Task Force on Autonomous Vehicles Meeting
July 12, 2018
Salem, OR – Chemeketa Center for Business and Industry


Members not in attendance: Capt. Teresa Bloom, Tom McClellan, Jon Isaacs

ODOT staff in attendance: Jenna Adams-Kalloch, Andrew Dick, Eryca Dinsdale, Sarah Kelber, Ali Lohman, Paul Duncan, Amy Joyce, Melanie Ware

Public attendance: Emmet White, Doug Tiller, Meredith Shield, Chad Horgan, Maggie Emery, John Powell, Laura Tocheny, Patrick Brennan, Evan Manvel, Amy Alpaugh, Nels Johnson, Cassie Bruske, Arthur Towers, Becky Gilliam, Lori Anne Sills, Elizabeth Howe

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Note: all referenced recommendations can be found with the accompanying meeting materials.

Welcome and Opening Remarks (Chair Tannenbaum)

Meeting Start 1:05 pm

Chair Tannenbaum thanked the task force members for their diligent work.

Agenda Review (Jeanne Lawson, JLA Public Involvement)

Jeanne Lawson reminded the task force that the goal of the meeting was to come to official recommendations.

Schedule Updates (Chair Tannenbaum)

Chair Tannenbaum informed the task force of the meetings scheduled for Aug. 1, 2018 — The Licensing and Registration Subcommittee and the Long-Term Policy Workshop.

Subcommittee Summaries

Licensing and Registration (Chair Tannenbaum for Tom McClellan)
Chair Tannenbaum provided an overview of the recommendations from the Subcommittee on Licensing and Registration.

Becky Steckler sought clarification regarding preemption or overlap with local laws and regulations.

Sean Waters expressed support for a statewide testing permit.

Chair Tannenbaum clarified that the task force had not addressed the issue of pre-emption.

**Law Enforcement and Crash Reporting (Chair Tannenbaum for Capt. Teresa Bloom)**

Chair Tannenbaum presented the recommendations from the Subcommittee on Law Enforcement and Crash Reporting.

Sean Waters noted that the recommendation for a decal to identify AVs to law enforcement may not be suitable for commercial vehicles.

**Insurance and Liability (Richard Blackwell)**

Richard Blackwell gave an overview of the recommendations from the Subcommittee on Insurance and Liability.

**Cyber Security and Long-Term Policy (Cheryl Hiemstra)**

Cheryl Hiemstra summarized the process of the Subcommittee on Cybersecurity and Long-Term policy and shared its recommendations.

Sean Waters asked for clarification regarding the meaning and intent of the phrasing “applicable current industry standards.” Cheryl Hiemstra explained that the term is frequently used in law.

**Public Comment**

Arthur Towers from the Oregon Trial Lawyers Association noted it was not clear if there was consensus on the issue of pre-emption.

**Proposed Recommendations: Discuss and Vote (Jeanne Lawson)**

**Licensing and Registration**

Eric Hesse stated the City of Portland has some autonomous vehicle regulations in place but did not believe they conflicted with anything in the subcommittee recommendations.

Chair Tannenbaum explained that the recommendations were intended to provide a state framework and left the issue of regulation by other jurisdictions open-ended.

The Task Force decided that further discussion of pre-emption would be needed.

Sean Waters asked if ODOT should be allowed to make exemptions for test platforms whose Operational Design Domain may not be able to comply with all state law and
expressed concern that the requirement to have a link to a remote operator could be a cybersecurity threat.

The Task Force removed the requirement to have a link to a remote operator from the recommendations for further discussion and input from the Subcommittee on Cybersecurity and Long-Term Policy.

Eric Hesse asked that the recommendations to adopt Society of Automotive Engineers (SAE) definitions be reconsidered.

The task force agreed to the recommendations from the Subcommittee on Licensing and Registration (with 22 votes in favor and 5 members absent) with the following being referred back to the subcommittee for refinement:

- “Link to remote operator who can assume control of the vehicle or have the vehicle achieve a minimal risk condition”
- “Certification that vehicle can comply with all state vehicle and traffic laws within its operational design domain”

**Law Enforcement and Crash Reporting**

The task force discussed whether the data shared for law enforcement and crash reporting purposes would be public.

The task force generally agreed that the current standards and legal processes for the release of data would apply to data collected from AVs.

Jebediah Doran requested that the recommendations clarify they apply to the “testing permit.”

The task force decided that the requirement to display a decal on a test vehicle should be revisited by the subcommittee to ensure it accommodated commercial vehicles.

The task force agreed to the recommendations from the Subcommittee on Law Enforcement and Crash Reporting with the amendment that the first sentence now reads: “The testing permit must require that manufacturers submit a law enforcement/first responder interaction plan” and following referral back to the subcommittee: “The AV manufacturer must display a small decal on the rear window of the testing vehicle to indicate to law enforcement that it is an automated testing vehicle. Consideration should be given to ensure that the decals are discreet and identifiable only by law enforcement.” The recommendations passed with 23 votes in favor and 4 members absent.

**Insurance and Liability**

Sean Waters suggested that other forms of liability coverage, such as bonding or self-insurance, be allowed by this system.
Richard Blackwell said the subcommittee would consider this suggestion; he wanted to ensure that alternative forms of coverage would provide the same protections and have the same provisions as the insurance coverage requirements the subcommittee had already discussed.

Richard Blackwell clarified that the specific nature of the data required to be preserved is left open-ended and could be addressed better in rulemaking.

Neil Jackson noted that the preserved data would have to be turned over by a judge or through some legal process.

The task force approved the recommendations from the Subcommittee on Insurance and Liability without amendments with 22 votes in favor and 5 members absent.

**Cybersecurity and Long-Term Policy**

The task force approved the recommendations from the Subcommittee on Cybersecurity and Long-Term Policy without amendments with 22 votes in favor and 5 members absent.

**Votes**

*Note: See the approved recommendations in the meeting materials for details.*

**Vote 1:** Licensing and Registration recommendations with the removal of “Link to remote operator who can assume control of the vehicle or have the vehicle achieve minimal risk condition” and “Certification that vehicle can comply with all state vehicle and traffic laws within its operational design domain”

**Vote 2:** Law Enforcement and Crash Reporting recommendations with the first line amended to read “The testing permit must require that manufacturers submit a law enforcement/first responder interaction plan” and the deletion of the sentences “The AV manufacturer must display a small decal on the rear window of the testing vehicle to indicate to law enforcement that it is an automated testing vehicle. Consideration should be given to ensure that the decals are discreet and identifiable only by law enforcement.”

**Vote 3:** Insurance and Liability Recommendations.

**Vote 4:** Cybersecurity and Long-Term Policy Recommendations

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<th>Member Name</th>
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<td><strong>Chairman:</strong> Lt. Timothy Tannenbaum</td>
<td><strong>Law enforcement</strong> (Wash. County Sherriff’s Office)</td>
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<td>Richard Blackwell</td>
<td>Department of Consumer and Business Services</td>
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<td>Capt. Teresa Bloom</td>
<td>Oregon State Police</td>
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<td>Marie Dodds</td>
<td>American Automobile Association</td>
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<td>Jebediah Doran</td>
<td>Oregon Transit Association (TriMet)</td>
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<td>Steve Entler</td>
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<td>Daniel Fernández</td>
<td>Automotive Industry (Jaguar Land Rover)</td>
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<td>Jared Franz</td>
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<td>Cheryl Hiemstra</td>
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<td>Eric Hesse</td>
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<td>Jana Jarvis</td>
<td>Oregon Trucking Association</td>
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<td>Sid Leiken</td>
<td>Association of Oregon Counties (Lane County)</td>
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<td>Carrie MacLaren</td>
<td>Department of Land Conservation and Development</td>
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<td>David McMorries</td>
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<td>Jim Pfarrer</td>
<td>Employment Department</td>
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<td>Carly Riter</td>
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### Member Name | Task Force Affiliation (Personal Affiliation) | Vote  
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Eliot Rose | Metropolitan planning organization (Metro) | aye aye aye aye  
Jeremiah Ross | Consumer protection advocates (Ross Law LLC) | absent absent absent absent  
Becky Steckler | Public university (University of Oregon) | aye aye aye aye  
Graham Trainor | Workers’ union (AFL) | aye aye aye aye  
Sean Waters | Commercial truck manufacturing industry (Daimler) | absent aye aye aye  

**Items referred to subcommittees:**

**Subcommittee on Licensing and Registration**
- Remote operator requirements for vehicles without human backup driver
- Further examination of operator and driver definitions

**Subcommittee on Law Enforcement and Crash Reporting**
- Identifying highly automated commercial vehicles

**Subcommittee on Insurance and Liability**
- Other forms of liability coverage than insurance plans, such as self-insurance or bonding

**Subcommittee on Cybersecurity and Long-Term Policy**
- Providing input on the cybersecurity concerns of remote operator links to Subcommittee on Licensing and Registration