



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
 800 BAY ROAD
 P.O. BOX 778
 DOVER, DELAWARE 19903

JENNIFER COHAN
 SECRETARY

**Advisory Council on Connected and Autonomous Vehicles
 (Executive Order 14)
 Subcommittee on Technology, Security, and Privacy**

Thursday, May 17, 2018
 11:00am – 12:00pm
 DelDOT Administration Building, 800 Bay Road, Dover, DE
 Farmington/Felton Conference Room

MINUTES

1. Welcome & Introductions

- a. The meeting commenced at 11:02 AM. E. Starkey directed committee members and attendees to introduce themselves.

Present Voting Committee Members

Philip Barnes	University of Delaware (UD) Institute of Public Administration
Aleine Cohen	Department of Justice
Ken Grant	AAA Mid-Atlantic
Leslie Ledogar	Insurance Commissioner’s Office
Li Wen Lin	DelDOT—Technology and Innovation
Scott O’Connor	Delaware Department of Technology and Information (DTI)
Elayne Starkey	Delaware Department of Technology and Information (DTI)

Absent Committee Members

Scott Clapper	Division of Motor Vehicles (DMV)
Jim Garrity	Diamond Technologies
Renee Gibson	Alliance of Automobile Manufacturers
Brian Pettyjohn	State Senate
Shari Shapiro	Uber
Sergeant Steve Yeich	Delaware Information and Analysis Center (DIAC)

Also Present

Peter Carnes	TrafficCast
Todd Reavis	DelDOT—Technology and Innovation



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Megan Rosica Jacobs
Tarik Zerrad Ruggerio Wilson & Associates

- b. E. Starkey began the meeting by congratulating L. Lin who will be leaving her current position at DelDOT to take on a new role at the University of Delaware. T. Reavis will be replacing L. Lin on the subcommittee.

2. Approval of Minutes from Last Meeting

- a. The committee reviewed the previous meeting minutes and had no revisions or comments. K. Grant made a motion to approve the minutes. Motion was seconded by A. Cohen. Motion passed and the minutes were approved.

3. Review Milestones and Timeline

- a. Remaining meetings: June 7, June 21, July 19
 - i. June 7 meeting will be cancelled, but this will stay as the deadline for workgroups to complete reports– all workgroups will send their draft reports to M. Rosica who will assemble into one and send the compiled draft (no later than June 14) to the entire subcommittee for review before the June 21 meeting. The June 21st meeting will be devoted to reviewing all feedback on the final report.
 - ii. July 19 meeting may not be needed if the report is finalized at the June 21 meeting but will keep on the calendar.
- b. Final Report due July 31
 - i. The committee decided to compile all workgroup findings into one section, rather than have three separate sections for each, to avoid repetitiveness – many of the workgroup findings overlap.
 - ii. L. Ledogar suggested adding a line to the final report introduction indicating that the workgroups developed ideas and recommendations separately, but there was significant overlap, so the final report was compiled into one.

4. Workgroup Briefings

- a. S. O'Connor reviewed the work being done by the Security Workgroup.
 - i. The team has completed extensive research on security and data collection related to CAV. Data types for collection include GPS, vehicle monitoring, camera data, and possible Personally Identifiable Information (PII)/biometric data.



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- ii. Opportunities and recommendations:
 - 1. Suggest the State of Delaware partner with other states and NHTSA to collaborate on cybersecurity policies and best practices.
 - 2. DelDOT's current ITMS Infrastructure positions Delaware well for the work efforts with CAV.
 - 3. Create a technology oversight board comprised of state, federal, and business partners to monitor future CAV technologies and how future technologies will affect the State of Delaware.
 - 4. Introduce cyber security training for CAV customers. Target training on cyber security risks, such as social engineering concerns.
- iii. Risks:
 - 1. Collect the least amount of data necessary to allow CAV to make informed decisions.
 - 2. When storing CAV data, separate Personally Identifiable Information (PII) from non-Personally Identifiable Information.
 - 3. Disclose use of data to CAV customers during registration period. Ask manufacturers to allow CAV owners to opt in to data collection rather than having them collected by default. Also require clear, plain language disclosures to citizens about what data will be collected, how the data will be stored, for how long and how the data will be protected.
 - 4. Data Retention/Storage - Keep data for the shortest possible time and anonymize data over time.
 - 5. Data Encryption – Encrypt data collected during transmission and at rest.
- iv. L. Ledogar indicated that insurance code requires giving a notice to the consumer about what they are purchasing – this could be an opportunity for the subcommittee to pivot off of existing notice requirement laws and suggest developing something similar for CAV.
 - 1. A. Cohen noted that if a binary opt-in tool was used, more knowledge to the consumer about what data is being collected may deter them from allowing data collection.
 - 2. E. Starkey suggested the committee include the recommendation for a notice requirement and the full committee will decide how to proceed.
 - 3. K. Grant shared with the committee that AAMVA recently published jurisdictional guidance for safe testing and development of highly automated vehicles. The report noted cybersecurity, as well as data privacy and security, including PII, as “out of scope.” This further



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emphasizes the point that many organizations and departments are not addressing this aspect of CAV development and Delaware could set the stage for future legislation and recommendations related to data privacy.

- v. P. Barnes reviewed the Privacy Workgroup's report development.
 - 1. The U.S. Government Accountability Office report about vehicle data privacy has been a valuable resource for the workgroup.
 - a. The report compares privacy statements from a number of automobile manufacturers and aims to get answers about how data privacy will be handled.
 - b. Main takeaway from this report is that there is no definitive answer yet to the question, "who owns the data?"
 - c. Current privacy notices to consumers about what happens with their data is very unclear – not in plain language (5th grade level).
 - d. The use of the data is unclear, violating the "transparency" principle.
 - e. A core tenant is education and awareness.
 - 2. The workgroup discussed recommending a binary opt-in option. The consumer would choose to opt in or not rather than choosing which data to share in return for specific services.
 - 3. Limits to the workgroup's research have been identified (e.g. there is no answer to the question of who owns the data).
 - 4. Opportunities and recommendations:
 - a. Provide education to the public.
 - b. Require used car dealers to wipe vehicles data clean before re-selling.
- vi. L. Lin informed the committee that the Technology Workgroup has completed their draft report and there is no new update from the last meeting. L. Ledogar also noted that she is working on the final report from the Insurance Commissioner's Office which will have more detail on recommendations and risks.

5. New Business

- a. None

6. Public Comment

- a. There were no comments from the public.



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7. L. Ledogar made a motion to adjourn the meeting and A. Cohen seconded. The motion passed and the meeting adjourned at 11:56 AM.

Action Item Summary:

1. Workgroups to send their completed draft reports to M. Rosica (megan.rosica@jacobs.com) before June 7.
2. M. Rosica to compile the three workgroup reports into a final document and send the report out to the entire committee no later than June 14 for review before the June 21 meeting.
3. All subcommittee members will provide feedback on the final report via track changes on the Google drive no later than June 20.