

State of Maine
Commission on Autonomous Vehicles
Meeting Minutes

October 3, 2018 – Department of Public Safety - Augusta

Attending: Parker O'Brien, Kara Aguilar, Herb Thomson, Bruce Scott, Jonathan Rubin, Patty Morneault, Tom Lynch, Lauren Stewart, Cathie Curtis, Larry Boivin, Brian Parke, Greg Jordan, Frank Kimball, Rebecca Grover, Commissioner David Bernhardt

Citizens attending: Mr. Parr and Ms. Johanson

Minutes

There were no changes to the minutes of the September 5, 2018 meeting.

Discussion with Commissioner Bernhardt

- Attended the national conference in Atlanta last week. CAVs are what everyone is talking about.
- Last week, Portland City Manager Jon Jennings and others held a very good public meeting/informational session on AVs in Portland. The meeting included panelists from INRIX, BMW, the city of Boston, AAA of Northern New England, and a former government affairs specialist from the National Federation of the Blind.
- Commission members are invited to attend the Transportation Conference on December 6th hosted by MBTA, MaineDOT and the University of Maine, at the Civic Center. This year's theme is ITS (Intelligent Transportation Systems) a big piece of which is connected and autonomous vehicles. Herb will arrange registration for those who would like to attend.
- The Commissioner would like for the Commission to provide information to the Legislature's Transportation Committee in this next legislative session.
- The Commission has discussed not soliciting projects, but MaineDOT may be interested in partnering with one of the colleges or universities to try a closed-loop system of some kind. We should not rule out the possibility that we would solicit projects in the future.

Questions/Concerns for Commissioner Bernhardt

States are starting to distinguish between pilots and testing.

- Testing does not typically allow the general public in the vehicle, and generally would not take place on public roadways. Pilots are undertaken after the technologies have been proven, and often the general public would be able to ride the vehicle.

Strategically, from the MaineDOT perspective, how are we planning for these technologies with our strategic planning? Will our infrastructure be able to accommodate HAVs?

- MaineDOT is developing an ITS strategic plan and a mobility report. These reports are looking at adaptive signaling and implementing DSRC, and a couple DSRC pilots. They are also looking at using polyurea paint (high reflectivity, longer-lasting, more expensive) in the effort to accommodate HAVs.
- The department will also have a long-range plan coming out soon, which will address some of these AV/CV technologies.
- The Commission could also spend some time discussing long-range strategic plans for ITS and AV/CV technologies in upcoming meetings.

Is this information available?

- The ITS Strategic Plan will be coming out soon. Parts of it are in rough draft now. The Chief Engineer or head of ITS could potentially attend a future meeting to discuss.

Can you give us some guidance on would you like to see regarding rulemaking to put forward, and over what time span you would like this done? The Commission is charged to report back to the legislature in January 2020.

- We should have rules put forth before the report back date of January 2020. The Commissioner mentioned that a draft rule would need to go out for public comment.

Resume Discussion of Application Process to Authorize Pilot Projects

6. What data do we want to require of the testing entities?

- There are a lot of things to consider, and it will likely depend on the application. The public, safety offices, university staff for research, commercial users, and most of the state departments will likely be interested in some of the data. We will need to clarify whether we're talking about data that the pilot will provide to us with their application, or data that the vehicle collects as it performs its functions.
- Different applications will raise questions as to which types of data will be produced, and we should leave ourselves the flexibility to vary the type of information we require from the project developer.
- We would probably want to create a database that will hold the vehicle/user information for each vehicle in a pilot or project.
- We should manage the data that we can control (data collected in application process) and safety-related data. We may have other data elements that we want to recommend be provided to the state. Crash data and unexpected-event data would also be important to retain for safety evaluation.
- We will also want to be notified of changes in the project and we will want to give MaineDOT the ability to terminate the project if necessary.

7. Would an alternative approach be for the Commission to put out an RFP?

- There may be opportunities for collaboration, but putting out an RFP is not favored.

8. What entities will be eligible to apply?

- It will likely be the manufacturers and technology or testing entities (commercial entities). We would not necessarily preclude the municipality as the lead applicant, but we would expect that, typically, the technology company is the applicant, and the municipality or public entity is a partner. The liability should rest on the company that created the systems, rather than on the municipality. A municipality would want to be very careful if they did want to apply.
- Massachusetts has an equal partnership between the developing firm, municipality, and the state. We may want to consider using the MassDOT MOU as a model.
- The federal model policy says the applicant can be a "manufacturer or other entity".

9. How will the Commission respond if an entity wishes to move directly to implementation (i.e., not a pilot project)?

- We would not encourage this, but we may not have the authority to prevent it at this point.

10. Do we in Maine want to authorize pilot projects with bounded time frames, allow pilot projects as a precursor to live implementation, or bypass testing altogether and move directly to implementation?

- The consensus is "no."

11. *Do we in Maine want to require a human driver in a testing vehicle?*

- Yes, in a testing vehicle. In a pilot, the testing has already been proven, so a human driver may not need to be required. However, note that California requires that a human be able to take control (even if remotely).

12. *What is the definition of a pilot project?*

- We will need to define a pilot vs. testing of an autonomous vehicle.

13. *Should a 'pilot project' require a law enforcement escort?*

- The consensus is "no."

14. *Who will draft the application form?*

- TBD, but this will be part of the rulemaking process.

15. *Keep it short and allow for supplemental forms?*

- This will be determined later-on. Brevity is desirable.

16. *Other questions?*

What are our next steps?

- We need to put an administrative rule in place. The Commission should make a recommendation for a rule – then the Commissioner of Transportation will be able to establish the rule.
- Start with identifying the elements and issues that we want the rule to address.
- Once we have a framework for the rule, then we can begin to draft the rule.
- This will be a precursor to an actual application.
- Will want to have an outline for the application ready to present to the Legislature along with our rule recommendation.

Please send any suggestions of what you would like to see included in the rule to Herb in the next few weeks, and we'll discuss at our next meeting.

Discussion

Commission Responsibilities under Title 5, Chapter 379

We are not responsible to file reports because we are a short-term Commission. (Per Supervisor of UCC and Commissions - *"This appears to be a short-term commission and is not governed by Title 5 Chapter 379. Therefore you would not need to file anything with this office."*)

Commission Website

www.maine.gov/mdot/autonomous-vehicles

Any suggestions of other things to include, please e-mail them to Herb.

Meeting notices are now being published on the MaineDOT website.

Membership Appointments

Suggestion: Tom Kelly is with Federal Motor Carrier Safety Association – part of autonomous vehicle group.

At this time we do not have a representative from a manufacturing entity.

Question: How are things moving forward regarding response to emergency vehicles and personnel?

OEMS (original equipment manufacturers) are focusing on making sure that autonomous vehicles respond appropriately to public safety officials and making sure that the vehicle will respond to hand signals, rules to move over, etc. as necessary.

Around the Table

Cathie: NHTSA is coming out with a new policy tomorrow (October 4, 2018).

Agenda Items for Next Meeting

Language for rule and more discussion regarding application.

Public Comment

There were no comments from the public.

Adjourn

Next meeting will be at 1:30 p.m. on November 7 at the Maine Department of Transportation.