

# SENATE BILL REPORT

## SB 5828

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As Reported by Senate Committee On:  
Transportation, February 7, 2022

**Title:** An act relating to implementing recommendations of the autonomous vehicle work group.

**Brief Description:** Implementing recommendations of the autonomous vehicle work group. [  
**Revised for 1st Substitute:** Concerning the autonomous vehicle self-certification testing pilot program.]

**Sponsors:** Senators Nguyen, Dhingra, Nobles, Rivers and Wagoner.

**Brief History:**

**Committee Activity:** Transportation: 2/03/22, 2/07/22 [DPS, w/oRec].

**Brief Summary of First Substitute Bill**

- Revises the type of information required to be provided to the Department of Licensing in the autonomous vehicle self certification testing pilot program (program).
- Removes the requirement to report moving violations in the program.
- Removes the requirement in the program to provide advance notice of testing to applicable law enforcement agencies.
- Revises the information submitted by self-certifying entities subject to public access to include nonconfidential business information in the program.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 5828 be substituted therefor, and the substitute bill do pass.

Signed by Senators Lias, Chair; Saldaña, Vice Chair; Cleveland, Das, Lovelett,

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

Nguyen, Nobles, Randall and Wilson, C.

**Minority Report:** That it be referred without recommendation.

Signed by Senators King, Ranking Member; Fortunato, Hawkins, Holy, Lovick, Padden, Sheldon and Wilson, J.

**Staff:** Kelly Simpson (786-7403)

**Background:** In 2020, legislation was enacted creating the Autonomous Vehicle (AV) Self-Certification Testing Pilot Program within the Department of Licensing (DOL). The program becomes effective October 1, 2022. The following requirements apply to self-certifying entities under the program:

- the entity must provide contact information, information on testing locations, vehicle identification numbers, proof of insurance, and information on any collisions and moving violations involving AVs on public roads;
- the entity operating AVs on public roads must obtain an umbrella liability insurance policy that covers a minimum of \$5 million per occurrence for damages by reason of bodily injury or death or property damage caused by an AV; and
- the entity must provide advance notice to all law enforcement agencies that there will be testing of AVs on public roads in the agency's jurisdiction over a specified period of time.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (First Substitute):** The information required to be provided by a self-certifying entity is revised to include the zip codes, rather than the local jurisdictions, where testing is planned, and the number count of the AVs being tested.

Self-certifying entities testing AVs on public roadways must annually report collisions involving AVs. The requirement to report moving violations is removed.

Self-certifying entities testing AVs on public roadways must provide to DOL a law enforcement interaction plan, which includes information on how to interact with the vehicle in emergency and traffic enforcement situations, and the expected period of time during which testing will occur. The requirement to provide written notice in advance of testing to local and state law enforcement agencies with jurisdiction over any of the public roadways on which testing will occur is removed.

The law enforcement interaction plan must be provided in advance of testing, include contact information where law enforcement agencies can communicate with the self-certifying entity, and provide the physical description of the AVs being tested, including make, model, color, and license plate number.

The information to which DOL must provide public access regarding self-certifying entities

is revised to include nonconfidential business information.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill takes effect on October 1, 2022.

**Staff Summary of Public Testimony on First Substitute:** PRO: Washington State can be a leader in AV development. The bill is a work in progress. The AV industry requests some changes to the AV testing program to help facilitate the testing. The bill amends Washington's AV law to make it more consistent with other states' AV testing laws. AVs can really help with grocery deliveries, closing the accessibility gap, and providing safer streets. The bill encourages AV testing and investment in Washington State. The industry is committed to working with stakeholders to find language that works for all. AVs have the potential to reducing traffic fatalities.

CON: The AV work group's original recommendations ended up as current law. This bill unwinds those recommendations.

**Persons Testifying:** PRO: Senator Joe Nguyen, Prime Sponsor; David Edmonson, TechNet; Montana Williams, Chamber of Progress; ryan spiller, Alliance for automotive innovation; Katie Marshall, Autonomous Vehicle Industry Association.

CON: KENTON BRINE, Northwest Insurance Council.

**Persons Signed In To Testify But Not Testifying:** No one.