

November 12, 2021

Ministry of Transportation  
Environmental Policy Office  
777 Bay Street  
Suite 700  
Toronto ON M7A 2J8  
Canada

**RE: York Region Response – Automated Vehicles Pilot Project - Environmental Registry of Ontario (ERO) Number 019-4400**

The Regional Municipality of York thanks the Province for continuing to promote the highest standards of safety for all Ontarians who travel on our roads, including drivers, cyclists, and pedestrians and for consulting with stakeholders on Automated Vehicles Pilot Project (“**AV Pilot Project**”). This letter outlines key comments and recommendations from York Region staff on the proposal.

We would like to highlight the following key comments:

**York Region supports allowing more entities to own automated vehicles and to participate in the pilot, but insurance requirements need to be clear**

Amending Ontario Regulation 306/15 to expand eligible entities to participate in the AV Pilot Project including municipalities would be beneficial and the Region is supportive of this change. Based on Ontario Regulation 306/15, the owner of an automated vehicle (an original manufacturer, in the case of a vehicle that was originally manufactured as an automated vehicle, or a technology company, an academic or research institution or a manufacturer of parts, systems equipment or components for automated driving systems, in the case of a vehicle that was not originally manufactured as an automated vehicle but was converted into an automated vehicle) is responsible for insuring the automated vehicle in accordance with the limits of coverage set out in the regulation. If municipalities will be able to own and operate an automated vehicle in the future, the insurance requirements, risk, and liability for municipalities must be clear.

**Vehicle liability and after vehicle modification also requires clarity**

This proposed regulation change will remove restrictions on the modification or manufacture of automated vehicles by pilot participants. Further clarity is required on the distribution of liability after the vehicle modification. Also, specifics on who can modify the vehicle and how would be helpful. By removing restrictions that would allow modification to automated vehicles being tested, it is not clear if the road authority would bear any risk or potential liability. The

amendment should make clear that incremental risks and liabilities resulting from the AV Pilot Project are not the responsibility of the road owner or operating authority.

As noted above, the Summary of Proposed amendments includes an expansion of eligible entities to participate for the AV Pilot Project and the Region is supportive of this proposal. Prior to including the testing of automated micro-utility devices within Ontario Regulation 306/15, the Ministry of Transportation of Ontario should have further consultation with the municipalities and agencies that own, operate and/or maintain off-road networks such as sidewalks, trails and multi-use paths.

York Region staff are appreciative of the opportunity to provide feedback and look forward to further consultation with the Province. If you have questions regarding this response or would like to discuss further, please contact Rajeev Roy, Director, Business Planning and Technology at [Rajeev.Roy@york.ca](mailto:Rajeev.Roy@york.ca) or (905) 830-4444 ext. 75682.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rajeev Roy', with a horizontal line underneath the name.

Rajeev Roy  
Director, Business Planning and Technology