



Innovation Impacts on TDM

ACT TDM Forum

October 18, 2017





@smartertranspo



BEST BEST & KRIEGER S

DISRUPTION

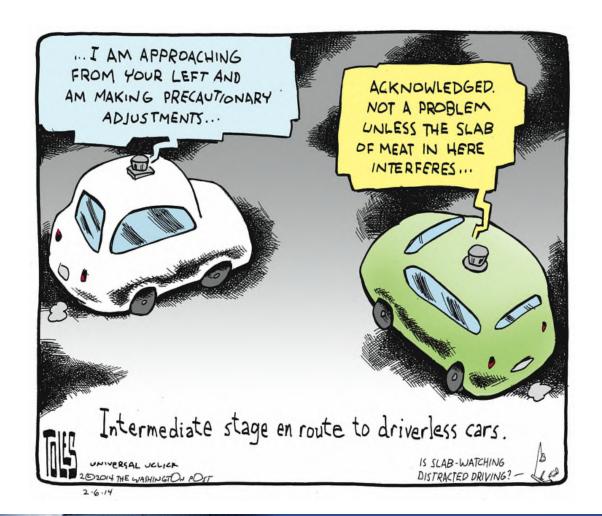








Are WE the problem?







AV REGULATORY UPDATE

- H.R. 3388 "SELF DRIVE Act"
 - Passed House by voice vote on 9/6/17
- S.1885 "AV START Act"
 - Passed out of Senate Commerce, Science, and Transportation Committee on 10/4/17
- NHTSA Automated Driving Systems 2.0: A Vision for Safety – ONLY Guidelines
 - Public comments until 11/14/17
- 4th Version of CA DMV AV Regulations Released
 - Public comments until 10/25/17







BACK TO THE BASICS











WHAT IS OUR VISION?







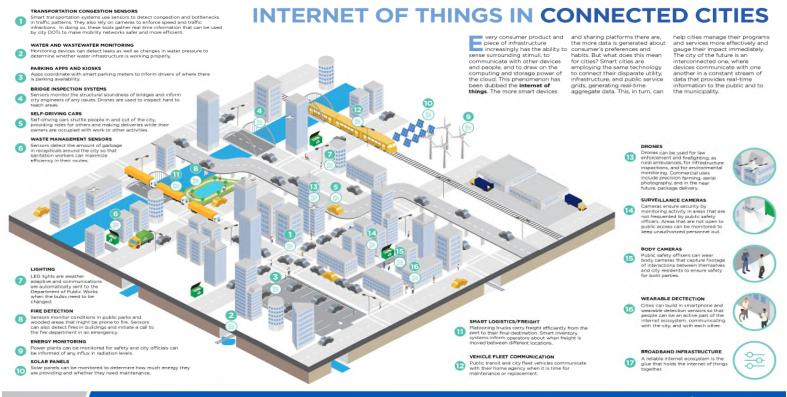








LEGAL AND POLICY FOUNDATION



NLC CENTER FOR CITY SOLUTIONS AND APPLIED RESEARCH









NOT GETTING OUT"SMART"ED

- Data Sharing
- Privacy
- Cybersecurity
- Land Use
- Health and Safety
 - Disposal













LAND USE PLANNING

- Changes to traffic patterns?
- Still need traffic signals?
- Dedicated parking areas?
- Eliminate street parking?
- Ensuring safety of pedestrians and bikers
- Autonomous only zones?









DATA RETENTION

- Retention Policies
- Trust
 - Predictability
 - Manageability
 - Disassociability
- Risk Factors
 - Costs
 - Reputation
 - Programs Goals
 - Future Funding









"SMART" INFRASTRUCTURE

- What is going to be needed?
 - Sensors?
 - Antennas?
 - V2X?
- Local control of ROW
- What is technology of the future?



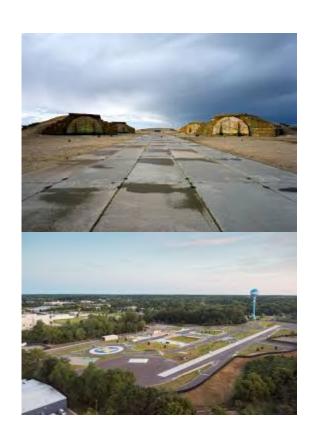






PARTNERSHIP OPPORTUNITIES

- Emerging Technology Pilot Projects
 - Do not forget public contracting requirements
 - Transparency
 - More data, more problems
- Be aware of where any grant funding is coming from and requirements
- Coordination with regional and local agencies











RFP CONSIDERATIONS

- Make clear this is a partnership
 - What do you want to get out of the project?
 - Public agencies should benefit as well
 - Clear expectations
- Consider issues around data sharing and analysis
- Potential program expansion







THE VALUE OF DATA

- Informed consent?
- Data sharing agreements
 - Escrow?
 - Third party solutions?
- Shared analysis?
- Work with state legislatures / Congress?







FTA FUNDING FOR PILOT PROJECTS

Can it be used?

- "It depends"
- 49 U.S.C. Section 5302 What is eligible?
 - shared-ride surface transportation
 - providing technology to support use of shared mobility
- "Exclusive" vs. "Shared-Ride"
 - General nature of the service must include shared rides
 - More flexibility if job access or reverse commute
 - Ride-splitting likely okay
- Don't forget about non-transit uses!







FIRST/LAST MILE PILOT PROJECTS











SUGGESTIONS FOR MOVING FORWARD









GETTING RIGHT PEOPLE IN THE ROOM

- Planners
- Public Works
- IT
- Procurement
- Policy
- Risk Manager
- Law Enforcement
- Attorneys
 - We like talking EARLY!
- Private and Public
- Elected Officials













STAY INFORMED AND BE PROACTIVE, NOT REACTIVE











PROPOSED RECIPE – TWO WAY STREETS



True **Partnership**

+

Balanced Agreements

+

Information Sharing / Shared Analysis

SUCCESS! (Or, steps to make SUCCESS)







STAFFING FOR THE FUTURE

- Monitor code for cyber threats?
 - Partnership opportunity?
- App development
- Communications / Public Outreach
- Programmers
 - Another partnership opportunity
- AV Fleet Managers







IMAGINE THIS...











NOT THIS!!!















GREG RODRIGUEZ @smartertranspo

Best Best & Krieger LLP

Office: Washington, D.C.

Phone: (202) 370-5308

Email: greg.rodriguez@bbklaw.com

www.bbklaw.com





