

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



February 28, 2022

Waymo LLC
1600 Amphitheatre Parkway
Mountain View, CA 94043

SUBJECT: Drivered Autonomous Vehicle Passenger Service Deployment Program

Dear David M. Tressler and Mari Davidson:

This letter serves to notify Waymo LLC that its Autonomous Vehicle (AV) Passenger Service program conversion request has been approved. Waymo's authorization to participate in the Drivered Pilot program has been converted to authorization to participate in the Drivered Deployment program.

Decision (D.)20-11-046 (as modified by D.21-05-017) set forth a process for participants in the Drivered Pilot program to convert their permit into a Drivered Deployment permit by presenting the Consumer Protection and Enforcement Division (CPED) with an active Deployment Permit from the California Department of Motor Vehicles (DMV). Waymo requested conversion on November 11, 2021 and responded to CPED's follow-up questions on January 14, 2022. CPED staff have reviewed Waymo's request and supplemental information for compliance with the provisions of D.20-11-046 (as modified by D.21-05-017) and accordingly issue the amended permit attached. As set forth therein, carriers are responsible for complying at all times with all provisions of the permit, relevant CPUC decisions, and applicable local, state, and federal regulations.

In issuing this amended permit, staff would like to highlight several key updates as discussed below.

First, we have clarified the permitting structure for the CPUC's AV programs. This does not impact the substance or requirements of the permit, but you will notice some changes to the permit document itself. Going forward, each carrier need only maintain a single charter-party carrier (TCP) *authority* in the form of an "A" Certificate or "P" Permit. Participation in one or more CPUC AV *programs* (Drivered or Driverless, Pilot or Deployment) may be authorized under this single authority. Accordingly, Waymo's "A" Certificate has been updated to reflect its converted authorization to participate in the Drivered Deployment program.

Second, as with all carriers, we highlight that CPED is committed to working with carriers to ensure to a high bar of safety in AV passenger service, especially as these services commercialize and scale in Deployment. Compliance with the California Vehicle Code (CVC) is a requirement of this Deployment authorization and General Order 157-E, Part 1.06. Note that violations of local ordinance may also amount to a violation of the CVC (see CVC sections 21100-21118). Additionally, D.20-11-046 (as modified by D.21-05-017) ordering paragraph 5(n) requires compliance with all applicable State and Federal regulations. The CPUC can take investigative or enforcement action at any time should concerns arise. We also encourage

carriers to coordinate and collaborate with local authorities who regulate the streets upon which AVs travel, per D.20-11-046 (as modified by D.21-05-017), p. 22.

D.20-11-046 (as modified by D.21-05-017) sets forth several goals for the CPUC's AV Deployment programs. These goals include protecting passenger safety and expanding the benefits of AV technologies to all Californians, including people with disabilities. Passenger pickup and drop-off is a critical nexus of many safety and accessibility issues applicable to AV passengers and all road users. As AV technology and AV passenger service continue to develop and grow, CPED will work with carriers to deepen CPED's understanding of the technological capabilities and operational approaches to public safety and other issues in the public interest in the context of pickup and drop-off events.

Note that any dialogue on specific issues is consistent with Commission authority and ancillary to the reporting requirements set forth by D.20-11-046 (as modified by D.21-05-017), which requires a more detailed data set relative to the Pilot programs. Please closely review Ordering Paragraph 5(k); staff will issue data templates and additional information soon. The data collected through the Deployment programs will empower the Commission and stakeholders in tracking progress toward program goals, including passenger safety, and the development of the AV industry, which in turn will inform future phases of the Commission's AV programs.

Should you have any questions or concerns, please contact us at AVPrograms@cpuc.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Jeff Kasmar".

Jeff Kasmar
Program Manager, Consumer Protection and Enforcement Division

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue
San Francisco, CA 94102-3298



**CLASS A CHARTER-PARTY CERTIFICATE
PARTICIPATION AUTHORIZED IN:
DRIVERED AUTONOMOUS VEHICLE PASSENGER SERVICE PHASE I DEPLOYMENT
PROGRAM**

EXPIRES ON JULY 2, 2022 - SEE PARAGRAPH (13)

CERTIFICATE NO. TCP0038152-A

WAYMO, LLC.
1600 AMPHITHEATRE PARKWAY
MOUNTAIN VIEW, CA 94043

TERMINAL: 1600 AMPHITHEATRE PARKWAY, MOUNTAIN VIEW, CA 94043

The above-named Carrier, having made written application to the Public Utilities Commission of the State of California ("Commission") for authority to operate as a CHARTER-PARTY CARRIER OF PASSENGERS, pursuant to Sections 5351 through 5420 of the Public Utilities Code and Decisions (D.)18-05-043 and D.20-11-046 (as modified by D.21-05-017), is granted this certificate authorizing the transportation of passengers by autonomous motor vehicle (AV) over the public highways of the State of California as a CHARTER-PARTY CARRIER OF PASSENGERS, as defined in said Code, subject to D.18-05-043, D.20-11-046 (as modified by D.21-05-017), and the following conditions:

- (1) This certificate is issued pursuant to Public Utilities Code Section 5383.
- (2) No vehicle or vehicles shall be operated by said Carrier unless adequately covered by a public liability and property damage insurance policy or surety bond as required by Public Utilities Code Section 5392.
- (3) Said Carrier shall comply with all Commission orders, decisions, rules, directions, and requirements governing the operations of said Carrier including General Order (G.O.) Series 115 and 157 and shall remit to the Commission the Transportation Reimbursement Fee required by Public Utilities Code Section 403.
- (4) Said Carrier shall comply with G.O. 157-E, Part 1.06 that requires every charter-party carrier to comply with the California Vehicle Code. The Vehicle Code authorizes local regulation such that violation of a local ordinance may also amount to a violation of the Vehicle Code (e.g., § 21100-21118). D.20-11-046 (as modified by D.21-05-017) Ordering Paragraph 5(n) requires that AV Program participants "[c]omply with all other applicable State and Federal regulations." Vehicle Code § 22502 authorizes local agencies to prohibit by ordinance commercial loading and unloading of passengers more than 18 inches from the curb.
- (5) All vehicles operated under this authority shall comply with the requirements of the Motor Carrier Safety Section of the California Highway Patrol. No vehicle shall be operated unless it is named in the Carrier's most recent equipment list on file with this Commission. Written amendments to the equipment list shall be filed within ten days of the date the vehicle is put into or pulled out of service.
- (6) No vehicle shall be operated in the transportation of passengers by said Carrier without possession of a valid Permit to Deploy Autonomous Vehicles on Public Streets currently in full force and effect from the California Department of Motor Vehicles to deploy autonomous vehicles on the public highways of the State of California.
- (7) This certificate is subject to amendment, modification, suspension or revocation as provided in the Public Utilities Code, in Commission Resolutions PE-498, PE-501, and TL-18336, and in D.18-05-043 and D.20-11-046 (as modified by D.21-05-017).
- (8) This certificate may not be sold, assigned, leased, or otherwise transferred or encumbered without Commission authorization.
- (9) This certificate does not authorize said Carrier to conduct operations on the property of or into any airport unless such operation is authorized by the airport authority involved.
- (10) This certificate authorizes round-trip sightseeing tour service.
- (11) This certificate authorizes the acceptance of monetary compensation for transportation provided in drivered deployment autonomous vehicles.
- (12) The use of top lights and/or taxi meters in all vehicles operated under this certificate is prohibited (D.82-05-069).
- (13) This certificate expires July 2, 2022. It may be renewed upon submission and approval of a renewal application. This renewal application should be submitted at least 90-days prior to the expiration date.
- (14) Pursuant to Part 8.02 of G.O. 157-E, TL-19136, and D.20-11-046 (as modified by D.21-05-017) section 4.21.2, this certificate maintains said Carrier's request for an exemption to the requirement of Part 5.03 of G.O. 157-E that every driver of a vehicle be an employee of said Carrier. The exemption granted shall be in effect until the authority expires. Renewal of this exemption is subject to the provisions of Part 8.01 of G.O. 157-E.

Certificate issued on the 2nd day of July, 2019.
Exemption renewal authorized on the 1st day of July, 2020.
Exemption extension authorized on the 15th day of July, 2021.
Certificate amended on 28th day of February, 2022.

BY

Jeff Kasmar
Program Manager, Consumer Protection and Enforcement Division