

MAINE STATE LEGISLATURE

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OFFICE OF
THE GOVERNOR

NO. 2018-001
DATE January 17, 2018

**AN ORDER ESTABLISHING THE MAINE
HIGHLY AUTOMATED VEHICLES ADVISORY COMMITTEE**

WHEREAS, the rapid emergence of Highly Automated Vehicle (HAV) technologies across the United States carries with it the promise of motor vehicles that are capable of traveling on public roadways partially or completely without the active supervision of a human operator; and

WHEREAS, the concurrent development of connected vehicles, autonomous vehicles, vehicle electrification and ‘transportation as a service’ are indicators of an impending transformation of how transportation is obtained and provided in Maine and across the nation; and

WHEREAS, the traveling public and the taxpayers of Maine have significant interest in the potential benefits—safety, accessibility, efficiency, economic and environmental—of Highly Automated Vehicle technologies; and

WHEREAS, the public safety is the most important consideration in the planning, development, deployment and operation of Highly Automated Vehicle systems; and

WHEREAS, the introduction of Highly Automated Vehicle technologies in Maine requires interdisciplinary coordination across Maine state government, local government, the federal government, and other public- and private-sector entities, to address legal and policy issues, and infrastructure needs related to these technologies; and

WHEREAS, the federal government should retain responsibility to develop and maintain standards for the design, manufacture and distribution of automated motor-vehicle systems that are deemed safe, and that are backed up by their manufacturers; and

WHEREAS, at this time, there exist no laws in the State of Maine that explicitly regulate the operation of Highly Automated Vehicles in our State; and

WHEREAS, municipalities and other public- and private-sector entities can soon be expected to envision and propose testing or deployment of Highly Automated Vehicle systems in certain locations, and will need the support and oversight of state government agencies to maximize public safety and ensure compliance with the laws and regulations of our State;

NOW, THEREFORE, I, Paul R. LePage, Governor of the State of Maine, do hereby establish the **Maine Highly Automated Vehicles Advisory Committee** (“the Committee”) for the purposes of (1) overseeing the beneficial introduction to Maine of Highly Automated Vehicle technologies, and (2) assessing, developing and implementing recommendations regarding potential Pilot Projects initiated to advance these technologies.

THE COMMITTEE

Membership of the Committee shall be no less than 11 members in number, and no more than 15 members. The Committee shall be comprised of senior representatives from state agencies and other entities that have substantial responsibilities and/or interests in the management of Highly Automated Vehicle technologies as they become active in the state of Maine, including:

- The Commissioner of Transportation or Designee(s) from the Maine Department of Transportation, which shall serve as the lead agency for the proceedings and activities of the Committee
- The Secretary of State or Designee(s), which will include representation from the Bureau of Motor Vehicles
- The Maine Department of Public Safety or Designee(s), which will include representation from the Bureau of Highway Safety and the Maine State Police
- The Maine Department of Professional and Financial Regulation or Designee(s), which will include representation from the Bureau of Insurance
- The Department of Health and Human Services, which will include representation from the Office of Aging and Disability Services
- The Chief Information Officer or Designee(s) from the Maine Department of Information Technology
- Representation from the Maine Turnpike Authority
- Staff support for the abovementioned State agencies
- Other interested public- and private-sector entities and individuals, including members of the Maine Legislature and the public, per appointment by the Commissioner of Transportation

DUTIES OF THE COMMITTEE

The Committee Shall:

- Act as the State's official review and advisory body for the testing, deployment and operation of HAVs and related infrastructure in Maine
- Conduct its work in a manner that will maximize interoperability and interagency coordination as HAV technologies transition from concept, to planning, to operation
- Monitor compliance with federal and state HAV-related regulations
- Review and make recommendations regarding existing and proposed State of Maine laws and regulations that would govern the testing, deployment and operation of HAVs
- Develop a straightforward, simple application and approval process for municipalities, counties or other entities that wish to conduct HAV Pilot Projects on public roadways in Maine
- Develop and propose policies for regulating the future deployment sale, and operation of HAVs in the State of Maine, at such time as they are needed
- Act as the State's distributor of official public information, and for development of educational resources, related to HAV technologies
- Provide comment on HAV-related federal policies and reports, as needed
- Consult with public- and private-sector experts on HAV technologies, as appropriate
- Be available to work with the Maine Legislature on HAV-related legislation, as needed
- Establish goals and time frames for the Committee's work

PILOT PROJECTS

The Committee shall evaluate and make recommendations regarding proposed HAV Pilot Projects, as follows:

- Sponsors of proposed Pilot Projects are required to contact the Committee and apply for a permit prior to operating pilot vehicles on public roadways in the State of Maine.
- The Committee will assess the purpose(s) of proposed Pilot Projects, including their benefits for the traveling public and their value for the advancement of HAV technologies in the State of Maine.
- In evaluating proposed pilot projects, the Committee shall prioritize the public safety above all other aspects.
- The Committee may consider: the safety record of the proposed technology; the speed of the pilot vehicles; the definition of the vehicles' 'operator;' the training of the nominal operator of the pilot vehicles; the geographical confines of the testing area; the times of day and of year during which the pilot vehicles may operate; and any other considerations that may be needed to protect the public safety.
- In evaluating proposed Pilot Projects, the Committee shall ensure that pilot vehicles can be operated in compliance with State of Maine motor vehicle laws.
- Sponsors of proposed Pilot Projects shall furnish evidence of financial capacity, and of insurance against personal injury or property damage related to the operation of Pilot Project vehicles.
- The duration of a Pilot Project must be defined by the proposer of the project.
- Pilot Project sponsors may seek to recover operating costs, but may not pursue profits for the duration of the project. No state funding will be utilized in conducting a Pilot Project.
- Upon completion of a Pilot Project, the Committee will recommend any possible next steps.
- The Committee shall be prepared to review Pilot Project proposals within 90 days of the issuance of this order.

Recommendations of the Committee to authorize pilot projects will be formalized upon the approval of an Executive Committee comprised of the Commissioner of Transportation, the Secretary of State and the Commissioner of Public Safety, in consultation with other cabinet-level officials as appropriate to the proposed project. Prior to the launching of a Pilot Project, the proposing entity shall enter into a Memorandum of Agreement (MOA) with the abovementioned agencies, outlining the terms for and expectations of the project. In consultation with the Committee, the Executive Committee will render decisions on project approval within 60 days of the Committee's receipt of an application.

The Committee shall deliver a report summarizing its recommendations to the Governor on an annual basis.

The effective date of this Executive Order is January 17, 2018.


Paul R. LePage, Governor