



MEETING SUMMARY

Meeting: System Technology & Data Security Subcommittee
Location: Teleconference
Date: April 28, 2021

Attendees:

Name	Organization
Rose Feliciano	Internet Association
Joydeep Hazra	Nokia
Molly Jones	Washington Technology Industry Association (WTIA)
Brent Ludeman	Waymo
Daniel Malarkey	Sightline Institute
Markell Moffett	WSP USA
Theresa Ramsdell	Tesla Owners Washington
Katy Ruckle	Washington Technology Solutions (WaTech)
Kelly Rula	City of Seattle
Michael Schutzler	WTIA
Ryan Spiller	Alliance for Automotive Innovation
Omari Stringer	City of Seattle

INTRODUCTIONS & WALKTHROUGH AGENDA

Katy Ruckle

- Introductions
- Walk through agenda

Topic closed.

LEGISLATIVE SESSION UPDATE

Katy Ruckle

- Washington Privacy Act (WPA)¹ did not pass this legislative session, the third session in a row a privacy act has not passed
 - Consistently passes in the Senate, does not pass in the House
 - Difficulty agreeing on enforcement

¹ Washington Privacy Act SB 5062, 2021-22 session:

<https://app.leg.wa.gov/billssummary?BillNumber=5062&Year=2021&Initiative=False>



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- Significant number of changes were made to the original bill in committee – Plus 25 amendments were introduced
 - Many changes came from the People’s Privacy Act proposed by Representative Kloba this session
 - Because the People’s Privacy Act did not get a hearing, there was no forum for discussion on the Act, and many items in the Act were put into revisions in the House’s version of the WPA
- Washington has generally moved away from the opportunity to be a leader in the privacy arena, being unable to pass a privacy bill
 - California is the ‘law of the land’ for the US, Virginia has a slightly different version
 - If there are regulations in certain areas, the AV is going to comply with those across their organization, they won’t have different versions of AV technology for each state
 - Europe’s General Data Protection Regulation (GDPR) and California’s California Consumer Privacy Act (CCPA) and more superseding California Privacy Rights Act (CPRA) are setting the stage for privacy regulations as they relate to AVs
- The privacy issue is not going away, and continues to be an important area to certain members of this Work Group’s Executive Committee and this subcommittee
- A Proviso² was established to create a task force to look at algorithms and automated decision making used by public agencies
 - This is another area of interest to the Washington State Legislature
 - Looking at algorithms that make decisions and those that support people making decisions
 - Proviso includes \$12,000 for 4 task force meetings, resulting in recommendations
 - This proviso is a nod to Senator Hasegawa’s and the American Civil Liberties Union (ACLU) efforts this session

² Proviso: [5092-S.PL.pdf \(wa.gov\)](#)



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- Substitute Senate Bill 5460³ – Implementing recommendations of the autonomous vehicle work group
 - Bill did pass, headed to Governor’s desk to sign
 - Included in the bill:
 - Establishes definition of “autonomous vehicle” to only include SAE levels 4 and 5
 - Repeals RCW 46.37.480 section 1 relating to restriction of television viewers in vehicles (duplicative of newer distracted driving laws)
 - Rulemaking authority for Department of Licensing was removed from substitute bill
 - Pushed the effective date of the DOL AV self-cert testing pilot program requirements established in HB2676(2019) out a year to October 1, 2022
 - HB2676(2019) was passed in 2019
 - AV industry are continuing to work with the sponsor(s) of the bill to update how reporting requirements are structured
 - If a incident occurs, is it only required to report in the vehicle was in autonomous mode at the time of the incident, or any time if it is considered an AV?
 - Want to make sure the information being reported is relevant and helpful
 - Wasn’t a change...everything reported to DOL is public, an area of debate
 - Make it publicly available – posting it to their website or something...not sure how DOL plans to interpret that
- National update – National Highway Traffic Safety Association (NHTSA) notice for proposed rulemaking for automated driving system safety comment period April 1, 2021

Topic closed.

Discussion re upcoming Exec Committee Mtg on May 25

Katy Ruckle & Michael Schutzler

³ Autonomous Vehicle Work Group legislation SB 5460, 2021-22 session:
<https://app.leg.wa.gov/billssummary?billnumber=5460&year=2021>



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- AV Work Group Executive Committee meeting scheduled for May 25, 2021
- All subcommittees have been asked if they plan to present at the meeting, providing an update on subcommittee efforts and plans
 - If not presenting, subcommittees are asked to provide a written discussion report
- Discussion with attendees – Do we want to present to the Executive Committee at the May 25th meeting, or provide a written discussion report instead?
 - If presenting or providing a written discussion report, we can describe the discussions we've been having regarding UL4600
 - This subcommittee does not have a consensus recommendation on UL4600
 - Can present/report on the differing views and perspectives on UL4600
 - It isn't just black and white / two-sided
 - State vs. federal role in regulating AV safety
 - This is similar to the privacy discussion – should each state be implementing individual regulations which may result in a patchwork of regulation, however if no state takes action and the federal government does not either then there is no regulation at all
 - Where we are now regarding safety standards on key components of AV systems and technology
 - Federal government is trying to wrap around this topic
 - The technology and industry itself has not settled down, still very much in flux
 - Setting standards too soon inhibits innovation, setting them too late may present safety concerns
 - Reminder to subcommittee attendees that there is a Safety Subcommittee – focused safety discussions should shift to the Safety Subcommittee
 - This is why we held the joint subcommittee meeting on UL4600
 - This subcommittee does not have a recommendation to bring to the subcommittee, suggest a presentation is not needed
 - It was noted no other subcommittee is currently planning to present



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- If this is the only subcommittee topic presented, it may become the debate of the meeting – this is not desired, we are still discussing this topic, it is not fully baked and ready to be discussed at that level
- General consensus of attendees that the subcommittee is not ready to make a recommendation, and therefore should not present, should submit a written discussion report instead
 - **ACTION ITEM:** Subcommittee co-chairs will coordinate to develop a draft written discussion report for circulation to this group prior to submitting to the Executive Committee
- Other items on the Executive Committee agenda include an industry panel and a refined “future path” discussion with the Executive Committee, continuing from work sessions last year, to identify refined, actionable tasks the Work Group supports and subcommittees can take on

Topic closed.

OPEN DISCUSSION

Katy Ruckle & Michael Schutzler

- What is happening in the AV industry
 - Promised we would have self-driving cars by 2020, hasn’t happened
 - Industry continues to invest – e.g. Cruise just acquired Voyage
 - Things are happening slower than we thought
 - AV industry is maybe 5 years behind where we thought it would be
 - Industry conversations have ranged from being decades away to only 10 years out
 - The network is not ready yet
 - Example: Tesla chipsets and device systems are integrated, but don’t have 5G yet
 - Technology in cars can operate lower levels of automation, such as adaptive cruise control, can sense other cars, but are unable to talk to one another
 - Note that there are a handful of Teslas operating in Washington State with the full self-driving beta software – stops at lights, is able to automate full turns, etc.



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- One trend being seen now is lighter, smaller devices deploying faster
 - Boise, Idaho is conducting the first pilot in the US for scooter repositioning and summoning – these scooters go 5 MPH, have remote operators – have an opportunity to have quite an impact on the geography they can serve
 - Stop parking in the middle of the sidewalk and running path
 - Potential to use parking strip for more sidewalks and bike lanes
 - Makes us rethink curb space, public infrastructure, less need for parking, etc.
 - The A world expands just vehicles – it covers delivery, drones, remote controlled devices, personal delivery devices (PDDs), etc. – Would be interesting to see if the AV Work Group expands their perspective and purview

Topic closed.

MEETING ADJOURNED.