The U.S. Department of Transportation is out this week with the latest iteration of its guidance on automated vehicle policy. The 3.0 version is entitled “Preparing for the Future of Transportation” and as in past versions, it includes a section that seeks to define the role that state governments should play on the road to automation. In addition to a look at the guidance, I have a variety of links to articles and reports on autonomous vehicle policy and industry developments from the last few months.

The Role for State Governments in AV Policy

The updated version of the voluntary guidance is the result of what U.S. DOT said was “extensive stakeholder engagement” and offers policy considerations for a range of different sectors that touch automated vehicle policy.

As in the 2016 and 2017 versions of the guidance, “Automated Vehicles 3.0” notes that state, local and tribal governments have clearly defined roles in ensuring the safety and mobility of road users, roles that are unlikely to change significantly with the deployment of automated vehicles. These include: licensing human drivers, registering motor vehicles, enacting and enforcing traffic laws, conducting safety inspections, and regulating motor vehicle insurance and liability. In addition, they’re responsible for planning, building, managing and operating roadways and transit.

The document suggests several ways state, local and tribal governments can prepare for automated vehicles, including by:

- Reviewing laws and regulations that may create barriers to testing and deploying automated vehicles;
- Adapting policies and procedures, such as licensing and registration, to account for automated vehicles;
- Assessing infrastructure elements, such as road markings and signage, so they are conducive to the operation of automated vehicles; and
- Providing guidance, information, and training to prepare the transportation workforce and the general public for automated vehicles.

What’s New for 2018?

While many of the best practices identified in 2017’s “A Vision for Safety 2.0” remain recommended in the 2018 version, U.S. DOT is also recommending some additional safety-related best practices when state legislators are crafting automated vehicle legislation. Among them:

- Engaging U.S. DOT on legislative technical assistance. The document notes that “unnecessary or overly prescriptive state requirements could create unintended barriers for the testing, deployment, and operations of advanced vehicle safety technologies.”
Adopting terminology defined through voluntary technical standards. The document recommends using terminology used by organizations like the Society of Automotive Engineers (SAE International), which has defined the different levels of automation.

Assessing state roadway readiness. The document notes that “automated vehicle developers are designing their technologies with the assumption that these technologies will need to function with existing infrastructure” so “greater uniformity and quality of road markings, signage and pavement condition would be beneficial for both human drivers and automated vehicles.”

The guidance also includes a couple of new best practices for state highway safety officials. Among them:

- Considering test driver training and licensing procedures for test vehicles; and
- Recognizing issues unique to entities offering automated mobility as a service. The document notes these issues could include “congestion or the transportation of minors, persons with disabilities, and older individuals.”

In addition, “Automated Vehicles 3.0” lists a number of considerations for local governments, noting that “automation provides an opportunity to address local goals, including making more land available for housing and business, as well as improving transportation options for citizens who are not motorists.” Among the topics local governments may want to consider as they formulate policies:

- Facilitating safe testing and operation of automated vehicles on local streets;
- Understanding the near-term opportunities that automation may provide, such as automatic emergency braking and pedestrian detection and applications for municipal fleets and passenger shuttles;
- Considering how land use, including curb space, will be affected by automated driving. The guidance notes that “there may be an opportunity to reallocate curb space from long term parking to other uses, including pick-up and drop-off. Furthermore, if vehicle ownership declines, minimum parking requirements in zoning may need to be revisited, freeing up land for other purposes. Finally, in such an environment, revenue from parking fees and fines may be reduced.”
- Considering the potential for increased congestion, and how it might be managed; and
- Engaging with citizens.

But it’s a couple of other things that are new in version 3.0 that are receiving perhaps the most attention so far. The document says that the National Highway Traffic Safety Administration will reconsider the “necessity and appropriateness of its current safety standards” as applied to vehicles equipped with automated driving system technologies. NHTSA will look to change safety standards “to accommodate automated vehicle technologies and the possibility of setting exceptions to certain standards—that are relevant only when human drivers are present.” That could pave the way for companies to release fully automated vehicles without things like steering wheels on public roads.

U.S. DOT is also moving away from a policy put in place by the Obama administration that designated 10 automated vehicle proving grounds around the country. The report notes that “given the rapid increase in automated vehicle testing activities in many locations, there is no need for U.S. DOT to favor particular locations.”

More on “Automated Vehicles 3.0” and Federal AV Policy

• “Transportation Department will 'no longer assume' commercial drivers are human.” [9] The Hill, October 4, 2018.

State and Local Activities on Automated Vehicle Policy

• “‘Low Speed’ Operation May Be Key to Autonomous Adoption.” [22] AASHTO Journal, September 28, 2018.
• “Driverless cars will arrive in Denver in a meaningful way in five years, according to these experts.” [24] Denverite, September 27, 2018.
• “Self-driving car companies muted on updated PennDOT guidelines.” [38] Tribune-Review, July 29,
Policy Impacts of Automated Vehicles

“Autonomous vehicles won’t only kill jobs. They will create them too.” [57] CNBC, August 11, 2018.
“Automated vehicles will create a shift in workforce demands.” [58] American Center for Mobility, August 7, 2018.
“Modeling Adoption of Technological Innovations and Infrastructure Impacts in a Smart City.” [62] FedEx Institute of Technology, December 2017.

Industry & Technology Developments

“GM’s self-driving-car project will have Honda riding shotgun.” [64] Yahoo Finance, October 3, 2018.
“Seeing the Light: Our Call for a Standard Self-Driving Car Language to Communicate Intent.” [66]
Medium, October 2, 2018.

- “Fully driverless Waymo taxis are due out this year, alarming critics.” [68] Ars Technica, October 1, 2018.
- “To succeed, AVs will have to communicate with human drivers.” [70] Axios, September 28, 2018.
- “Self-driving pods are slow, boring and weird-looking—and that’s a good thing.” [79] The Verge, September 17, 2018.
- “Volvo unveils all-electric and autonomous truck without a cab.” [83] Electrek, September 13, 2018.
- “When will everyone have a Connected Autonomous Vehicle?” [91] State Smart Transportation Initiative, September 3, 2018.
- “New autonomous vehicle technology can halt drunk driving, but should it?” [96] The Dallas News, August 26, 2018.
“Lyft and Aptiv have completed 5,000 paid trips in their self-driving taxis.” [100] The Verge, August 21, 2018.
“Ford says slow and steady will win the self-driving car race.” [103] The Verge, August 16, 2018.

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