



MEMORANDUM

TO: Mayor and City Council

THROUGH: Robert Goode, P.E., Interim Assistant City Manager

FROM: Richard Mendoza, P.E., Interim Director,
Transportation and Public Works Department (TPW)

DATE: September 1, 2023

SUBJECT: **Autonomous Vehicles (AVs) on City Roadways**

The purpose of this memo is to provide an update regarding autonomous vehicles (AVs) in Austin.

Austin City Council [Resolution 20170302-039](#) states that AVs have the potential to transform our City transportation systems by bringing increased accessibility and playing a role in supporting sustainability. While these outcomes have yet to be realized, AV technology has advanced, and AVs are being deployed in cities around the world.

Over the past few months, an increasing number of AVs have been deployed on Austin's streets. Currently, there are approximately 125 fully electric AVs in operation and we anticipate additional vehicles in the near future. We are aware of three companies operating AVs in Austin. As of August 2023, Cruise is operating commercially with Volkswagen ADMT and Waymo in the testing phase. Along with the increase in AVs, the City has received a corresponding increase in comments from residents expressing safety and other concerns about AVs operating in their neighborhoods.

The ability of the City to manage or respond to these complaints is limited by *Texas Transportation Code 545.452(b)* "**A political subdivision of this state or a state agency may not impose a franchise or other regulation related to the operation of an automated motor vehicle or automated driving system.**" Simply put, cities in Texas cannot regulate autonomous vehicles. Vehicles must be registered and insured just like a traditional vehicle.

However, Section 545.455 of the Transportation Code does include the following: "**In the event of an accident involving an automated vehicle, the automated vehicle or any human operator of the automated motor vehicle shall comply with Chapter 550,**" which requires immediately reporting the accident to the local police or sheriff's office and on a specified or approved Department of Public Safety accident report form.

A City AV Safety Task Force was formed by TPW with Austin Police Department, Austin Fire, and Austin Travis County Emergency Medical Services (ATCEMS) to share information and create a collaborative approach to identifying and communicating AV safety in our community. The AV Safety Task Force:

- Collects feedback from residents (via 311, Council Offices, directly to TPW, etc);
- Collects feedback from public safety (via email and incident reports);
- Gathers data from all incidents and communications to create maps, analyze trends, and communicate issues with AV companies;
- Facilitates training with public safety and AV companies;
- Works with AV companies to improve data, identify safety concerns, communicate about special events, and ensure they have proper charging facilities for their fleets; and
- Meets with peer city entities to discuss policy and procedures.

Coordination can help reduce the risk of injury, property damage, and potential conflicts caused by AVs operating in the public right-of-way. TPW and members of the AV Safety Task Force are not aware of any pedestrian, cyclist, or scooter injuries, to date. In addition, TPW is providing data to AV companies on specific properties, such as fire stations, so that AV companies have the information they need to set routes and procedures that keep the area around emergency facilities clear. Similarly, TPW coordinates with the AV companies on special events to alert them to road closures and route changes.

Some of the challenges facing the City with AVs is that they have difficulty following traffic direction from people, whether they be police officers or safety personnel at construction sites. We have spoken with the AV companies about this issue, and they are working on a resolution. We have communicated with AV companies about specific incidents where AVs have blocked first responders.

It is important to note that while AVs may prove one solution to our mobility challenges in the future, there are legitimate safety concerns to how they are currently being deployed. TPW is communicating with peer cities like San Francisco, Seattle, Washington DC, and Phoenix to share concerns, lessons learned, procedures, and policy to best protect public safety. Further, TPW participates with the Texas Department of Transportation Emerging Technologies group and state and federal oversight bodies such as TxDOT Connected and Autonomous Vehicle Task Force, the National Association of City Transportation Officials AV Task Force, and the Texas Innovation Alliance.

AV technology is new, and, while very exciting, poses significant challenges to communities chosen as testbeds for this innovative technology.

Our approach is to monitor and communicate as much as we can to create the safest operating environment for AVs in our community. Please feel free to contact me at RichardV.Mendoza@austintexas.gov or Smart Mobility Office Division Manager Kirk Scanlon (Kirk.Scanlon@austintexas.gov) if you have any questions or need more information on this matter.

cc: Jesús Garza, Interim City Manager
Bruce Mills, Interim Assistant City Manager