

FINAL BILL REPORT

SHB 2970

C 180 L 18
Synopsis as Enacted

Brief Description: Establishing an autonomous vehicle work group.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Hudgins, Morris, Kloba and Muri).

House Committee on Transportation
Senate Committee on Transportation

Background:

In September 2016 the National Highway Traffic Safety Administration (NHTSA) first issued guidance and a proposed model state policy relating to automated driving systems (ADS), also known as autonomous vehicles (AVs). Automated driving systems or AVs are vehicles in which some or all driving functions are performed by the vehicle and not a person.

In September 2017 the NHTSA, in conjunction with the United States Department of Transportation (USDOT), issued updated voluntary guidance regarding ADS, including best practices, for state legislatures and state officials responsible for administering transportation policies. Among other things, the guidance suggests that state legislatures provide: a technology-neutral environment; licensing and registration procedures to allow for the deployment of ADS; and reporting and communications methods for public safety officials. In addition, the guidance suggests that state legislatures review traffic laws and regulations that may serve as barriers to the operation of ADS. For state administrators of transportation policies, the guidance suggests that states consider: oversight roles, including the designation of a lead agency and the formation of a jurisdictional ADS technology committee; an application and permission process for entities to test ADSs on public roadways; specific considerations for ADS test drivers and operations; registration and titling concerns; working with public safety officials; and liability and insurance.

In June 2017 the Governor issued an Executive Order requiring the Office of the Governor to convene and facilitate an AV work group and authorized pilot programs for the testing of AVs. The AV work group is required to include the following executive branch agencies: the Washington State Department of Transportation (WSDOT), the Department of Commerce, the Department of Licensing (DOL), the Washington State Patrol (WSP), the Washington

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Traffic Safety Commission (WTSC), and the Office for Regulatory Innovation and Assistance. The AV work group does not include legislative branch membership.

The Executive Order authorized the testing of AVs both with and without a human operator present as part of the pilot program. The AV work group is permitted to request periodic briefings and updates on the pilot program, as well as to propose changes or clarifications to state policies, rules, and statutes to the Governor based on the results of the pilot program to facilitate the expanded safe operation of AVs.

The Executive Order tasked the AV work group with examining emerging automated transportation technology in other modes, including freight, aviation, transit, passenger rail, marine vessels, ferries, and points of convergence with connected, shared, and electric vehicles. The Executive Order also tasked the AV work group with assessing the state government's role in cultivating the safe development of automated technology in vehicles.

Summary:

The Washington State Transportation Commission (Transportation Commission) is required to convene a work group to develop policy recommendations to address the operation of AVs on public roadways in the state. The operation of the work group is subject to an appropriation to the Transportation Commission.

The AV work group must include, from the executive branch:

- the Governor, or his or her designee;
- the Insurance Commissioner, or his or her designee;
- the Director of the DOL, or his or her designee(s);
- the Secretary of the WSDOT, or his or her designee(s);
- the Chief of the WSP, or his or her designee(s); and
- the Director of the WTSC, or his or her designee(s).

The AV work group may also include, from the executive branch:

- the Assistant Secretary of the Department of Social and Health Services Aging and Long-Term Support Administration, or his or her designee(s); and
- the Deputy Director of the Department of Enterprise Services who oversees fleet administration, or his or her designee(s).

The AV work group must also include eight members from the legislative branch. The Senate President must appoint two interested members from each of the two largest caucuses in the Senate, and the Speaker of the House of Representatives must appoint two interested members from each of the two largest caucuses in the House of Representatives.

In addition to the executive and legislative participants, the Transportation Commission may invite additional participation on an ongoing, recurring, or one-time basis from individuals representing additional state agencies, local and regional government, local law enforcement agencies, transit authorities, state colleges and universities, AV technology developers, motor vehicle manufacturers, insurance associations, network providers, software development companies, and other relevant stakeholders, as appropriate.

In preparation for the use of AV technology in the state, the work group must:

- follow developments in AV technology and deployment, and federal, state, and local policies related to the operation of AVs, including both commercial and passenger AVs;
- explore approaches to the modification of state policy, rules, and laws to further public safety and prepare all state agencies for the emergence and deployment of AV technology, in consideration of state transportation system policy goals as stated in law;
- disseminate information, as appropriate, to interested stakeholders; and
- at the direction of the Legislature, engage the public through surveys, focus groups, and other such means, in order to inform policy development.

The Transportation Commission must develop and update recommendations annually based on the input provided by the work group. The recommendations may include proposed modifications to state law and rules to address the emergence and deployment of AV technology in the state. By November 15 of each year, the Transportation Commission must provide a report to the Governor and the relevant committees of the Legislature that describes the progress made by the work group and the Transportation Commission's recommendations.

The act expires on December 31, 2023.

Votes on Final Passage:

House	96	2	
Senate	48	0	(Senate amended)
House	90	6	(House concurred)

Effective: June 7, 2018