



MURIEL BOWSER
MAYOR

February 29, 2024

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Ave., NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia are the “Autonomous Vehicle Testing Permit Requirement Emergency Declaration Resolution of 2024”, “Autonomous Vehicle Testing Permit Requirement Emergency Amendment Act of 2024”, “Autonomous Vehicle Testing Permit Requirement Temporary Amendment Act of 2024”, and “Autonomous Vehicle Testing Permit Requirement Amendment Act of 2024”. The bills will, on an emergency, temporary, and permanent basis, respectively, amend the Autonomous Vehicle Act of 2012 to regulate the operation and testing of autonomous vehicles (AVs) on District roadways by AV companies prior to the District Department of Transportation’s (DDOT) issuance of an AV permit application.

Council action on an emergency basis is necessary because, although AV companies have begun testing and operating in the District, until the AV testing permit application is promulgated, AV companies are not required to provide DDOT with notice of their operations, making it difficult for DDOT to track and regulate these companies. To address these concerns, the legislation would require that autonomous vehicles only be operated with a test operator and mandate that AV companies testing or operating AVs in the District provide notice to DDOT, among other provisions. This emergency legislation would provide DDOT with the authority to address the safety risk posed by unregulated AV companies operating in the District.

My administration is available to discuss any questions you may have regarding these bills. To facilitate a response to any questions, please have your staff contact Sharon Kershbaum, Interim Director, District Department of Transportation, at 202-322-5425.

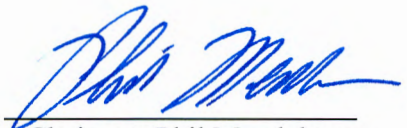
I urge the Council to take prompt and favorable action on the enclosed legislation.

Sincerely,

A handwritten signature in black ink that reads "Muriel Bowser".

Muriel Bowser

Enclosures


Chairman Phil Mendelson,
At the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Autonomous Vehicle Act of 2012 to prohibit driverless testing of autonomous vehicles (AVs) on District roadways without an AV testing permit and to require any person or entity testing AVs with a test operator before an AV testing permit becomes available to provide notice to the District Department of Transportation.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Autonomous Vehicle Testing Permit Requirement Emergency Declaration Resolution of 2024”.

Sec. 2. (a) The Autonomous Vehicle Testing Program Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-156; D.C. Official Code § 50-2351, *et seq.*), authorizes an autonomous vehicle (AV) company to test or operate an autonomous vehicle on District roadways without an AV testing permit for up to 60 days after the District Department of Transportation (“DDOT”), where that entity had already begun testing or operations prior to the AV testing permit application being made available as part of an Autonomous Vehicles Testing Program.

(b) As DDOT prepares to promulgate the AV testing permit, certain AV companies have begun testing and operating AVs in the District. Under the 2020 law, these AV companies are not required to provide notice to the District that they have begun testing or operations, making it difficult for DDOT to regulate their operations. The methods of testing utilized by these companies is also largely unregulated, such that test vehicles may be operated without a test operator physically

34 present in the vehicle who is prepared to take over in the event of an emergency, system failure, or
35 other potential harm to pedestrians and other roadway users.

36 (c) Without these provisions in place, AV testing poses an immediate safety risk to District
37 residents. It is critical that the 2020 law being amended to authorize DDOT to regulate AV testing
38 by AV companies operating in the District up and until the AV testing permit application can be
39 issued.

40 (d) Emergency legislation is necessary to restrict pre-permit testing by AV companies only
41 to autonomous vehicles with test operators, require that AV companies notify DDOT of any AV
42 testing or operations, and to repeal the authorization for preexisting unpermitted entities to continue
43 testing for 60 days after the permit application is issued.

44 Sec. 3. The Council finds that the circumstances enumerated in section 2 constitute
45 emergency circumstances make it necessary that the Autonomous Vehicle Testing Permit
46 Requirement Emergency Amendment Act of 2024 be adopted after a single reading.

47 Sec. 4. This resolution shall take effect immediately.