



Paul Hemmersbaugh

Partner

CHAIR, TRANSPORTATION REGULATORY PRACTICE

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Paul Hemmersbaugh is a business-focused legal counsel with broad transportation law experience. After serving as Chief Counsel to the federal auto safety regulator, he advised and partnered with a major automaker's executive team and an autonomous vehicle startup to solve legal and business challenges of a transformative technology. He has more than 20 years of experience at top-tier law firms handling wide-ranging commercial and regulatory litigation, advice, and investigations. He also has experience-based, in-depth understanding of policy in all three branches of the US federal government.

Hemmersbaugh is the chair of DLA Piper's Transportation Regulatory/Litigation group. He focuses his individual practice on autonomous and connected vehicle law and regulation and conventional vehicle regulation. Hemmersbaugh advises automobile manufacturers, automotive equipment manufacturers, technology companies and start-ups, trucking companies and others on federal, state, and local regulatory issues, risks, and strategies, as well as regulatory reporting and investigations, compliance, recalls, enforcement. He also has extensive regulatory, litigation and counseling experience with other modes of transportation. Prior to joining DLA Piper, he was Chief Counsel and Policy Director for Transportation as a Service for General Motors. There, he directed legal and policy work for development, testing, and commercial deployment of autonomous vehicles (AV); established a multi-functional law and policy group to support AV, connected vehicles, electric vehicles, and car-and-ride-sharing businesses; and managed policy work in federal and state legislative and executive branches of government. His broad experience with GM autonomous vehicle development and its Cruise AV subsidiary gives him perspective and insights into the business and legal needs, challenges, and opportunities of autonomous vehicle and equipment companies at all stages from research and development to testing and validation to commercial deployment. He also oversaw the drafting of GM's first Voluntary Safety Self-Assessment and the first-ever complex regulatory exemption petition to allow commercial deployment of passenger-carrying AVs; developed and worked for passage of federal and state AV legislation; and provided policy and legal counsel for GM's urban mobility service, Maven.

- Litigation, Arbitration and Investigations
- Transport
- Public and Administrative Law
- Environment, Health and Safety
- Product Liability, Mass Torts and Product Stewardship
- US Law and Policy
- Intellectual Property and Technology
- Cybersecurity
- Technology Transactions and Strategic Sourcing

- Infrastructure, Construction and Transport
- Industrials
- Technology

From 2015-2017, Paul was Chief Counsel to the National Highway Traffic Safety Administration, where he managed and directed the Office of Chief Counsel, including lawyers conducting legal work across three divisions. In addition to directing and supervising all legal work of the federal auto safety regulator, he was a principal author of the Federal Automated Vehicles Policy, which provided the first path for legal deployment of AVs. He also oversaw the largest recall in US history and other major enforcement actions and litigation; supervised the issuance of proposed V2V (connected cars) regulations; streamlined interpretation and exemption processes; directed significant rulemakings, including CAFÉ standards; oversaw implementation of federal legislation; and testified before Congress. He also worked on transportation policy and regulatory initiatives involving other modes of transportation and DOT agencies.

Prior to serving as NHTSA Chief Counsel, Paul was a regulatory, litigation, and appellate partner at another major international law firm for nearly two decades. There, he led matters involving transportation and environmental regulation, litigation, and appeals. He represented rail carriers, motor carriers, shipping and logistics companies, and others in regulatory and commercial litigation and appeals, rulemakings, and other regulatory proceedings. As a transportation partner, he was named a leading lawyer in *Chambers USA* for eight consecutive years, based on client recommendations. He served on the firm's pro bono committee, averaging more than 500 hours pro bono work per year.

While a law firm partner, Hemmersbaugh also served as the General Counsel to the District of Columbia Bar. He was appointed by the DC Bar Board of Governors for five consecutive years to serve as outside general counsel to the District of Columbia Bar, the second largest bar in the United States. In that position, he advised the bar, its governing board, and senior staff on wide-ranging litigation, regulatory, and transactional matters. He also defended the bar and its affiliates (including the lawyer disciplinary system) in a wide variety of lawsuits, drafted legal briefs, analyses and position papers, and hired and supervised outside counsel. Previously, he worked for the US Congress as a legislative director and as a committee staff member.

CREDENTIALS

Admissions

- District of Columbia
- Michigan

Clerk Experience

- Law Clerk to Federal District Court Chief Judge Paul Magnuson, St. Paul, MN

Prior Experience

- Senior Legislative Aide and Legislative Director to US Congressman James Oberstar, Chairman – Transportation & Infrastructure Committee, Washington, DC
- Analyst / Economist, Joint Economic Committee of US Congress, Washington, DC

Education

- J.D., University of Minnesota Law School
magna cum laude
Order of the Coif
- B.A., Economics, Religious Ethics, St. Olaf College
magna cum laude
Phi Beta Kappa

Memberships

- General Counsel, District of Columbia Bar 2010-2015

INSIGHTS

Publications

US DOT issues groundbreaking proposals for regulation of automated driving systems, seeks input

11 December 2020

The rulemaking initiates an important new chapter in autonomous vehicle development and commercialization in the US.

- Author, "Gov't Must Review Auto Safety Regs To Foster New Tech," *Law360*, 4 September, 2020