Welcome

11:06 start

Richard Blackwell welcomed the subcommittee and described the scope of the meeting.

Review and discuss proposed recommendation language

The subcommittee discussed the first draft recommendation:

For automated vehicle testing, it is agreed that the insurer of the motor vehicle is the primary insurance applicable to liabilities imposed by law for bodily injury or property damage arising out of the operation of the motor vehicle.

Michael Rose suggested making it clear that the manufacturer would be responsible for maintaining coverage.

The subcommittee voted unanimously to amend the draft recommendation to read:

For automated vehicle testing, it is agreed that the manufacturer maintains the insurance and the insurer of the motor vehicle is the primary insurance applicable to liabilities imposed by law for bodily injury or property damage arising out of the operation of the motor vehicle.
The subcommittee discussed the second draft recommendation:

For automated vehicle testing, require $5 million umbrella insurance per event with a caveat to maintain existing coverages. Such coverage should include accommodation for business auto policies to cover less-than-catastrophic events. Coverage should not, however, be designed to roll back consumer protections in the Insurance Code or the Vehicle Code (e.g., personal injury protection, underinsured/uninsured motorist coverage).

Michael Rose suggested clarifying the meaning of “such coverage.”

The subcommittee voted unanimously to amend the recommendation to read:

For automated vehicle testing, require $5 million umbrella insurance per event with a caveat to maintain existing coverages. Umbrella coverage should include accommodation for business auto policies to cover less-than-catastrophic events. Coverage should not, however, be designed to roll back consumer protections in the Insurance Code or the Vehicle Code (e.g., personal injury protection, underinsured/uninsured motorist coverage).

The subcommittee discussed the third draft recommendation:

For automated vehicle testing, preserve some form of standardized, non-proprietary recorded data from a crash or incident involving an automated vehicle for the duration of the statute of limitations.

Jeremiah Ross expressed concern about how this recommendation would interact with variation among statutes of limitation.

Richard Blackwell suggested this recommendation could be better off as a guiding policy statement.

The subcommittee discussed the meanings of “preserve” and “store” and felt that both words were valuable in the language of the recommendation.

Eliot Rose asked if the recommendation should be more specific about the data that should be preserved and stored. The subcommittee decided to address this topic in more detail at a later time.

The subcommittee voted unanimously to amend the recommendation to read:

For automated vehicle testing, preserve and store some form of standardized, non-proprietary recorded data from a crash or incident involving an automated vehicle for the duration of the applicable statutes of limitation. Data should be capable of being shared with law enforcement, government entities, or parties involved in an incident, subject to appropriate legal process.
The subcommittee voted unanimously to confirm the fourth draft recommendation without changes:

Include a note in the report to the Legislature that states when the automated technology for commercial vehicles is more developed, the subcommittee recommends setting insurance minimums specifically for commercial vehicles equipped with automated technology levels 3 and higher.

The subcommittee discussed the fifth draft recommendation:

Include a note in the report to the Legislature that encourages a testing environment in Oregon for automated vehicles which preserves the current legal liability framework.

The subcommittee discussed how to ensure existing legal obligations for drivers, passengers, and others would be preserved.

The subcommittee voted unanimously to amend the recommendation to read:

Include a note in the report to the Legislature that encourages a testing environment in Oregon for automated vehicles which preserves the current legal and tort liability framework. The system must remain nimble to changes in the deployment environment.

Public comment


Recap and next steps

Richard Blackwell will present the subcommittee's recommendations at the full task force meeting on July 12.

The subcommittee will discuss incident data reporting requirements during its next meeting.