LAWA
LOS ANGELES WORLD AIRPORTS

February 1, 2024

Transportation Committee
Los Angeles City Council
200 N. Spring Street
Los Angeles, California 90012

Honorable Committee Members:

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Beatrice C. Hsu
Interim Chief Executive Officer

On November 8, 2023, the City Council approved the Motion attached to Council File 23-1177 which was presented by Councilmember Park. That Motion requested information on the rules, regulations and policies related to accessing the Central Terminal Area (CTA) within Los Angeles International Airport (LAX) and the applicability of those procedures to autonomous vehicles (AV). Los Angeles World Airports (LAWA) is pleased to offer this communication in response to the Motion and looks forward to future discussions with your Committee on this topic.

Background of AV Regulation

In September 2016, the U.S. Department of Transportation, through the National Highway Traffic Administration (NHTSA), issued the Federal Automated Vehicles Policy regarding the regulation of autonomous vehicles. Since 2016, NHTSA has issued periodic voluntary guidance for States with the goal of supporting innovative technologies and incorporating them into the existing transportation framework while maintaining the safety and mobility of the travelling public.

The State of California currently regulates AV's through the authority granted to the California Department of Motor Vehicles (DMV) and the California Public Utilities Commission (CPUC). Current CPUC rules and decisions expressly prohibit AV's that offer passenger service from operating at California airports without the permission of each airport they wish to serve.[1]

Additionally, since AV services are engaged in "passenger transportation," they are deemed Charter Party Carriers (TCP) pursuant to the CPUC and are thus subject to further guidelines and oversight as outlined in other CPUC regulations and decisions. For example, CPUC General Order 157, Section 3.02 states that "No carrier shall conduct any operations on the property of or into any airport unless operations are authorized by both this commission and the airport authority involved."

[1] See CPUC Decision 18-05-043; CPUC Decision 20-11-046 (as modified by Decision 21-05-017); and CPUC Resolution TL-19144, June 29, 2023

Consequently, the policies enacted through several CPUC regulations and decisions make it clear that an AV service may only operate on LAX property (including in the CTA) with the prior authorization of the CPUC and the Board of Airport Commissioners (BOAC).

Rules, Regulations and Policies for Accessing the CTA

LAWA's "LAX Ground Transportation Rules and Regulations;" effective 1/1/2017, was established to provide a framework and guidance for all entities engaged in the commercial transportation of passengers by motor vehicle to and from LAX. Essentially, this document introduces airport requirements for companies engaged in passenger related services at LAX which includes items such as vehicle registration, permits, Automatic Vehicle Identification (AVI) transponders, loading zones, circuit calculations, signage, use of holding lots, etc. The LAX Ground Transportation Rules and Regulations also identify the penalties associated with non-compliance.

Applicability of Access Procedures to Autonomous Vehicles

The aforementioned "LAX Ground Transportation Rules and Regulations" are applicable to all vehicles transporting passengers to and from LAX, including AV's. State regulations, in addition to LAWA's own policies, would unequivocally require an AV service company, such as Waymo, to receive an operating permit issued by LAWA expressly allowing AV vehicles to operate within LAX.

LAWA routinely issues a variety of ground transportation permits to commercial vehicles operating within LAX which are referred to as Non-Exclusive Licensing Agreements (NELAs). Each type of NELA has specific requirements tailored to the type of operator requesting the permit and their unique relationship with LAWA. For perspective, the type of current NELA's entered into include TCP Charter (which includes Black cars/Limos), Courtesy Hotel and Parking Shuttles, Passenger Stage Corporation (generally scheduled service buses), Taxi, and Ride-App/TNC (Uber, Lyft). NELAs are not individualized for specific companies; for example both Uber and Lyft enter into the same blanket TNC NELA with LAWA. NELAs are issued for a specific term, but can be revoked by LAWA for various reasons.

In the event that both the DMV and the CPUC authorize an AV company or companies to conduct commercial operations in the future (it should be noted that the DMV authorized such operations for Waymo in Southern California in early January 2024), LAWA will almost certainly be asked to consider permitting the same operations at LAX. LAWA would need to develop a NELA specific to autonomous vehicles which would share some characteristics of other ground transportation NELAs but would also contain rules and requirements specific to AV operations. CTA access would not be guaranteed and would likely be considered within broader mobility considerations. This "blanket" NELA would need to be approved by the Board of Airport Commissioners. The NELA could have a certain term or perhaps could be issued as a "pilot". LAWA would subsequently require any AV service company wishing to conduct commercial operations at LAX to enter into this NELA.

Examining AV Integration in Other Jurisdictions

Commercially operated AV companies are currently conducting passenger service, either as pilot programs or as revenue deployment, in Phoenix, San Francisco, Los Angeles, and Austin. Most recently, in August 2023, the CPUC granted Waymo a permit to commercially operate AV's within the City of San Francisco. In contrast, to date, Waymo has not been authorized to operate within San Francisco International Airport. Waymo has received authorization to operate its AV's at Phoenix Sky Harbor Airport (PHX) where it has been picking up and dropping off passengers for a fee with fully driverless vehicles at PHX's Automated people mover stations since December 2022. In December 2023, PHX began allowing Waymo to pick up curbside in their CTA during limited hours when traffic volumes are lighter.

Preparing for the Future of Autonomous Vehicles

LAWA is actively monitoring trends in transportation and how they might be incorporated within LAWA's existing regulations and infrastructure. With respect to AV's, LAWA has already engaged with LADOT and CPUC and will work with other stakeholders before developing a blanket NELA for issuance to any AV companies wishing to serve LAX. This engagement will be crucial as LAWA staff determines what specific requirements might be included in the NELA if one is ultimately presented to the BOAC for their consideration.

LAWA appreciates the opportunity to share this information with the Committee and looks forward to sharing more information as this technology develops.

Sincerely,

Beatrice C. Hsu
Interim Chief Executive Officer

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