



February 28, 2017

Dear Representatives Hudgins, Morris, Clibborn, and Tarleton:

We are writing to address House Bill 2131, regarding autonomous vehicles.

Autonomous vehicles are one of the most critical technologies being developed today to improve road safety and unlock mobility opportunities for the elderly and disabled. In 2014 alone, 462 people were killed and 46,036 were injured in collisions on Washington's roads, and national statistics from the National Highway Traffic Safety Administration indicate that fatalities have risen nearly 7% across the country over the last year to 38,000 lives lost.

We understand your desire to anticipate regulations addressing how autonomous and traditional vehicles share roads now and in the years ahead.

Given the framework that applies to testing autonomous vehicles in Washington today, we have significant concerns with the bill as proposed, which imports key outdated aspects of a California 2012 law on autonomous vehicles that have led to years of regulatory proceedings to create a testing framework, while currently being more than two years behind the statutory deadline for issuing operating regulations in California. We don't want to see the same process freeze out innovation from Washington and either force companies to test the technology elsewhere or reconsider bringing it to Washington in the months and years ahead. If this bill were to become law, substantial private investment and job creation will move to another state.

In order to be constructive as possible, I'd like to share some specific concerns with this bill draft:

- There have been millions of autonomous miles driven during testing conducted in other states by companies working on this technology; this bill does not reference that data or explain why companies ready to deploy the technology would have to begin testing once again in Washington.
- The bill has no clear path for transitioning from testing to deployment and that uncertainty will lead to a protracted regulatory process.
- The bill forces the DOL to conduct a 6-month review of any AV deployment applications, without any clarity on safety specifications or even guidance on the merits of the application.
- The bill forces the DOL to create a heavily regulatory regime today for testing and commercial deployment of autonomous vehicles. Yet the bill gives DOL until 2020 to issue any actual regulations. This makes the bill a regulation that requires eventual regulation, but in the meantime creates confusion.
- Washington, and the majority of other states, already permit the testing and deployment of this technology under existing statutes and regulations.

- The bill forces the DOL to impose limits on the “aggregate number of deployments of autonomous vehicles on public roads.” However, the limit is arbitrary and unclear. The implied assumption is that more AVs on the road is a less safe condition. We disagree. Fully autonomous vehicles are being designed specifically to safely handle all driving tasks while operating without ever getting tired or distracted. This is why there has been an increasing move away from partial to full automation by the auto industry in recent years and commitments to bring fully autonomous technology to the market. Years from now, it is possible that every vehicle that passengers can purchase or use will have the option of being fully autonomous, but we don’t want to pre-prescribe how that technology should be designed before it’s even available.
- The bill requires that AVs have human drivers. This assumes a human driver is always safer. This might not be the case. Testing is underway now on this very big question: how much or how little human intervention is required for safe deployment? Nobody knows – one promise motivating inventors is that AV technology may drastically reduce the 38,000 traffic related deaths occurring across the U.S. each year.

We are eager to help continue the discussion with you, your colleagues, and the Governor’s team and thank you for your continued focus on accelerating the introduction of innovative safety technologies on Washington’s roads.

Sincerely,



Michael Schutzler, CEO