Two FCC Commissioners Warn in Letter to Toyota That Automaker Should be Careful When "Committing Capital Expenditures" to Automotive Safety and Vehicle Communications

A letter to Toyota North America CEO James E Lentz from the Federal Communication Commissioners Michael O'Reilly and Jessica Rosenworcel, warned Toyota that several factors should be addressed before Toyota begins "...committing capital expenditures to [Dedicated Short Range Communications] DSRC."

According to the FCC, The DSRC Service involves vehicle-to-vehicle and vehicle-to-infrastructure communications, helping to protect the safety of the traveling public. It can save lives by warning drivers of an impending dangerous condition or event in time to take corrective or evasive actions.

The O'Reilly and Rosenworcel letter, which acknowledged Toyota's April 16, 2018 announcement (and Toyota Ex-Parte comments to the FCC) that the automaker will proceed with deploying Dedicated Short Range Communications for Vehicle-to-Vehicle/Infrastructure (V2X) applications in 2021, states that the current proceeding on spectrum sharing of the DSRC ITS 5.9GHz band with WiFi is still ongoing. The letter admitted that the the
Phase I testing had already been completed and that phase II and III will begin in the coming months. (Prior to this letter, the FCC had not formally announced the completion of the Phase I testing)

The Commissioners' letter continues by saying “we are committed to finding the best method to deploy advanced automotive safety-of-life applications while working to meet existing and future demands for unlicensed spectrum.” The letter continues by saying the commitment also includes exploring opportunities to “re-channelize the 5.9GHz band.” The letter, however, links spectrum sharing proceeding to find solutions to share the 5.9 GHz ITS band with WiFi to an ostensibly new effort on the part of the Commission to examine advance automotive safety using newer technology -- specifically referencing C-V2X.

**ITS America, The Alliance of Automobile Manufacturers, Global Automakers and Denso oppose rechannelization of the 5.9GHz ITS band**, which would partition the band, but have been supportive of a process for FCC and USDOT to find a solution to the spectrum sharing between DSRC and Wi-Fi (UNII) through the first phase of testing. Future inclusion of C-V2X in the 5.9GHz ITS band would be a new development, would likely complicate spectrum sharing work done to date and may require additional testing beyond what has already been accomplished.

In their letter, it is uncertain whether Commissioners O'Reily and Rosenworcel intended to praise or deride Toyota's actions to deploy the V2X cooperative safety system -- applauding Toyota's commitment to deploy whilst seemingly reminding the automaker that it took the industry too long to make it this far -- "it is refreshing to learn, after nearly two decades since the commission allocated spectrum for this purpose, that DSRC may move out of the the conceptional and testing phases on on to the road."

**U.S.D.O.T. Announces Unmanned Aircraft Systems Integration Pilot Winners**

The U.S. Department of Transportation (DOT) selected 10 state, local and tribal governments as participants in the
Unmanned Aircraft Systems (UAS) Integration Pilot Program. First announced last October, this White House initiative partners the Federal Aviation Administration (FAA) with local, state and tribal governments, which then partner with private sector participants to safely explore the further integration of drone operations.

"Data gathered from these pilot projects will form the basis of a new regulatory framework to safely integrate drones into our national airspace," said Secretary Elaine Chao.

- Choctaw Nation of Oklahoma, Durant, OK
- City of San Diego, CA
- Virginia Tech - Center for Innovative Technology, Herndon, VA
- Kansas Department of Transportation, Topeka, KS
- Lee County Mosquito Control District, Ft. Myers, FL
- Memphis-Shelby County Airport Authority, Memphis, TN
- North Carolina Department of Transportation, Raleigh, NC
- North Dakota Department of Transportation, Bismarck, ND
- City of Reno, NV
- University of Alaska-Fairbanks, Fairbanks, AK

From the DOT press release: “Over the next two and a half years, the selectees will collect drone data involving night operations, flights over people and beyond the pilot's line of sight, package delivery, detect-and-avoid technologies and the reliability and security of data links between pilot and aircraft.”

Currently, the FAA limits commercial operation by requiring permits and imposing restrictions like banning
beyond-line-of-sight flights and nighttime operations. The FAA has been inundated with requests to operate outside those restrictions, which it sifts through on a case-by-case basis, sometimes taking months to issue waivers.

**U.S.D.O.T. Clarifies Economic Authority to Operate for UAVs**

U.S.D.O.T. issued a notification of procedure in the Federal Register outlining how drone delivery operators can seek “economic authority” from the department to operate. DOT intends to have drone operators follow the same regulatory procedures already in place for manned aircraft.

**NASA in Joint R&D Effort with Uber on UAVs over populated areas.**

The National Aeronautics and Space Administration (NASA) and Uber announced on May 8th they will team up to study and develop a safe and efficient method for future delivery drone and small passenger aircraft operations in crowded populated areas. Speculation is that Uber is attempting to work as closely as possible with the government as it looks to make its flying taxi project a reality.

“The goal, known as Urban Air Mobility (UAM), is a safe and efficient air transportation system where everything from small package delivery drones to passenger-carrying air taxis operate over populated areas, from small towns to the largest cities.

In 2011, NASA started Unmanned Aircraft Systems Integration in the National Airspace System project, or UAS in the NAS. This project was designed to reduce the technical barriers related to safety and the operational challenges associated with integrating larger-sized UAS -- those that weigh 55 pounds or more and fly higher than 500 feet, including full-size repurposed Predators and Global Hawks -- into the national airspace. With the growth and popularity of smaller drones, NASA started the UAS Traffic Management (UTM) project in 2015.
According to NASA, some of the barriers to urban air mobility operations include “…safety certification of autonomous vehicle systems, community noise impacts from vehicle operations, cyber security protections, safe airspace integration with traditional airline operations, and many others.” NASA also awarded contracts for UAM market studies. According to NASA, these studies will identify “policy, economic, social, environmental, and legal barriers to enabling UAM,” as well as estimate how much potential demand there is for UAM now and in the future.

White House Turns Attention to AI

Officials from more than 40 companies including Alphabet Inc., Goldman Sachs Group Inc., Boeing Co. and CVS Health Corp. met on Thursday at the White House to discuss artificial intelligence, amid rising concerns about jobs and the influence of China. Transportation will be represented, though Ford was the only entity slated to attend from the auto industry.

Legislative News

Infrastructure Week: ITS America Puts Transportation Technology and Safety Front and Center at Hill Events

ITS America will put front and center the game-changing benefits of intelligent transportation technologies at two Hill events at Infrastructure Week, May 14 – 18, 2018.

Smart Cities and Smart States Roundtable

On Tuesday, May 15, 5:00 – 7:30 p.m., 2322 Rayburn House Office Building, ITS America will host a discussion on intelligent transportation technologies that are shaping safer, greener, and smarter cities and states. The roundtable will feature:

- Cordell Schachter, Chief Technology Officer, New York City Department of Transportation
• Wes Maurer, Director of Intelligent Transportation Systems, Colorado Department of Transportation

• Steve Ingracia, Deputy Director for Technology and Strategic Planning, Nebraska Department of Transportation

• Rebecca Hunter, External Affairs, Corporate Development & Strategy, Crown Castle

• Moderator: Stan Caldwell, Executive Director, Traffic21 Institute, Carnegie Mellon University

• Opening remarks: Finch Fulton, Deputy Assistant Secretary for Transportation Policy, U.S. Department of Transportation

• Host welcome remarks: Ron Thaniel, Vice President of Legislative Affairs, ITS America

To register, please click here.

**Connected Automation Now**

On Thursday, May 17, 11:00 a.m. – 12:30 p.m., 2247 Rayburn House Office Building, AECOM and ITS America will host a timely discussion on how infrastructure and transportation providers are working with cities and states towards Vision Zero. Speakers include:

• Jeff Marootian, Director, District of Columbia Department of Transportation

• Wes Maurer, Director of Intelligent Transportation Systems, Colorado Department of Transportation

• Alison Pascale, Senior Policy Strategist, Audi of America, Inc.

• Robert Deans, Head of Technology, North America Transurban

• Moderator: Suzanne Murtha, National Lead for Connected and Automated Technologies, AECOM
• Robert Deans, Head of Technology, North America
  Transurban

• Co-hosts opening remarks: Dan Faust, DC Metro
  Region – Executive Vice President, AECOM Design &
  Consulting Services

• Co-hosts opening remarks: Ron Thaniel, Vice President
  of Legislative Affairs, ITS America

To register, please click here.

ITS America to Express Support for HAV Research and
Development Program in Meeting with House
Appropriations

In a meeting scheduled for Tuesday, May 15, ITS America
will meet with the House Appropriations Committee on
Transportation, Housing and Urban Development, and
Related Agencies Subcommittee minority staff to urge that
the FY19 Transportation-HUD spending include no less
than $100 million for the Highly Automated Vehicle
Research and Development Program.

The FY18 Omnibus provides $100 million in funding
under the Federal Motor Carrier Safety Administration
budget for the program, including $60 million for
demonstration grants to test the feasibility and safety of
self-driving vehicles and $38 million for research. ITS
America's Advocacy Trust urged majority staff in a
conference last month to include no less than $100
million for the program.

Last month, House and Senate Republican Appropriators
announced plans to complete all FY19 appropriations bills
by September 30, 2018. The House Transportation,
Housing and Urban Development, and Related Agencies
Subcommittee is scheduled to markup the Transportation-
HUD appropriations bill on Wednesday, May 16.

Transportation Largely Spared in White House Proposed
Spending Cuts

On May 8, the Trump Administration sent to Congress
spending cuts totaling $15.4 billion. House Republican
leaders are planning to bring the legislation containing the cuts directly to the floor for a vote, as soon as next week. The cuts do not include a repeal of spending in the recently passed FY18 Omnibus. Of the $15.4 billion in proposed spending cuts, $279 million come from the Department of Transportation. Of this, $134 million is from old Appropriations Committee highway earmarks, $45 million from the Appalachian Development Highway System account, $53 million from Capital Assistance for High-Speed Rail Corridors and Intercity Passenger Rail Service, and $47 million from Transit Formula Grants from FY05 and prior fiscal years.

State and Local Policy Updates

ITS America Moderated Panel at Smart Cities Week Silicon Valley

As part of ITS America's partnership with the Smart Cities Council, Jason Goldman, ITS America VP for External Affairs & Stakeholder Engagement, moderated a successful "Transportation Investments: the Building Blocks for Tomorrow's City" panel on May 8 at the Smart Cities Week 2018 Silicon Valley.

The panel addressed the progress city, regional and state agencies are making toward planning for the future of mobility through investments in transportation infrastructure. With objectives such as increasing transportation options, enhancing quality of life and improving sustainability, practitioners addressed how planning, coordination with other departments to bring a range of services, creative financing and public private partnerships make modern mobility possible. The panelists included:

- Roger Millar, ITS America board member and Secretary, Washington State DOT;
- Dan McElhinney, Chief Deputy Director for District 4 - Bay Area, Caltrans;
• Janna Smith, Transportation Technology Project Manager, Los Angeles Department of Transportation;
• Stefano Landi, Head of Global Sales, Business Development & Partnerships, Verizon Smart Communities/Cities; and
• Jan-Phillip Mohr, Founder and CEO, Hashplay.

**ITS America Delivered Welcome Address at 2018 New England ITS Annual Interchange**

On May 10, Ron Thaniel, ITS America VP for Legislative Affairs, provided welcome remarks at the 2018 New England ITS Annual Interchange. He briefed attendees on relevant legislative and regulatory developments and presented an overview of ITS America's recent activities.

**Chandler, AZ May Become First U.S. City to Modify Zoning Regulations to Prepare for Automated Vehicles**

The City Council of Chandler, AZ is considering a proposed ordinance to amend parking and loading regulations in the city's zoning code to prepare for a future increase in autonomous vehicles and ride share usage. According to the press release:

- The first change adds the ability to reduce parking when a parking demand study finds that a reduction in demand is directly due to an increase in autonomous vehicles and ridesharing. Under this provision, the zoning administrator would have the ability to reduce up to 40 percent of parking.

- The second change under the proposed ordinance allows for a 10 percent parking reduction for each loading zone space for the following uses, up to a maximum of 40 percent:
  - Commercial: One loading zone space per 50,000 square feet
  - General Office: One loading zone space per 100,000 square feet
  - Industrial: One loading zone space per 200,000 square feet
- Institutional and Medical: One loading zone space per 50,000 square feet
- Multi-Family: One loading zone space per 150 units.

- Loading zone spaces that exceed the ratios above would not be eligible for the 10 percent parking reduction, and larger reductions (up to a maximum of 40 percent) may be requested through a parking demand study. However, if the reductions were to cause a parking problem, the city's zoning administrator will have the discretion to deny the request.

- The ordinance also proposes standards for passenger loading zones:
  - Be approximately 50 feet from the primary entrance; greater distance will be allowed when shared by multiple businesses
  - Be kept separate from fire lanes
  - Comply with the minimum dimensions in standard detail
  - Provide pedestrian amenities, such as shade and benches
  - Comply with accessibility requirements from Chandler's Building Code.

**Contact**

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