

Cooperative Automated Transportation (CAT) Coalition Policy, Legislative, and Regulatory Working Group

February 13, 2020 Webinar
Notes and Summary of Discussions

Summary of Action Items

1. Ted Bailey to invite the University of Washington Law School team to present additional findings when they feel it is appropriate.
2. This group to consider and discuss Neal Peterson's suggestion of asking states that did not follow the Uniform Law Commission's (ULC) model legislation to explain their reasons.
3. Staff to pursue a presentation from the ULC on a future webinar.
4. Members interested in sharing their agency's activities in CAT, MaaS, or MOD on future webinars to contact Pat Zelinski.

Welcome

Jennifer Toth (Maricopa County DOT) and Paul Ajegba (Michigan DOT) opened the webinar. Jennifer reviewed today's agenda. A webinar slide deck was used to support the discussions, a copy of the slide deck is being circulated with this summary.

University of Washington School of Law Research

William Covington presented research of the University of Washington Law School Public Policy Clinic. His students have been taking a top down approach to research CAV policy across the nation. Dylan Harlow, Tim Wolfe, Emily Kawahigashi, Jake Ragen, Robin Lustig, Janet Kang joined William in the presentation.

The research initiated with a review of the CAT Policy Framework research conducted by the PLR Working Group. As the research progressed, the University of Washington team researched detailed information about CAT policies and legislature with a key difference that they collected contact information for individuals involved in AV regulations in each state. While getting a hold and reaching the contacts was often challenging, there were personal contacts whenever possible.

The slide deck containing details of the presentation is circulated with this summary, and illustrates findings such as:

- Graphical displays of which states have comprehensive definitions legislation.
- Descriptions of the Uniform Law Commission (ULC) Model Legislations, with commentary on what the research team likes and does not like about the model language.
- Information about what Automated driving vehicles are being tested and the levels of requirements for testing illustrated by state.
- Insight into likely impacts of automated vehicles on vehicle liability and insurance.

After presenting the materials, a question was asked about the complexities of litigation following a crash. The question was recognized, and examples cited for how liability might spread across multiple parties (e.g. vehicle manufacturer, software provider, other vehicles involved). There was recognition that this is not completely understood by the industry at this time.

There was a comment by an attendee that during the development of legislation in their state, the automobile manufacturers and insurance agencies were all represented and active in the legislation discussions.

There was a question about the \$5 Million insurance umbrella. It was clarified that states with a \$5 Million umbrella policy are expressing the minimum requirements for insurance, however this does not cap the amount that injured parties can pursue. It reflects insurance coverage needed.

Plain Language ADS Policies

Jennifer Toth reminded members that this working group has been pursuing an effort to review and assemble information about automated driving systems related terms used in legislation throughout the United States. Jennifer added that this effort is trying to understand the different terms used by states and to understand why some of the terms are selected over others.

Dean Deeter summarized the research presented earlier to this group. Jennifer mentioned that Paul had suggested an NCHRP project on this topic might be appropriate, but after the research it appears the differences in terms is not as extensive as initially believed.

Jennifer suggested the following next steps:

- Offer the University of Washington group the opportunity to come back in two to three months to share additional research findings.
- Jennifer agrees that it is not appropriate to pursue an NCHRP problem statement based on the research ongoing.
- Neal Peterson indicated there is a legal part of NCHRP, suggested an interesting piece of research would be to ask states that have not used the ULC to find out why they have not.

Strategic Initiatives Working Group Update

Blaine Leonard provided a brief overview of the Strategic Initiatives Working Group – the other CAT Coalition WG within the Programmatic & Strategic Activities Focus Area. The focus of the Strategic Initiatives WG is on encouraging deployment.

Blaine updated on the January webinar that included presentations from Maryland Transportation Authority on their deployment of on-board units to communicate the basic safety message (BSM). Other presentations focused on testing of dedicated short-rang communications (DSRC) as compared to 4G/LTE network cellular communications.

Blaine updated on research to understand the extent to which agencies are including security in their SPaT/MAP broadcasts.

Blaine also noted that the Strategic Initiatives Working Group recently initiated planning to identify and take the needed steps to ensure that broadcasts are compatible and trusted by automobile manufacturers. This initiative is called “Enabling Connected Intersections” and will be launched as part of the CAT Coalition in the coming months.

Member Updates

USDOT – AV 4.0

Kevin Dopart USDOT ITS JPO presented on the AV 4.0 document “Ensuring American Leadership in Automated Vehicle Technologies: Automated Vehicles 4.0”. This document expands the summary of AV to include 38 relevant United States Government (USG) components with direct or tangential relations to safe AV development and integration. AV 4.0 can be found at: <https://www.transportation.gov/av/4>.

AASHTO –

Pat Zelinski updated members that during the AASHTO Washington Briefing held the last week of February there will be a CAT meeting on the morning of February 28th. All members should have received an invite.

ITS America –

Kevin Vitta updated that ITS America is working with V2X Task Force finishing comments on the FCC Notice of Proposed Rulemaking (NPRM).

ITE –

Jennifer provided an update from ITE that ITE is working with the CAV Steering Committee on responses to the FCC NPRM and will be sending them off as well.

Update on the Status of the 5.9 GHz Spectrum

Pat Zelinski provided an overview that a Notice of Proposed Rulemaking (NPRM) has been released. There are a few changes beyond what was released last fall. Pat noted that members who are interested should work with their respective associations and/or respond individually.

Meeting Close and Next Meeting

Jennifer recapped plans for the next webinar. The next webinar of the PLR Working Group will be **April 2, 2020 (11:00-12:30 ET)**.

Jennifer invited suggestions for MaaS/MOD presentations. The group is also pursuing the Uniform Law Commission (ULC) to present on this webinar.

Policy, Legislative, and Regulatory WG February 13, 2020 Webinar Participants

- Amanda Anderson
- Blaine Leonard
- Daniel Fedderly
- Daniela Bremmer
- Dean Deeter
- Faisal Saleem
- Gurunath Vemulakonda
- Janet Frenkil
- Jennifer Toth
- John Harding
- Julia Bush
- Kevin Dopart
- Kevin Viita
- King Gee
- Kristin White
- Megumi Suzuki
- Neil Gray
- Neil Pedersen
- Paul Ajegba
- Ross Froat
- S William Gouse
- Scott Belcher
- Scott Geisler
- Shawn Wilcockson
- SIVA NARLA
- Skip Yeakel
- Strat Cavros
- Ted Bailey
- Tim Czapp
- William Covington