



COMMONWEALTH of VIRGINIA

AUTONOMOUS DRIVING WORKGROUP

Nicholas Donohue
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Autonomous Driving Workgroup

2025 Va. Acts ch. 498 (HB2627) & 2026 Va. Acts ch. 738 (HB1124)

July 24, 2026 Meeting

Location: VDOT Lockwood, Auditorium
9120 Lockwood Blvd, Mechanicsville, VA 23116

Agenda

1:00 – 1:05 pm	Welcome / Opening remarks <i>Office of the Secretary of Transportation</i>
1:05 – 1:10 pm	Administrative matters / approvals, including: - May 2026 meeting minutes <i>Joshua Heslinga, VDOT</i>
1:10 – 2:40 pm	Policy options presentation and discussion <i>(facilitated by VTTI, agency representatives, and Office of the Secretary of Transportation)</i>
2:40 – 3 pm	Public comment <i>(in-person only, sign up at the meeting)</i>

Notes:

- Meeting information is posted on the [Commonwealth Calendar](#) and LIS.
(Past meeting pages have video and materials links. See [April 2026](#) & [May 2026](#).)
- Will be livestreamed on [YouTube.com/@VDOTLIVE](https://www.youtube.com/@VDOTLIVE)
(and video available for viewing there afterward – see the [workgroup meetings playlist](#))
- Written comments may be submitted and viewed at
<https://publicinput.com/autonomousdriving>
- Administrative questions about the meeting may be sent to
joshua.heslinga@vdot.virginia.gov and ttrimble@vtti.vt.edu



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May 22, 2026 Meeting

Minutes – DRAFT

Meeting date, time, and location:

Friday, May 22, 2026, 1 pm

VDOT Lockwood Auditorium, 9120 Lockwood Blvd, Mechanicsville, VA 23116

Workgroup convened by:

Deputy Secretary of Transportation Laura Schewel

Workgroup members present:

Senator Lamont Bagby

Senator J.D. “Danny” Diggs

Delegate Jackie Hope Glass

Virginia State Police (Major Greg Mathias)

Virginia Department of Motor Vehicles

(Assistant Commissioner Patrick Harrison)

Virginia Department of Transportation

(Assistant State Traffic Operations Engineer Mena Lockwood)

Workgroup members absent:

Senator Kannan Srinivasan

Delegate Briana Sewell

Delegate David Reid

Delegate Terry Austin

Delegate Jason Ballard

Summary:

This was the Work Group's second meeting of 2026.

A range of stakeholders were present, including many of the representatives present at the April meeting. There is no known, complete list of attendees.

The meeting began with opening remarks by Deputy Secretary Schewel.

Because only 5 members were present at the outset of the meeting, administrative matters were passed by temporarily, and the meeting proceeded to the following:

Introduction of labor & workforce impact consultants and plans
Office of the Secretary of Transportation & Knowledge Advisory Group

A brief presentation was given by Trina Willard, founder of Knowledge Advisory Group, which has been engaged to assist the workgroup with its additional 2026 charge to look at labor & workforce impacts. Ms. Willard introduced the company, provided some background on its experience and work, and gave an overview of the scope of work and intended elements of its approach, which will include interviews and a stakeholders roundtable.

Questions primarily concerned how to be involved or engaged in the work. Given the quick work timeline required by the legislation that added this to the workgroup's scope, everyone interested in being interviewed was encouraged to reach out to Ms. Willard as soon as possible. Her contact information is in the presentation.

The meeting then progressed to the following presentation and subject:

State Domain Issue Discussion
facilitated by VTTI and workgroup

Dr. Tammy Trimble of VTTI gave a presentation that covered topics expected to be significant and within the state government's domain of responsibility (as opposed to the federal domain). A handout included in the meeting packet also discusses other relevant topics beyond those addressed in the presentation.

Regarding use cases in other states, attendees discussed what it means to say that there is autonomous vehicle (AV) activity in a state, and the various steps that may be needed after a bill is passed to modify the laws to allow AVs. (Such steps may include applying for and issuing permits, testing, and limited deployment / testing before widespread commercial deployment.) Although there may be 26 states that allow AVs,

commercial deployment of transportation network company (TNC) or ride-share uses is likely active in only about half of those states. AV companies explained that there are substantial costs and development tasks, such as mapping, before commercial deployment. AVs are likely to emerge (at least initially) in areas that have a sufficiently robust market and can support a reliable network, such as Arlington and Alexandria, not rural areas. (Waymo noted that it has begun mapping, using human-driven vehicles, in those Northern Virginia areas. Tesla also noted that it has been mapping in Virginia with its vehicles already.) With respect to heavy duty trucking, there are only a small number of vehicles deployed nationwide, and they are deployed in limited corridors and scope.

Other subjects discussed included the permitting process and criteria, AV safety certification, and requirements for fallback-ready test operators. Other states often have both self-certification and other permitting (or testing) processes and criteria to address and verify capabilities.

Delegate Glass expressed hope that the report would provide a matrix of policy decisions and address which criteria should be legislative or regulatory.

Administrative matters / approvals <i>Joshua Heslinga, VDOT</i>
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A quorum having been achieved early during the VTTI presentation & discussion, Senator Bagby requested that the workgroup address the two administrative matters, so the workgroup paused the subject matter discussion and did so:

- *Minutes*: Staff noted, with apology, that a correction was needed in the draft minutes with respect to an extra letter in Delegate Sewell's first name. There were no other changes. The six present members voted unanimously to approve the draft minutes of the April 24 meeting (included in the meeting packet), with that edit.
- *Remote participation policy*: Staff introduced the remote/electronic participation policy (included in the meeting packet), which is intended to allow remote participation by members to the full extent permitted by law. The six present members voted unanimously to adopt that policy. In response to a question, staff noted that the technology setup for this meeting did not allow remote participation by members, so the policy could not be put to use during this meeting.

State Domain Issue Discussion, continued
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The VTTI presentation and discussion then resumed, addressing the following additional topics: taxes and fees for AVs and TNCs, how to encourage AV depots to

locate in the Commonwealth, and the revenue realized by different entities and persons with AVs and with human-driven ride sharing.

Upon conclusion of the presentation, VTTI requested that stakeholders provide additional input and feedback as soon as practicable, whether on the subjects highlighted in the presentation or on other subjects found in the meeting handout.

Delegate Glass noted a desire to coordinate with other jurisdictions, especially regionally, regarding subjects. Ms. Lockwood noted that there have been staff-level discussions between jurisdictions, as well as consideration of convening a discussion through the Metropolitan Washington Council of Governments (MWCOCG), given the need to have compatible interjurisdictional rules in that area in particular.

Michael Cooper of MWAA asked that industry coordinate with airport representatives about autonomous vehicles and airports.

At the point of the public comment period in the agenda, there was no public comment.

Deputy Secretary Schewel concluded the meeting at approximately 2:14 pm.

The meeting was streamed live (for viewing only, not remote participation) on [YouTube.com/@VDOTLIVE](https://www.youtube.com/@VDOTLIVE), and [a recording may be viewed there](#) for complete information regarding the discussion and content of the meeting.

The administrative materials were posted with the agenda on May 15, and the presentations and meeting handouts were added on May 21, on the [Commonwealth Calendar page for this meeting](#) and continue to be available to view or download from the “Agenda” link there.

Anyone interested in providing written comments continues to be able to do so at <https://publicinput.com/autonomousdriving>

Virginia Autonomous Driving Working Group – Legislative Options Overview

July 24, 2026

Context

What's in this document?

- During the course of the working group, a number of key decisions were identified. Each decision should be made in legislation (or legislation should require it to be made in administrative process) to responsibly legalize autonomous vehicles (AVs) in Virginia.
- For certain decisions, the staff of the agencies + consultants involved provide a **Recommendation**.
 - “Recommendations” were made where decisions are largely technical, or where other states and/or constituents in the working group have a reasonable consensus. Staff provided brief summaries of the rationale.
- For other decisions which we deemed more subjective, staff has laid out two to four **Options** and summarized the key considerations that should weigh into the members' decisions.
 - There are often opportunities to adjust an option or pick a midpoint between two options. To keep the conversation concise and manageable, we laid out the most distinct paths.
- **Reminder** – no labor-related legislative options are discussed in this deck. Those will be covered in a later meeting, after discussion of labor stakeholders' feedback.

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1. Context for Staff Recommendations
2. “Options” and “Staff Recommendations” planned for live discussion July 24th
3. “Options” not planned for live discussion on July 24th
4. “Staff Recommendations” not planned for live discussion on July 24th

Any working group member may ask for any of the items be discussed during the meeting on July 24th

Reminder on categories of gaps from prior month’s presentation:

- Scope of permits
- AV permit process and permit oversight
- Human Operators and Drivers
- For-hire transportation
- Taxes and Fees
- Liability and Dispute Resolution
- **Reminder – labor-related legislative options will be presented in August meeting**

Does the working group recommend moving forward with legislation in 2027?

Options

Options

- 1) Yes - let's move forward with legislation in 2027
- 2) No – let's wait

Considerations

- Timeliness of Virginia's participation in the AV market, with its potential economic, safety, and accessibility benefits
- Much still unknown about safety, traffic, and labor implications of AVs

“Options” and “Recommendations” Planned for Live Discussion - July 24th

Context

Recommendation

Vehicles: Levels of Automation

Recommendation:

Legislation should be limited to SAE Levels 3 and 4

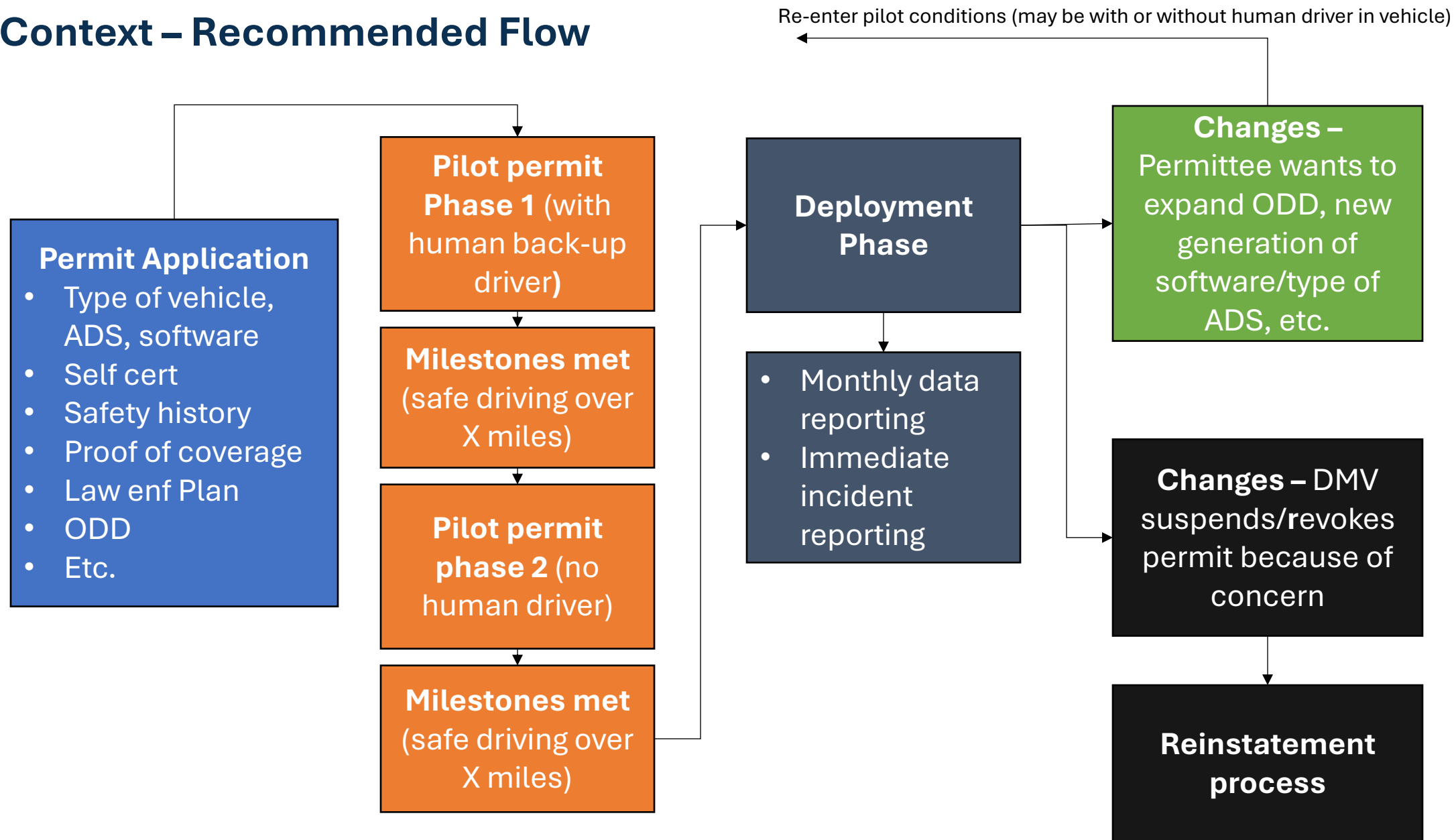
- Levels 0-2 have been around for a while; Level 5 is still a ways off
- **For Level 3**, (happening already today) recommend adding rules regarding vehicle marking/lighting, and distracted/inattentive driving
- **For Level 4**, recommend a permitting process and operating rules covering piloting and deployment of AVs in Virginia

LEVEL 0 No Automation	• Human driver is fully responsible for driving under all conditions.
LEVEL 1 Driver Assistance	• System performs a lateral or longitudinal task; human driver performs rest of the DDT.
LEVEL 2 Partial Automation	• System performs a lateral <u>and</u> a longitudinal task; human driver is responsible for the rest of the DDT.
LEVEL 3 Conditional Automation	• Human driver in vehicle is required to take over driving if system can no longer operate.
LEVEL 4 High Automation	• Human driver in vehicle is not needed; system is fully responsible for driving within ODD.
LEVEL 5 Full Automation	• Human driver in vehicle is not needed; system is fully responsible for driving under all conditions.

Vehicles: Personal vs. Commercial Use

- **Recommendation: Limit permits to commercial AV use.** Do not authorize the operation of fully autonomous vehicles for personal use until further testing and deployment of commercial AVs has taken place.
- Restricting authorization to commercial use mitigates risks through
 - Professional management and maintenance of vehicle fleets
 - Continuous monitoring of vehicle operations
 - Limited scope and area of activity
- Enforcing the restriction will mean issuing permits only to applicants who
 - Have registered with the State Corporation Commission to do business in Virginia and
 - Certify that they will use the permitted AVs exclusively to transport passengers or property in furtherance of a commercial enterprise

Context – Recommended Flow



Scope

Type of vehicles

Options

Options (these are not mutually exclusive)

1) Light duty trucks and small passenger vehicles (up to 10k lbs, up to 7 or 8 passengers)

Supports robotaxis, delivery of small items to individual customers

2) Medium duty trucks and medium passenger vehicles (10-26k lbs, 7-15 passengers)

Supports mainly logistics, delivery, shuttle services, small transit vehicles, supply chain

3) Heavy duty trucks and large passenger vehicles (26-80k lbs, 16+ passengers)

Supports full-sized buses for transit, large trucks for freight, construction, waste management, etc.

Considerations:

- There is more AV industry experience and maturity in light duty compared to medium and heavy duty
- Level 3 would remain legal for all classes (unless this body chooses otherwise)
- Labor concerns differ: Potential labor impacts vary by class (TNC/taxi drivers vs. CDL holding drivers for heavy); Driver shortages exist in some categories more than others. More discussion of this to come.
- Different safety risk/damage potential by different sized vehicles

Successful completion of Pilot

Options

- 1) Define success as able to meet the rules of the road.
- 2) Define success as the same or better overall crash rates measured as equivalent property damage only (EPDO) crashes per vehicle-miles traveled (VMT) as an unimpaired human (33% lower crash rate than average). Any notable unsafe circumstances (e.g. snow) can be excluded from ODD. Each pilot phase should have a target number of miles driven to assess success.
- 3) Define success as much safer than an unimpaired human (2x, 4x, 6x better crash rates per VMT).

Each pilot phase should have a target number of miles driven to assess success.

Considerations

1. Crashes of any kind, particularly serious crashes, are statistically rare. Certainty cannot be reached in the pilot phase. Ongoing data collection (see next slide) should be required to continue to provide the public confidence in the safety of AVs.
2. Human drivers do not have to prove they are safer than average to get their licenses – setting this standard means the bar would be higher for AVs than humans

Permit Oversight

Decision Point: What safety data is required on an on-going basis

Options

1) Low – incidents only

Concurrent, unredacted copies of all Standing General Order (SGO) crash submissions to Virginia DMV — including narrative, ODD status, and ADS version. State confidentiality treatment for confidential business information (CBI) fields.

2) Medium + All collisions & exposure Low, plus: Annual ADS-engaged VMT by month, roadway type, time of day, and geography (locality or other), split by driverless vs. attended operation.

3) High + Incident events Medium, plus: Periodic reporting of safety-relevant incidents: near misses, remote-assistance interventions, disengagements, unplanned stops in travel lanes.

4) High + Real Time: Include real time location data to support emergency response and dynamic management (“avoid this parade route.”)

Considerations:

- If we want to confirm that AVs are “as safe as” or “safer than” human drivers on an ongoing basis, we must choose Options 2 or 3 because “exposure” data is needed.
- None of the reporting requirements listed here are novel – all are required by at least one other state (specifically – a combination of California and Pennsylvania reporting requirements and MDS)
- Data retention should be addressed with any option:
 - California requires onboard vehicle data be recorded 30s prior to crash, sent to DMV to be retained for 3 years.
 - NHTSA may request onboard vehicle data and video.
 - Statute of limitations for personal injury lawsuits involving vehicle crashes is 2 years in Virginia, 5 years if brought by the Commonwealth in certain instances, per § 8.01-243(E).
- Privacy management required for Option 4

AV Permits Oversight

When can agency revoke or suspend a permit prior to a hearing?

Options

1) Unconstrained discretion for agency

2) Broad discretion—e.g., limiting immediate suspensions to situations where the operation of the AV has resulted in or has a risk of causing injury or death or has caused significant impediments to traffic or emergency services.

3) More constrained discretion - e.g., limiting such immediate suspensions to situations where the operation of the AV has resulted in or has a significant risk of causing serious injury or death and/or carriers whose safety statistics drop below that which is required to exit the pilot stage

Considerations:

- Unconstrained allows more flexibility to respond to novel risks and situations
- Constraints that are too narrow may risk public resistance if impacts of AVs on traffic or emergency services don't have a pathway for resolution
- Clearer discretion on constraints gives more certainty to industry players.
- Whatever is decided, staff recommends having a clear and timely appeal and reinstatement process.

Human Operators and Drivers

Remote Assistance

Options

Options

- 1) Permit remote assistance from anywhere in the world
- 2) Permit remote assistance only from within the US

Considerations:

- Remote operations can take two forms: remote assistance where the operator provides guidance or waypoints but the car drives itself, and remote driving where the operator takes control of steering/throttle/brakes.
- Remote operation from anywhere in the world may reduce costs for industry, offer more coverage around-the-clock.
- Remote operators from different countries may lack context to understand driving conditions fully in Virginia.

Human Operators and Drivers

Determining Responsibility/Liability

Options

Options

1) If a human driver is seated in the driver's seat, or is operating the vehicle remotely at the time, then the human driver is presumed to be responsible for the vehicle's operation

2) If the ADS is fully engaged at the time, then the ADS is presumed to be the operator and the permittee is responsible for the vehicle's operation.

Considerations:

- Applicability of product liability law and other tort law
- Responsibility for maintaining and providing data regarding vehicle's operation
- With either option, the final language will also need to include requirements on incident-related data collection, such as video.

Impact of AVs on Intrastate Operating Authority

- **Context:** DMV currently issues intrastate operating authority (permits and certificates) to different types of businesses that transport passengers or property for hire (see next slide). Legislation offered in the 2026 Session proposed a new type of operating authority for vehicles deployed in an on-demand autonomous vehicle network. For more information, see following slides.
- **Recommendation:** Do not balkanize operating authority by introducing new types of permits and certificates. Instead, establish rules of general application for all businesses who use AVs.
 - Avoids unnecessary proliferation of types of operating authority and duplication of requirements, which create administrative inefficiencies for both DMV and industry.
 - Allows all types of carriers to reap advantages of deploying AVs.

For-Hire Transportation

Examples of Types of Businesses Currently Licensed by DMV

Passengers

Common Carrier	• Defined routes • Service open to public • Individual fares
Contract Passenger Carrier	• Transportation of a group • Service contracted in advance • Group fare
Broker	• Connects passengers with licensed motor carriers operating commercial vehicles
Transportation Network Company	• Provides platform to connect passengers with drivers • Drivers use their personal vehicles
Taxicab	• Predetermined routes prohibited • Seating capacity of 6 or fewer • State <u>and</u> local regulation

Property

Property Carrier	• General transportation of freight
Household Goods Carrier	• Transportation of household goods

Not Regulated by DMV

Food Delivery Services (DoorDash, Instacart, etc.)	• Exemption for transportation of property in vehicles weighing 10,000 pounds or less
Personal Delivery Devices (delivery robots)	• Exemption for transportation of property in these devices

For-Hire Transportation

Local Regulation

Options

Options

- 1) Do nothing – if AVs are operating as taxis, they will be subject to local regulation including limits of numbers. If not, they won't.
- 2) Allow localities to regulate AVs by allowing or disallowing whole classes of AVs within their boundaries (enacted as a limit to each permittee's statewide ODD)

Considerations:

- **Context:** Under current law, the only type of for-hire motor carriers subject to local regulation are taxicabs. Localities may require taxicabs to obtain a local license and pay a license tax, regulate rates and charges, prescribe requirements for taxicab operators, and limit the number of taxicabs operating in their jurisdiction.
- A local patchwork may disincentivize industry from expanding in Virginia

Taxes and Fees

Options

Decision Point: Fees for AV permits, registrations

Options

1) Require at least 75% (or some other fraction) of AVs permitted in Virginia to be garaged here, so as to contribute to revenue from car tax /machinery & tools tax, registration fees, motor vehicle sales and use tax, etc.

2) No requirement to base any of fleet in Virginia

Considerations:

- Brings in revenue to state and localities using existing channels, avoiding setting up new collection mechanisms.
- Complexities with operating across jurisdictional borders, in particular in Northern Virginia

Decision Point: Fees for AV permits, registrations

Options

1) Fees to cover Cost of DMV Administration and other state agency costs (for example, reporting requirements)

2) Cover cost of DMV Administration and other agency costs + Law Enforcement training about AVs

Considerations:

- DMV requires fees designed to cover the cost of administering the category for many other types of vehicles programs.
- Administration of AVs will require additional resources. It will unfold better if competent administration is fully funded. The level of funding depends on Options selected.
- Funding law enforcement training in addition to agency administration could ease implementation by smoothing friction with local law enforcement agencies

Decision Point: Retail Sales and Use Taxes

Options

1) Charge a retail sales and use tax for autonomous vehicle transactions

2) Charge a special per AV-VMT tax

3) Charge a retail sales and use tax for all or some passenger carrier services (AVs would thus be included)

4) Do nothing. AV transactions are exempted as a service

Considerations:

- Virginia already has mechanisms for retail sales and use fees and for highway usage per VMT fees.
- Using the retail sales and use structure would be simpler to implement than the VMT fee, would avoid setting and debating rates, and would rise with inflation naturally.
- Passenger carrier services transactions with human drivers do generate indirect tax revenue as they accrue income to drivers.
- Any of these options raise AV costs to consumers.

Liability and Disputes

Arbitration

Options

Options

- 1) Enact language similar to that passed in the Senate version of the AV bill in 2026.
- 2) Remain silent. Language relating to the category of for-hire vehicles will apply
- 3) Identify and apply a general contractual principle that may provide protection
- 4) Enact / rely upon other consumer protection provisions

Considerations:

- **Terms:** Existing AV terms of service (i) are asserted to apply to all riders; and (ii) require arbitration, or mandate courts, law, and procedures outside Virginia. *E.g.*, current [Waymo Terms](#); [Tesla Terms](#).
- **2026 SB 670 (as it passed Senate):** Barred mandatory arbitration and forum selection clauses: “*No manufacturer, vehicle owner, autonomous operation certificate holder, remote operator, on-demand autonomous vehicle network, or other person subject to the provisions of this chapter shall enter into, enforce, or offer to enter into mandatory dispute arbitration agreements or forum selection clauses with any passenger, human driver, or other individual riding in, hailing, or involved in a crash or collision with a fully autonomous vehicle subject to the provisions of this chapter operated in the Commonwealth.*”
- **Risk:** Preemption by Federal Arbitration Act (9 U.S.C. § 2) as interpreted by the U.S. Supreme Court.
 - Has been interpreted as establishing “a liberal federal policy favoring arbitration” agreements (or provisions).
 - Has preempted state laws to bar arbitration in certain contexts and required states to treat arbitration agreements / terms “on an equal footing with other contracts.” See *AT&T Mobility LLC v. Concepcion*, 563 U.S. 333 (2011) (holding that California law may not invalidate bans on class arbitration in a consumer context as unconscionable).

Options

1) **Establish:** Establish permanent AV Committee consisting of key stakeholders to serve as an advisory board which will provide comments on guidance documents, review labor and congestion reports, issue policy/progress reports on a regular basis, and advise on permit revocation and reinstatement. Require agencies to support this Committee.

2) **Do not establish with external stakeholders but** do require DMV, VDOT, and other related agencies to collaborate on administrative actions related to AVs and publish certain findings and data related to impacts on safety, traffic, labor, etc. These agencies would collect public and stakeholder feedback through existing pathways.

Considerations:

- Consistent and clear reports can build public trust through transparency. They should be published in both options.
- Other states told staff that these committees had provided helpful to work through novel issues and effectively collect input from a wide array of stakeholders.
- Virginia already has this framework via this working group
- A committee with external stakeholders is slightly more expensive than internal staff requirements only.
- Committee could have a sunset date.

“Options” Not Planned for Live Discussion July 24th

AV Permits

Vehicles Covered Under Permit

Recommendation

Options

- **Recommendation:** Businesses who wish to operate AVs in Virginia will apply to DMV for a permit.
 - **The permit should be fleet-level**, covering all vehicles within the applicant's fleet that are the same vehicle type with the same Automated Driving System (ADS) operating on the same generation of software (as opposed to permitting each individual vehicle). Such a flexible, scalable approach is administratively easier for both agency and permittee.
 - Permittees may add and remove vehicles to their permitted fleet but must notify DMV and obtain an amended permit when there is a major update to the ADS or a change in the type of vehicle to be operated.
- Sub-options

Options

 - 1) Include detail about what constitutes the same generation of software within legislation
 - 2) Require DMV to publish guidance on this matter

AV Permits

Contents of Permit Application: First Responder Interaction Plan

Recommendation

Options

- **Recommendation: Along with standard information identifying the applicant and the vehicles, require a first responder interaction plan and a description of the proposed operational design domain and geofence within which operations will occur.**
- Advantages:
 - Ensures safety of responders and vehicle occupants
 - Facilitates incident management
- Sub-options

Options

 - Have VSP and DMV collaborate to provide clear guidelines on these plans
 - Also require VSP to approve each submitted interaction plan

Contents of Permit Application: Proof of Financial Responsibility

Options

Option 1: Same requirements for AVs as for other vehicles: \$50,000/person and \$100,000/incident for bodily injury and \$25,000 property ; up to \$5 million for for-hire vehicles

Option 2: Higher requirements, either during pilot phase, or at all times

Considerations:

- Fairness
- Rationale for higher requirements

Privacy Law

- **2026 SB 670 (as it passed Senate)**: No new/special privacy provisions.
- **Legal Background**:
 - Virginia Consumer Data Protection Act ([§ 59.1-576](#) *et seq.*) seems to apply but only above a size threshold (to products/services “that are targeted to residents of the Commonwealth and that (i) during a calendar year, control or process personal data of at least 100,000 consumers or (ii) control or process personal data of at least 25,000 consumers and derive over 50 percent of gross revenue from the sale of personal data”).
 - Establishes certain consumer rights to confirm, access, delete, obtain, and opt out of collection of personal data
 - Virginia Personal Information Privacy Act ([§ 59.1-442](#) *et seq.*) does not seem to apply because AV companies are not selling goods from a fixed retail location.
 - Possible that other jurisdictions’ privacy laws would apply depending on circumstances
 - No general federal privacy statute at present
- **Options**:
 - Enact new privacy provisions
 - Remain silent and rely on existing privacy laws

“Staff Recommendations” Not Planned for
Live Discussion July 24th

Scope

Definitions

Recommendation

- **Recommendation:** define the following AV-related terms in Code to establish a regulatory framework:
 - Authorization Holder
 - Authorization to Operate (ATO)
 - Automated Driving System (ADS)
 - Autonomous Vehicle Depot
 - Autonomous Vehicle External Indicator
 - Dynamic Driving Task (DDT)
 - DDT Fallback
 - First Responder Engagement Plan
 - Fully Autonomous Vehicle
 - Geofence
 - Human Driver
 - Minimal Risk Condition
 - On-Demand Autonomous Vehicle Network
 - Operational Design Domain
 - Remote Operator
 - Request to Intervene
 - Reference to certain standards from SAE

Staff will provide all the recommended definition text, aligning with consensus from other states and federal bodies.

Permit Phases

- **Recommendation: Require a Pilot phase as part of the permit, prior to full deployment. During the pilot phase, the vehicles can operate with an in-vehicle back-up driver and, once thresholds have been met, without a back-up driver to set a baseline of safety performance data.**
 - Lets permittee safely evaluate technology in real-world conditions while agency maintains regulatory oversight.
 - Reduces uncertainty and improves safety by allowing manufacturers and regulators to identify issues prior to full deployment.
- What constitutes “success”? (see options)

Contents of Permit Application: ODD and safety certification

- **Recommendation: Each permit comprises an Operational Design Domain (ODD) which defines the operating conditions for the permit. Conditions can include location, time, weather, types of roads, etc.**
 - Allows agencies to assess proposed operations and evaluate ADS safety and operational performance within the approved ODD only.
 - Provides a foundation for reviewing and approving future ODD expansions (or making very limited reductions in ODD as opposed to pulling an entire permit if safety issues arise)
- **Recommendation: Different parties are responsible for approving and certifying safety performance.**
 - Permit applicant self-certifies that it meets defined safety requirements. Liability rests with permittee for failure to meet those requirements.
 - Permit applicant submits safety assessment reports
 - Permit applicant / permittee submits required safety data (covered on later slide) to enable regulator (DMV) to audit records, inspect vehicles, and suspend permits if called for.

DMV Actions on Applications and Permits

- **Recommendation:** As with other operating credentials, DMV should have the authority to deny, suspend, or revoke an application for specific and reasonable grounds such as violations of law or of the conditions of a permit, failure to maintain proof of financial responsibility, etc.
- **Recommendation:** In addition, DMV should have the authority to suspend a permit, without first offering the opportunity for a hearing, if the agency makes a preliminary determination that the permitted operations pose a danger to the public. (See prior slide for options on conditions of suspension)
- In either case, there should be a clear, timely, and transparent process for reinstatement.

General Rules

- **Recommendation:** All drivers operating permitted AVs (as back up in-vehicle drivers or remote drivers) should meet the following requirements:
 - Be employed by the permittee
 - Possess a valid driver's license that authorizes the operation of the type of vehicle that has been permitted
 - Have completed all required training on the operation of the vehicle
 - If inside the vehicle, be prepared to take control of its operation if necessary

Vehicle Requirements

Titling and Registration

Recommendation

Recommendation: Consistent with AAMVA's guidelines, it is recommended that

- AVs titled in Virginia have an indicator on the title record that the vehicle is an AV
- AVs registered in Virginia have an indicator on the registration card that the vehicle is an AV

These requirements support law enforcement, facilitating crash investigations and roadside inspections. They also assist with regulatory review, reporting, and compliance.