MEETING SUMMARY

Meeting:	System Technology & Data Security Subcommittee
Location:	Teleconference
Date:	January 13, 2021

Attendees:

Name	Organization
Dylan Dias	Neal Analytics
Rose Feliciano	Internet Association
Larry Gruginski	Washington Department of Transportation (WSDOT)
Joydeep Hazra	Nokia
Tamara Jones	Washington State Transportation Commission
Steven Maheshwary	Washington Department of Commerce
Daniel Malarkey	Sightline Institute
Tyler Milligan	Milligan Partners
Markell Moffett	WSP USA
Theresa Ramsdell	Tesla Owners Washington
Katy Ruckle	Washington Technology Solutions (WaTech)
Michael Schutzler	Washington Technology Industry Association (WTIA)
Ryan Spiller	Alliance for Automotive Innovation
Ian Wesley	WSDOT

INTRODUCTIONS & MINUTES/ACTIONS FROM LAST MEETING
Katy Ruckle

- Introductions
- Walk through agenda

Topic closed.

OBJECTIVES FOR THE SUBCOMMITTEE THIS YEAR
Katy Ruckle & Michael Schutzler

- 2020 was spent familiarizing ourselves with the issues we wanted to tackle
  - No formal recommendations brought forth by this subcommittee in 2020
  - WA AV 2020 Annual Report acknowledges this subcommittee's 2020 efforts:

- ▪ https://oohwstcavworkgroup.blob.core.windows.net/media/Default/documents/annual-reports/WSTC_AVWG_2020_Annual_Report.pdf
- 2021 – Hoping to focus on potential recommendations

Topic closed.

2021 LEGISLATIVE SESSION
Katy Ruckle & Michael Schutzler

- 2021 Washington State legislative session kicked off January 11th
- Washington Privacy Act (WPA) introduced
  - Weren't many changes from what we saw in the drafts last summer that would change our discussions so far
  - Hearing on the WPA January 14th at 10:30am
  - Public sector section included, specific to COVID notifications
  - WPA addresses issues we've discussed, without needing additional/revised language to specifically address AVs
  - One objective of this subcommittee in 2021 is to look at the final legislative language of WPA and other related bills to verify there is no need for an amendment or separate legislation to specifically address AVs
  - WPA language and updates: https://app.leg.wa.gov/billsummary?BillNumber=5062&Year=2021&Initiative=False
- People's Privacy Act
  - HB 1433: http://lawfilesext.leg.wa.gov/biennium/2021-22/Pdf/Bills/House%20Bills/1433.pdf?q=20210201120039
  - Somewhat of a rework of the ACLU bill introduced last year
  - Focuses on the privacy rights of individuals
  - Has specific information about privacy notices and how to address
- Other bills that may be relevant
  - No new bills specific to AVs
  - SB 5116 – Guidelines for government procurement and use of automated decisions in order to protect consumers, improve transparency, and create more market predictability

- https://app.leg.wa.gov/billsummary?BillNumber=5116&Year=2021&Initiative=false
  - o SB 5104 – Moratorium on facial recognition technology
    - https://app.leg.wa.gov/billsummary?BillNumber=5104&Year=2021&Initiative=false
    - Facial recognition has two sides – detection (used by connected/automated vehicle technologies to detect the object *is* a human) and identification (used to determine *who* the human is)
    - May be of concern to industry, such as for ridehailing services if they want to use the technology to confirm the correct rider is getting in the vehicle

Topic closed.

UL4600/SAFETY SUBCOMMITTEE
Katy Ruckle & Michael Schutzler

- Daniel Malarkey presented on the UL4600 safety standard to the WA AV Executive Committee at the November 12th meeting, recommended this subcommittee discuss and follow the standard
- Considering UL4600 is a safety standard, seems the Safety Subcommittee may be a better fit
  - o Reason for recommending this subcommittee discuss and follow the standard is that although the topic UL4600 addresses is safety, it does so by evaluating how software addresses safety – this subcommittee understands the technology/security/software side of things and can discuss whether the approach is appropriate
    - How are we sure the algorithms are solid?
    - How are we sure the level and type of testing is appropriate?
    - Example: Insurance Institute for Highway Safety reports there are 1.13 deaths per 100 million miles traveled. If an AV company states they have tested over 6 million miles…from a technology testing perspective, that is not even close to enough miles to prove safety

- The auto industry has many incentives to only launch safe products, however having a standard like UL4600 in place may reduce any products launching without being confirmed to be safe
  - Boeing 737MAX is one example where the company has all the incentives to produce only safe products, however there were fundamental errors in the design of the system that compromised safety
- Open question on whether the UL4600 standard is the right approach, and what the state's role is in determining vehicle safety, which has traditionally been handled at the federal level
  - Suggestion for this subcommittee to simply learn more about the UL4600 standard and how it progresses to stay up to date and be able to provide insight/guidance if and when federal level discussions occur
  - Not encouraging the state to adopt this standard specifically
  - The state has an interest to be informed and develop points of view on developing technologies, that is the general intent of the WA AV Work Group as a whole
  - One of the reasons UL4600 standard came up in this subcommittee is because 2019 and 2020 subcommittee discussions kept bringing up the question "are there any cybersecurity standards for AV software?" – this seems to be the closest anyone has been able to find
  - If federal regulation comes out on AV cybersecurity, etc. the state needs to be prepared to enact state-level legislation to implement, helps to be informed on the topic already
  - States have been asked to comment on federal discussions and standards, this is another area where it helps to be informed at the state level
  - Looking for a consensus that we need some regulatory framework for this technology that makes sense for the business and for the public, Washington state can be important voices in that national conversation
- Question to subcommittee meeting attendees – Do we want to keep discussing UL4600 and other regulatory standards and frameworks just among this group, or is it worth engaging in a conversation with the Safety Subcommittee to determine if/where there is overlap?
  - Subcommittee meeting attendees agree this is worth engaging with the Safety Subcommittee

- o **ACTION ITEM**: Katy Ruckle will work with the Safety Subcommittee to coordinate a joint discussion
  - ▪ **UPDATE 02/01/2021:** System Technology & Data Security Subcommittee is meeting with the Safety Subcommittee on February 10th at 10am

Topic closed.

TESLA CAMERAS
Theresa Ramsdell

- Theresa Ramsdell is the President of Tesla Owners Washington, a social group focused on education on electric vehicles (EV), EV charging, sustainable energy, and general Tesla education
- Teslas have two ways they use cameras
  - o Dash cam – only records during driving
    - ▪ When the dash cam records, every hour it rewrites itself unless the vehicle is in an incident the driver wants to save
      - To save, tap the dash cam button or honk the horn and it saves a ten-minute window of video
  - o Eight cameras on the outside of the car, used during driving to help the car see where it is on the road
    - ▪ Has to see street lines to engage auto pilot – If it doesn't see street lines, autopilot doesn't engage
    - ▪ Sentry mode (if enabled by driver) is turned on and activated when the car is parked and locked
      - It records until battery is within 20% of its range
      - Recording is activated if an object comes within the camera range (e.g. pedestrian walking by or car parking next to it)
      - Only video that is kept permanently until you delete it
        - o Driver can go back and review the video
        - o There is an alert on the dash, driver reviews the video in the car using the dash screen
      - Tesla looking at how long to keep sentry videos, most drivers know of an incident, review the video and then delete it
        - o Thumb drives don't have infinite storage

- - Tesla has competitions every year for people to hack into its software, only had one person has ever gotten close
- These videos are collecting data on other individuals near the car (e.g. the pedestrian walking by that triggers sentry mode recording) –potential concern for privacy

Topic closed.

WSTC REPORT
Katy Ruckle & Michael Schutzler

- WA AV 2020 Annual Report published:
  - https://oohwstcavworkgroup.blob.core.windows.net/media/Default/documents/annual-reports/WSTC_AVWG_2020_Annual_Report.pdf
- Report discusses efforts of the Executive Committee and subcommittees during 2020, including this subcommittee's 2020 efforts
- Report also details the recommendations brought forth by the Work Group during 2020

Topic closed.

OPEN DISCUSSION
Katy Ruckle & Michael Schutzler

- Recommendation to have another subcommittee halfway through session to discuss progress on WPA and other related bills… late February
- Other topics meeting attendees would like to discuss, or other voices that should be at the table?
  - Depending on the agenda, additional industry voices are recommended
  - USDOT representative to hear what they are doing at the federal level

Topic closed.

MEETING ADJOURNED.