the group can figure out how the data can be accessed and how to protect it
 - Systems and apps available today offer a “trade-off”, where the user (pedestrian, driver, etc) agrees to give up a certain level of information to access and use the system/app
 - Project needs to do its best to align with what other states may be doing to ensure conformity across state borders
 - Suggestion that Disability Rights Washington, Rooted in Rights be involved
 - **ACTION ITEM: Bryce Yadon to provide Disability Rights Washington, Rooted in Rights contact to Debi Besser**

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Topic closed.

REVIEW / FEEDBACK ON UNIFORM LAW COMMISSION'S AUTOMATED OPERATIONS OF VEHICLES ACT

Kenton Brine

- Executive Committee requested all subcommittees review the ULC's Automated Operations of Vehicles Act
- Liability Subcommittee reviewed, formed a subgroup to go line-by-line through the Act next week
- Do subcommittee members / meeting attendees have specific questions, comments, concerns or changes?
 - Not in layman's terms, difficult to read through
 - Many sections have circular references, making it difficult to follow
 - Infrastructure & Systems Subcommittee conducted light review under context of "are there sections in this Act that would directly impact/affect the Infrastructure & Systems subcommittee"
 - Found it was not necessary for the subcommittee to review, notified the Executive Committee
 - Liability Subcommittee initial review identified concerns about the definition of a driver, and how/whether it applied in each referenced circumstance
 - Background on how this Act came about
 - University of Washington and Steve Marshall, City of Bellevue (Safety subcommittee member) were on the advisory group for the draft of this Act
 - ULC drafting committee made up of legal professionals
 - Originally, ULC waiting for federal preemption law, federal government has not acted
 - ULC established a drafting committee to establish a draft uniform state law on this topic
 - If federal preemption does go in to effect, may diminish effect of this Act as adopted by states
 - WSDOT reached out to the American Association of Highway Transportation Officials (AASHTO) to determine its position on this Act and suggestion on what types of entities/professions should be focusing on reviewing this Act
 - Definitions section a good start to review and look to adopt as a state, can use as a general model then adjust for state-specific needs
 - Suggestion to form a subgroup to review the Act
 - Subgroup to review and provide feedback for the Executive Committee on:
 - Sections to bring forward for consideration to enact into law
 - Sections to remove / not bring forward
 - Sections that, with revisions, could be adopted
 - Sections not reviewed by this subcommittee, out of purview
 - Subgroup members:
 - Kenton Brine – Subgroup Lead and liaison for Liability Subcommittee review
 - Francois Larrivee
 - Bryce Yadon
 - Ted Bailey – informing between this, Self Drive Act and AASHTO conversations

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- Steve Marshall
- Bill Covington (Steve Marshall to reach out for engagement)
- Tom Foster
- Paula Reeves – Liaison for Health & Equity Subcommittee review
- Concern that there is no mention of automation levels in the Act – there are drastic changes in task ownership between human and vehicle based on automation level that needs to be captured
- Presents opportunity for consensus building within a state as well as cross-state collaboration
- Suggestion to look into how this could fold into the state’s uniform vehicle code
- **ACTION ITEM: Kenton Brine to coordinate the subgroup review of this Act and bring back information to the February 2020 meeting.**

Topic closed.

REVIEW AND UPDATE SUBCOMMITTEE WORK PLAN

Debi Besser

- Subcommittee Work Plan updated following previous meeting, provided to meeting attendees prior to this meeting for review and feedback
- Do subcommittee members / meeting attendees have specific questions, comments, concerns or changes?
 - Washington State Strategic Highway Safety Plan, Target Zero Plan has a Cooperative Automated Transportation (CAT) chapter that lists several strategies – are those incorporated in this work plan?
 - TargetZero Plan not yet official, pending Governor’s Office review
 - Strategies and other topics covered in CAT chapter of TargetZero Plan are incorporated into Work Plan as “additional topics to consider”
- Motion on the floor to formally adopt the Safety Subcommittee Work Plan as drafted.
 - Motion seconded.
 - Discussion:
 - Add new subgroup just created to review ULC Act
 - **ACTION ITEM: Debi Besser will add as official subgroup in Work Plan**
 - Update Work Plan to reflect the subcommittee’s official position on RCW 46.37.480
 - **ACTION ITEM: Debi Besser to update Work Plan to reflect position on 46.37.480**
 - Infrastructure & Systems Subcommittee Work Plan includes development of illustrative actions for each of the 8 adopted policy goals that will be provided to the other subcommittees to review – is that activity addressed in this work plan?
 - Engagement with other subcommittees is covered in the Work Plan



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- Question on how each subcommittee is expected to engage in the review of these illustrative actions – How is this being approached so as not to imply the subcommittee is being encroached on within their specific topic area?
 - Infrastructure & Systems efforts on policy goals, strategies and illustrative actions are from an Infrastructure Owner Operator position, but need other subcommittees' lens on their specific topics
 - Example: One goal is Equity. The illustrative action may be to deploy an AV shuttle in an underserved community.
 - Request to Health & Equity Subcommittee would be to review the illustrative action with an equity lens – what equity criteria should be considered when deploying the AV shuttle?
 - Goal to develop statewide CAT Policy Framework with input from all subcommittees
 - Vote: Unanimous vote to approve.
 - **Motion carried.**

Topic closed.

PUBLIC COMMENT

Kenton Brine

- No public comment.

Topic closed.

ROUNDTABLE

Kenton Brine

- AAA released a report in October 2019 on automated emergency braking for pedestrians
 - Current limits – Example: Limitation of cameras and radar to pick up movement of pedestrians leaving curb to enter crosswalk
 - Current technologies
 - Steps to move forward
 - **ACTION ITEM: Jennifer Cook, AAA, to provide copy of report for subcommittee review and to present report findings at February subcommittee meeting**
 - Newly formed Health & Equity Subcommittee holding its first meeting on November 19th
 - Several opportunities for engagement in the AV space – conferences, meetups, etc.
 - Urban Air Mobility Group held meeting recently on autonomous/electric parts of urban air mobility
 - Adds another dimension to the AV conversation (drones, helicopters, etc.)
 - Air taxis are starting to be deployed – no longer a pipe dream
 - Smart Mobility Seattle meetup group – meets regularly in the Seattle area
 - Looking for better government participation
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- **ACTION ITEM: Mi Ae Lipe to provide Debi Besser information on the Smart Mobility Seattle meetup group to disseminate**
- Association for Commuter Transportation TDM Forum 2019 held in Seattle, discussing transportation and mobility evolution and innovation
- Consumer Electronics Show held in Las Vegas in January 2020
 - **ACTION ITEM: Mi Ae Lipe to present on the show at the February subcommittee meeting**
- Other conferences that fall into this space:
 - ITS America Annual Conference
 - ITS World Congress – *noted that 2020 conference will be held in Los Angeles*
 - Transportation Research Board (TRB) Annual Conference
 - Autonomous Vehicle Symposium
- Suggestion for better information sharing on events/opportunities
 - Those that attend to take notes and share with subcommittee at next meeting
 - Use subcommittee email distribution list to provide notifications of upcoming events
 - Explore if WA AV Work Group website could host page for sharing this type of information
 - **ACTION ITEM: Markell Moffett to discuss possibility with WSTC (website owner)**

Topic closed.

REVIEW ACTION ITEMS AND UPCOMING MEETINGS

Kenton Brine & Debi Besser

- Review of open action items:
 - Debi Besser will update subcommittee work plan and disseminate to subcommittee members
 - Kenton Brine will coordinate initial call for new subgroup for review of the ULC Automated Operation of Vehicles Act, and bring back information to the February 2020 subcommittee meeting
 - The two new co-chairs, Michael Transue and Tom Foster, in coordination with Debi Besser, will develop an agenda for the February 2020 subcommittee meeting
 - Markell Moffett to discuss with WSTC the potential for adding an “upcoming events” type page on the WA AV Work Group website
 - Any subcommittee member that is interested in participating in the Crash Data Analysis Project / Group is to notify Debi Besser
 - Mi Ae Lipe to provide Debi Besser information on the Smart Mobility Seattle meetup group for dissemination to subcommittee members
 - Subcommittee co-chairs and/or agency support staff will provide the February 27th, 2020 subcommittee meeting information to subcommittee members via email
 - Debi Besser will provide subcommittee members a copy of / link to the WA AV Work Group 2019 Annual Report when it is published

NEXT MEETING: February 27th, 2020 | 10am – 12pm | Location TBD (likely at WTSC offices)

MEETING ADJOURNED.
