



AV Regulatory Challenges: Avoiding Legal Potholes with Collaboration

League of California Cities Conference

September 13, 2017



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September 13, 2017

DISRUPTION



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WHO IS LIABLE???



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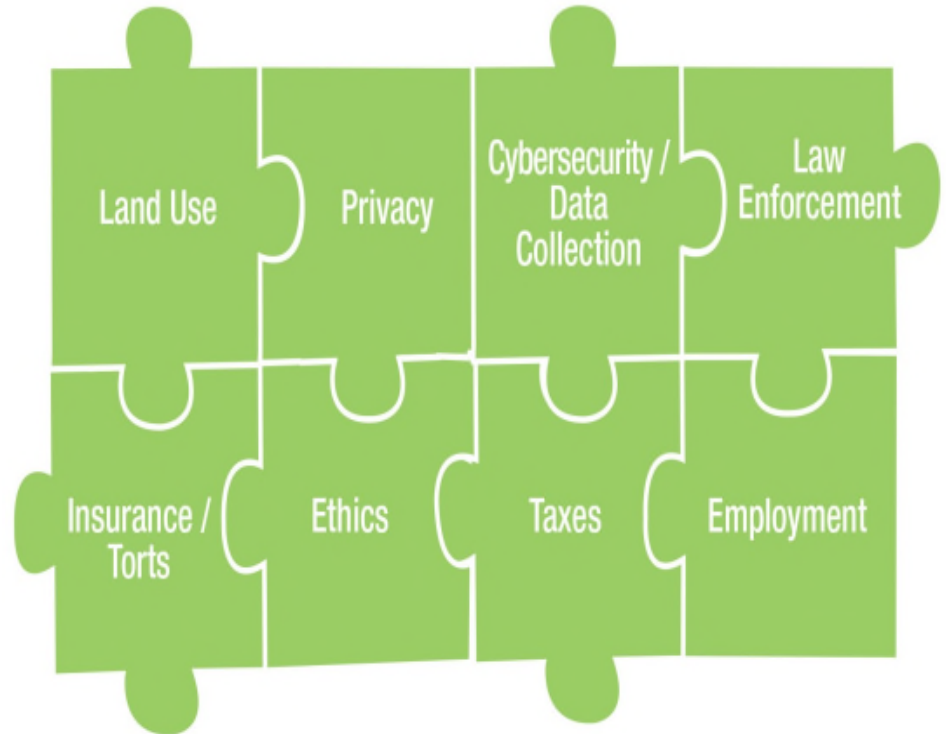
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CROSSING LEGAL BORDERS

- **Fit Existing Regulations?**
- Design Safety / Operational
- **Wireless/Broadband**
- Insurance / Tort
- **Privacy / Cybersecurity**
- Financial impacts
- **Procurement**
- **Land Use / Zoning**



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FOLLOW THE REGULATORY ROAD

- Released Sept. 2016
- Only guidance Potential benefits: “safety, mobility, and sustainability”
- 4 Sections, including Model State Policy
- Safety Assessment Letter
 - Voluntary?
- Revised version sent to OMB August 18, 2017



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WHAT ABOUT THE “P” WORD?

- Congress getting involved – Good thing?
- H.R. 3388 – “SELF DRIVE Act”
 - Preemption – Safety vs. Performance?
 - What is an “unreasonable restriction”????
 - Liability on cities?
- Senate – Bipartisan principles
 - prioritizing safety; promoting innovation and reducing roadblocks; remaining tech neutral; clarifying federal and state roles; strengthening cybersecurity; and, educating the public



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WHO WAS NOT INVITED TO TABLE?

Congressional Hearings to Date:

3/15/16: Senate Committee on Commerce, Science, and Transportation

11/16/16: House Energy and Commerce Committee

2/14/17: House Energy and Commerce Committee

3/28/17: House Digital Commerce and Consumer Protection Subcommittee

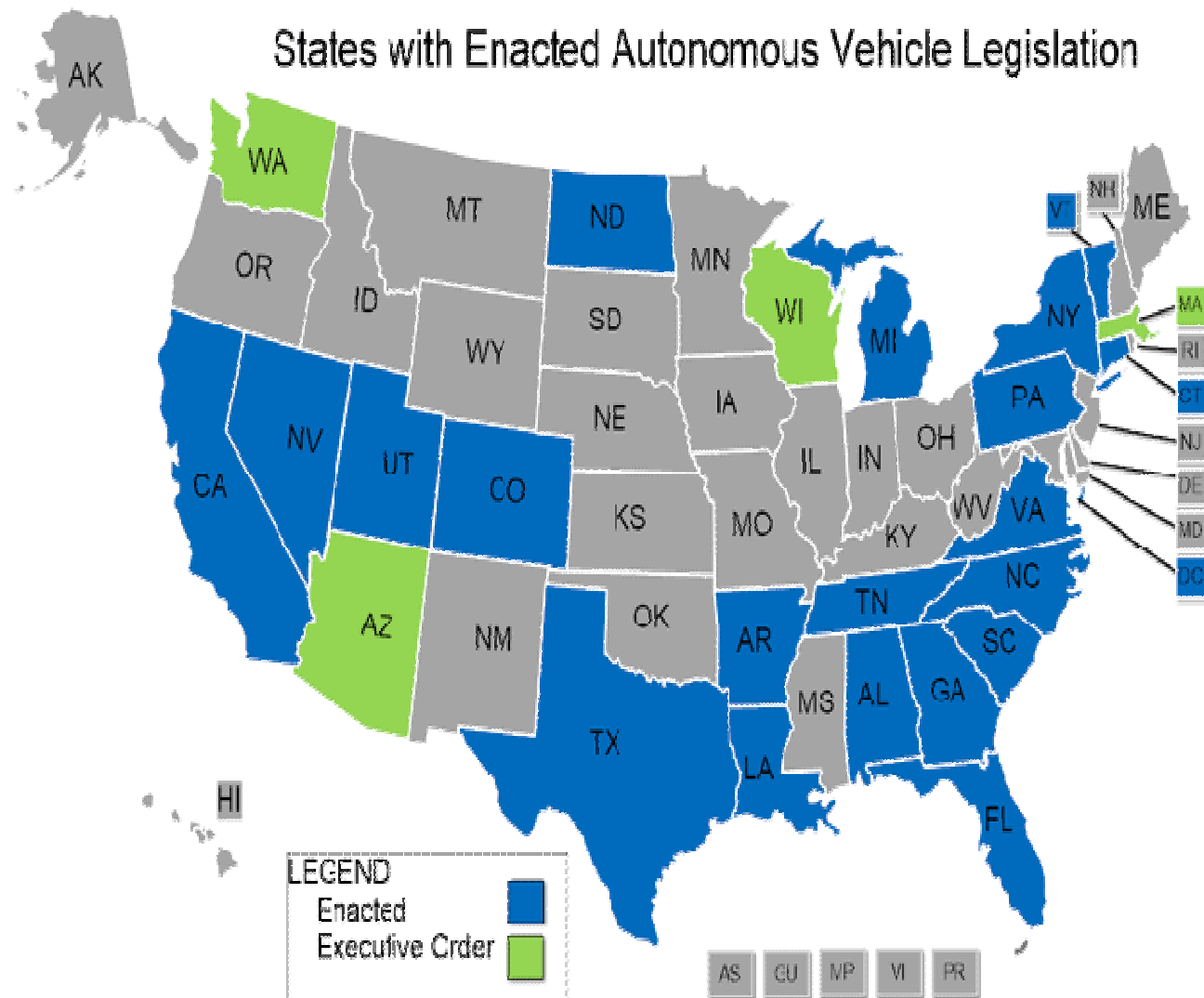
6/14/17: Senate Committee on Commerce, Science, and Transportation

6/27/17: House Energy and Commerce Committee



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State Activity in AVs



EasyMile Perspective on Existing Regulations

Federal Level:

- Impressive action and leadership coming from federal government
- While controversial, it is helpful to delineate federal vs state roles
- Exemptions are unpredictable and processes are still being developed
- Lack of clarity regarding FMVSS

State and Local Level:

- Leadership approaches vary and it's valuable for states to see what is working
- Challenging for technology providers to address “patchwork of regulations”
- Complicated to navigate existing and future navigations in this dynamic environment

WAIT, BACK TO THE FUTURE?

Business Agenda | State | Business_Agenda_2017 | Ban Self-Driving Cars To

https://www.dnainfo.com/chicago/20170821/wicker-park/alderman-cites-back-future-time-machine-ban-of-self-driving-cars

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Ban Self-Driving Cars To Avoid 'Back To The Future'-Style Crazienss: Burke

By Heather Cherone | August 21, 2017 2:34pm
@HeatherCherone

CITY HALL — Dueling versions of the future of Chicago's streets were on display Monday at City Hall as aldermen weighed whether to ban self-driving cars from the city's roads.

Ald. Edward Burke (14th) warned that the City Council needs to ban the automated vehicles to prevent



Ald. Edward Burke (left) and the character Doc Brown, played by Christopher Lloyd (right).

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AV NATIONAL UPDATES

- What are States doing?
 - CA Draft DMV Regulations
- What are Cities doing?
 - Requests for Information
 - Testing!
 - Resolutions
- Federal agencies to watch



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“SMART” INFRASTRUCTURE

- What is going to be needed?
 - Sensors?
 - Antennas?
 - V2X?
- Local control of ROW
- What is technology of the future?



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GETTING RIGHT PEOPLE IN THE ROOM

- Planners
- Public Works
- IT
- Procurement
- Policy
- Risk Manager
- Law Enforcement
- Attorneys
 - We like talking EARLY!
- Private and Public
- Elected Officials



PROPOSED RECIPE – TWO WAY STREETS



True **Partnership**

+

Balanced Agreements

+

Information Sharing /
Shared Analysis

=

SUCCESS! (Or, steps
to make **SUCCESS**)



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Our Processes Address Typical Deployment Obstacles



Technology
Readiness



Insurance



Regulation



Infrastructure



Human
Acceptance

The EZ10



Driverless and electric shuttle

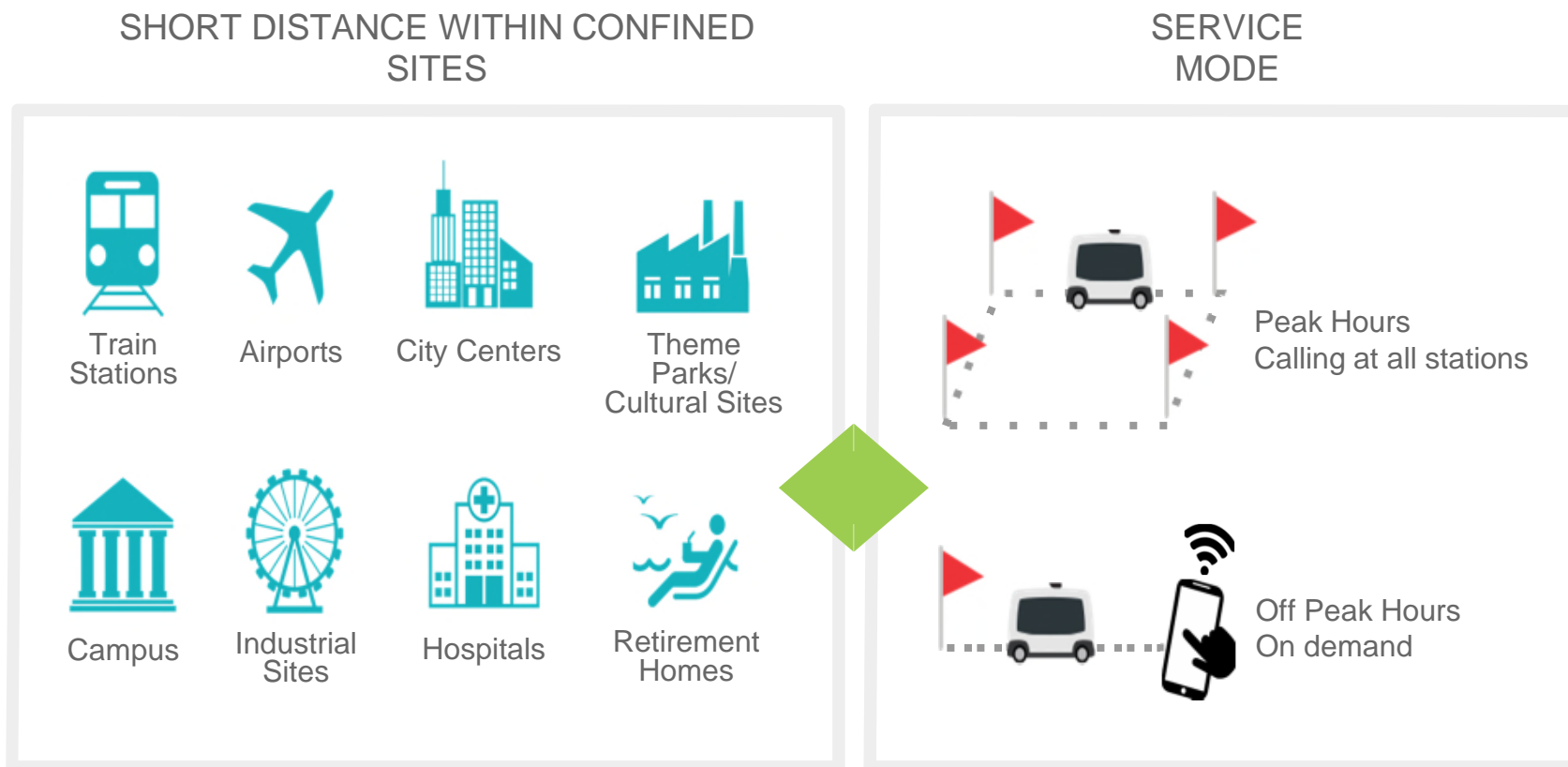
Can carry up to 12 people

(6 seating and 6 standing)

Built-in access ramp for passengers
with reduced mobility

No need for additional infrastructure

Current Applications for People Movers



Increase Urban Mobility

Reduce Traffic Congestion & Pollution

Create "Last Mile" Connectivity

Save Costs Through Automation

EasyMile Projects



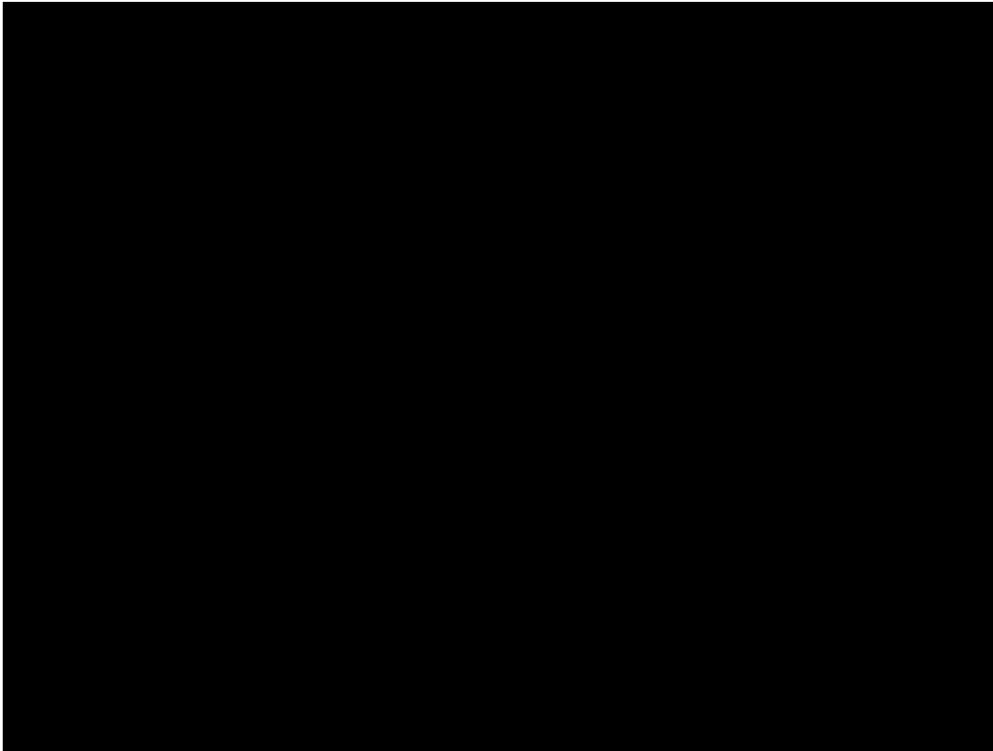
EasyMile U.S. Projects

Bishop Ranch/GoMentum Station



- Employment center in San Ramon, CA
- Started in March 2017
- Operates in mixed traffic
- Plans to operate on public roads in early 2018

Arlington, TX



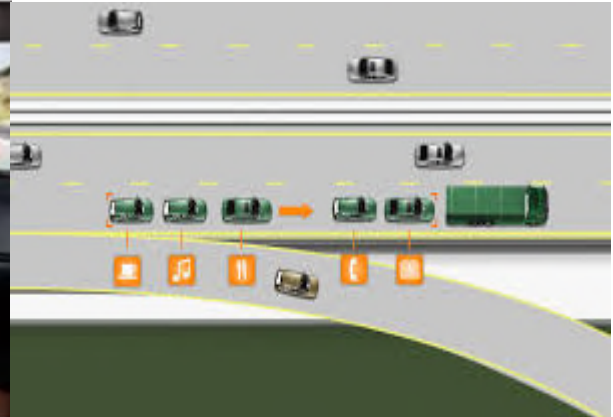
- Transporting people from the sports/entertainment center to a parking lot
- Started in August 2017
- Operates amongst pedestrians on a private roadway
- Longer-term plans to operate on public roads

Minnesota Department of Transportation



- Winter testing on private roadway
- Starting in November 2017

IMAGINE THIS...



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NOT THIS!!!

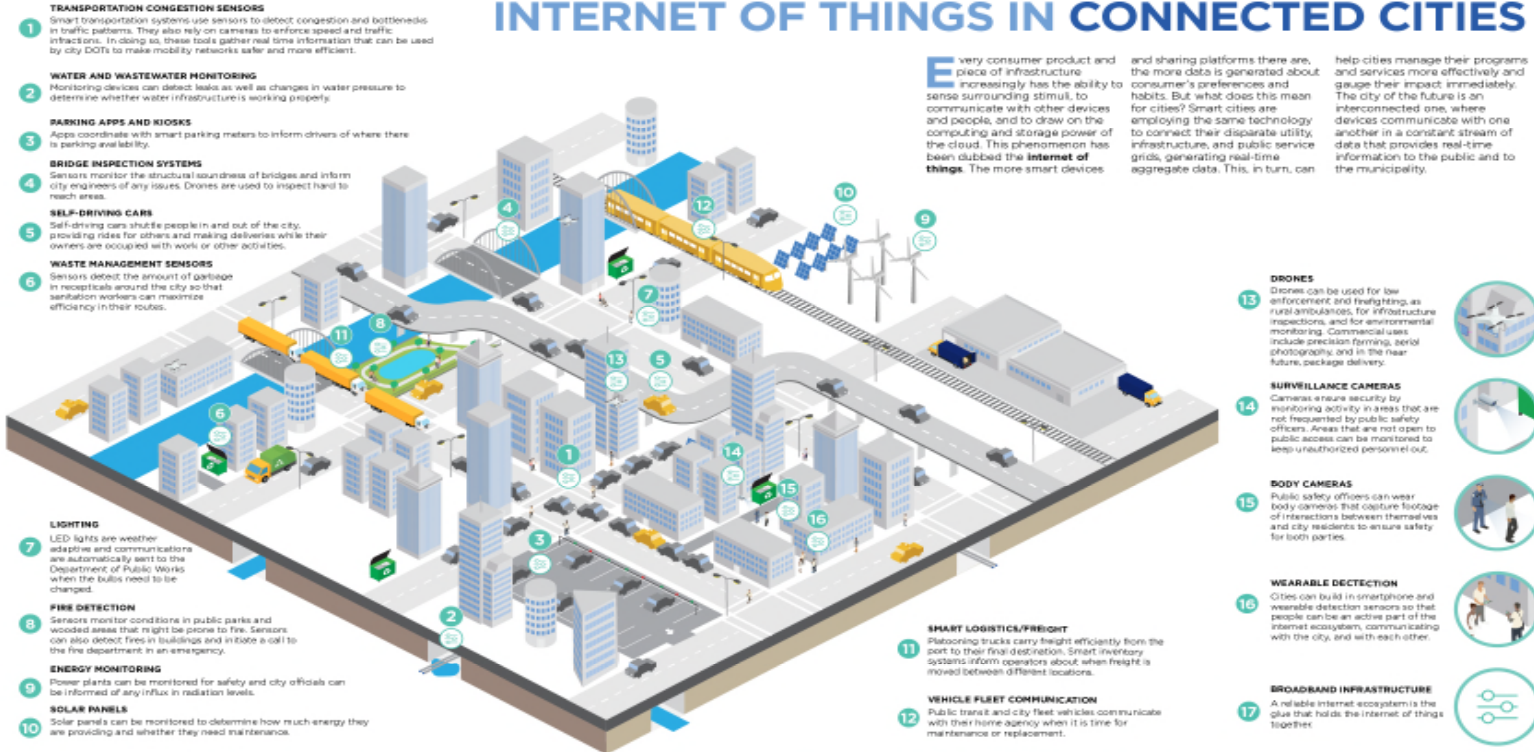


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LEGAL AND POLICY FOUNDATION

INTERNET OF THINGS IN CONNECTED CITIES



NLC CENTER FOR CITY SOLUTIONS AND APPLIED RESEARCH

NLC NATIONAL LEAGUE OF CITIES



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RESOURCES AVAILABLE

NLC Guide:

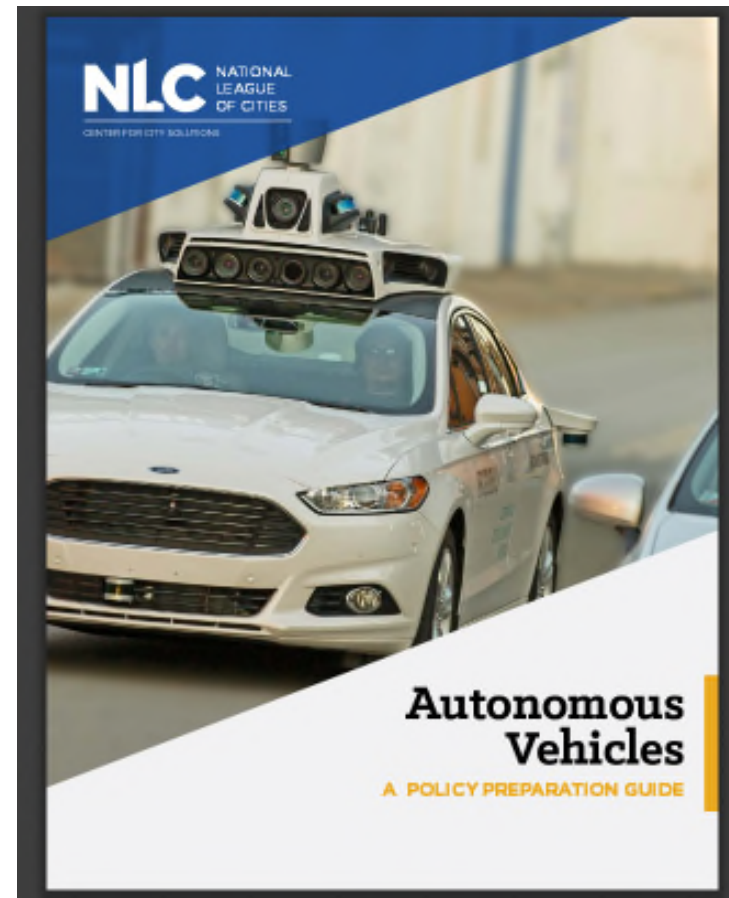
- <http://www.nlc.org/article/new-autonomous-vehicle-guide-helps-cities-prepare-for-a-driverless-future>

Eno Center for Transportation

- <https://www.enotrans.org/etl-material/beyond-speculation-automated-vehicles-public-policy/>

GAO Report on Vehicle Data Privacy

- <http://www.gao.gov/assets/690/686284.pdf>



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THE ROAD AHEAD

- Federal \$\$\$ ↓
 - More P3's
- On-demand Mobility a Gateway to AV's?
- Collaborative Procurements?
- Smart Cities and Innovation!
- Connections and Enhanced Mobility???



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Questions?

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