BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on Regulations Relating to Passenger Carriers, Ridesharing, and New Online-Enabled Transportation Services	Rulemaking 12-12-011 (Filed December 20, 2012)

REPLY COMMENTS OF THE LOS ANGELES DEPARTMENT OF TRANSPORTATION IN RESPONSE TO THE RESOLUTION APPROVING AUTHORIZATION FOR CRUISE LLC'S EXPANDED SERVICE IN AUTONOMOUS VEHICLE PASSENGER SERVICE PHASE I DRIVERLESS DEPLOYMENT PROGRAM

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INTRODUCTION

The Los Angeles Department of Transportation (LADOT) submits this response regarding the California Public Utilities Commission's (CPUC) Resolution Approving Authorization for Cruise LLC's Expanded Service in Autonomous Vehicle Passenger Service Phase I Driverless Deployment Program. LADOT is taking action to ensure that every Angeleno has dignified, reliable, safe, and affordable transportation options that serve their needs. How we narrow and ultimately eliminate the divide in transportation -- and access to opportunity -- is the most critical issue for transportation professionals in Los Angeles to solve. LADOT continues to be optimistic about advancements in transportation technology that have the potential to increase mobility options for all, and we foster innovation to make Los Angeles a center of transportation tech businesses and jobs. However, we remain concerned that the unimpeded service expansion without local input or management will not satisfy the Consumer Protection and Enforcement Division (CPED) goals and may cause harm to the Cities where these services will be provided. Early collaboration between the CPUC, cities, and industry to set clear regulations will ensure policies that maximize the benefits of new transportation technologies for all our communities and residents.

LOCAL POLICY GOALS AND OVERSIGHT

The City of Los Angeles spans 500 square miles, has a population of approximately 4 million people, and contains 7,500 miles of roadways. We have critical transportation goals to improve safety, reduce congestion, and ensure service is provided equitably across our diverse communities.

In Los Angeles today, you can access twelve times as many jobs in one hour by car than by transit. Nobody should be denied access to education, employment, housing, or healthcare because they don't have transportation options. Affluent Angelenos are more likely to own a car and can better meet their transportation needs with other expensive private transportation options -- taxis and other ride-sharing companies offer paying passengers the same mobility as a personal car; electric scooters can be rented to

connect riders to transit better; company-provided shuttles provide employees direct connections to work. The public sector has an obligation to level the playing field by extending the same opportunities to everyone and ensuring that new modes are focused on serving this critical goal.

In 2022, 312 people were killed by car crashes in Los Angeles. LADOT is confronting this public health crisis by prioritizing lives in its planning, decision-making, and infrastructure investments to put the safety of individuals using our streets to walk, bike, and drive first. New services must also be regulated to support our goal of eliminating traffic fatalities from City streets.

It is untenable to allow a new mobility service - expected to cover thousands of miles of streets and service millions of people - to expand its operations without requiring it to engage with the City responsible for ensuring the operational safety of users and the public using that public roadway. We are thankful for the CPUC's leadership in regulating this new, unproven mode of transportation, but to ensure that new services advance, not undermine critical public policy goals, LADOT believes that City administrators should have oversight over how AVs operate within their respective jurisdictions.

PROTECTING PASSENGER SAFETY

When discussing Operational Safety, the CPUC acknowledges that passenger safety and the safety of the broader public are intertwined. LADOT appreciates that Cruise's Passenger Safety Plan (PSP) outlines some passenger protections, but it does not adequately consider and protect persons outside the vehicle who are walking, bicycling, or will otherwise need to engage with these vehicles. As a City agency charged with protecting the safety of all road users, LADOT does not believe enough data, studies, or emphasis has been placed on how this industry will affect a City's safety goals or how AV passenger service will impact non-passengers.

LADOT noted in its previous comments that Cruise vehicles regularly engage in illegal behavior by picking up and dropping off passengers in travel lanes. We also noted that in Los Angeles, there is no exemption for commercial vehicles to double park or block traffic lanes for passenger pick-up and drop-off. LADOT Traffic Officers are authorized to issue citations for double parking, usually under California Vehicle Code (CVC) 22500 and 22502, (18 inches from the curb).

We thank the CPUC for acknowledging this concern, noting on page 13 of the resolution that "Pickup and drop-off more than 18 inches from the curb creates hazards for passengers and surrounding road users, blocks the flow of traffic, and creates accessibility challenges for passengers who may need or want direct access to the curb." We wholeheartedly agree and would like to add that this also creates issues for our bicyclists and scooter riders who must share the road with these vehicles. We encourage the CPUC to allow cities to effectuate operational solutions and develop systems to help parking enforcement officers engage with these vehicles when they are blocking a travel lane. We further encourage the CPUC to allow cities to determine the best solution that accommodates the cities' respective needs as it relates to the overall operation of AVs on its right of way.

The resolution also states that, "The Deployment Decision has not established specific criteria for operational performance, nor does it condition permit approval upon meeting particular thresholds for past performance." Considering that is the case, LADOT believes that the CPUC should declare through its rulemaking that local jurisdictions have permitting authority over Autonomous Vehicles to manage the operational issues that the CPUC does not consider.

DIGITAL INFRASTRUCTURE AND DATA COLLECTION

As LADOT noted in previous comments, Cruise and other AV Providers should be required to integrate into a data/notification program with the localities in which it operates. This is critical to facilitate

planning, operation, and curb management on local streets.

LADOT agrees with San Francisco that there is a lack of transparency in AV operational data. This includes getting basic information regarding trips, unplanned stoppages, and delays. As these vehicles are deployed, they respond in real-time to the dynamic conditions of the roads. Regulators must also be able to act dynamically and with digital tools that require data to be effective. That is why LADOT uses the Mobility Data Specification (MDS) to regulate for-hire transportation designed to support a service like Autonomous Vehicles (AV). The MDS system we use for scooter devices would be similar to AVs. Our systems would regularly talk to one another and inform the vehicles where they can stop and start and which areas may be temporarily or permanently off-limits.

The MDS platform allows Los Angeles to manage, in near-real-time, operator compliance with stated rules in the public right-of-way. An example of this is during our Ciclavia events which open up our streets to people and families on bicycles along with pedestrians and prohibit cars on those streets during the event. During this event, LADOT prohibits using permitted motorized Scooters that can travel up to 15 mph. We do this digitally by geofencing the street from riders and digitally sending information automatically to the providers, which notify the Scooter to throttle down to 0 mph when entering that zone, all in near real-time. This same type of real-time communication would be sent to an AV company, signaling its vehicles not to enter a certain zone or street during set times.

This type of digital regulation is even more critical with AVs where no human driver is present to react to conditions in real-time. Furthermore, because dozens of other cities use this platform, AV companies would not be forced to design new and unique digital tools to operate in most major cities. It should be noted that LADOT is also integrating taxicabs, which provide the same service as passenger AVs, onto the MDS platform and will be using this tool to manage curb space and vehicular travel throughout the

City of Los Angeles. This will allow us to enforce permit requirements better, ensure equitable service across the City, and determine better locations for passenger pickup and dropoff zones to reduce congestion. Integration on the MDS platform further allows cities to work with Providers to manage traffic planning and curb use by having data that can inform better usage of space and help improve safety or even allow Cities to restrict travel in certain zones, limit the number of vehicles in particular areas that are highly congested, or to account for peak vs. non-peak travel periods. AV data sharing, and integration with tools like MDS, would allow cities like Los Angeles to better support the successful deployment of AVs for passenger service without compromising critical quality-of-life concerns, including safety, accessibility, congestion, and equity.

Allowing Cruise to continue without local enforcement guidance and a curb management program exacerbates and could increase the danger of traveling on our city streets. In Los Angeles, we continue to move toward a technological future wherein digital infrastructure will complement our existing physical infrastructure and allow Cities to make decisions or adjust behaviors depending on circumstances. Data requirements allow cities and other agencies to support and plan for innovation rather than just react to it. If an AV company is going to operate in a municipality, that municipality should have the ability to require the critical operational data it needs to ensure deployment is not creating unnecessary safety and traffic congestion issues. Furthermore, if a municipality is already using tools like MDS to manage other fleets of vehicles using its public right-of-way, then that City should have the authority to require integration onto those platforms.

The CPUC has stated that it remains concerned about potential risks as these services scale up and will continue to work on these issues. If the CPUC believes that these operational issues - including scaling or incremental growth, the number of vehicles in an area, character of operations, data requirements, data management, right of way enforcement, and other factors - are outside of its jurisdiction, LADOT

believes Cities should be empowered to regulate these particular concerns within their jurisdiction and determine how operations should look in their respective areas. Furthermore, to assist in this management, many cities, particularly within the same region, can convene a working group to help establish uniform operational rules that allow for cross-jurisdictional service.

The CPUC encourages continued collaboration between AVs and local authorities, but this is only effective if it is clear that the Cities have the ability and authority to minimize negative impacts for their communities. Cities should not be limited to suggesting changes or asking permission from companies when their deployment or operation is creating challenges on their roadways, especially considering that these companies are not beholden to the residents of the Cities they provide service in or under any regulatory jurisdiction requiring them to be responsive to concerns.

CONCLUSION

Thank you for the opportunity to respond to this Resolution. LADOT is excited about new developments in the transportation industry and looks forward to this exciting future with smart AV growth that supports public policy goals.

LADOT is in agreement with the CPUC that unplanned stops, improper interactions with first responders or rail crossings, and passenger pickup and drop-off operations in a travel lane create hazards for passengers and the public and, in some situations, violate the California Vehicle Code. For this reason, the CPUC should assist local jurisdictions by giving guidance and authority to Traffic Officers and other Law Enforcement personnel on how they can engage with AVs operating in their local jurisdictions.

We believe that because the deployment decision does not prescribe a particular progression for the testing and deployment of AVs in terms of participation in Commission AV programs, number of

vehicles, character of operations, and other factors listed above, that the CPUC should welcome local jurisdictions to manage operations within their borders. LADOT further asserts that although the DMV has authority over the technical ability of AVs to operate safely on public roads in California, it should be up to the local jurisdictions to determine the appropriate scale, number, and location of where those services should operate.

LADOT believes it is reasonable for the CPUC to allow expansion but that it must also accept local jurisdictions' establishment of uniform metrics and performance standards for AVs, including for service of disabled passengers and metrics for underserved and/or low-income areas.

Finally, the CPUC should allow local jurisdictions to require and manage data collection efforts to help support planning, local equity programs, and other issues related to For-Hire Passenger service.

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Respectfully submitted,

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