Date of Hearing: April 17, 2017

ASSEMBLY COMMITTEE ON TRANSPORTATION
Jim Frazier, Chair
AB 623 (Rodriguez) – As Amended April 17, 2017

SUBJECT: Autonomous vehicle testing: accident reporting

SUMMARY: Clarifies that existing accident reporting requirements also apply to autonomous vehicles, and requires any accident report prepared by a member of the California Highway Patrol (CHP) or any other peace officer to specify if an autonomous vehicle was involved in the traffic collision, as specified.

EXISTING LAW:

1) Authorizes the Department of Motor Vehicles (DMV) to suspend, cancel, or revoke the registration of a vehicle under specified circumstances, including when DMV determines that a registered vehicle is mechanically unfit or unsafe to be operated or moved upon a highway.

2) Requires CHP to prepare and supply to police departments, coroners, sheriffs, and other suitable agencies or individuals, forms for accident reports required elsewhere under existing law, and requires the reports to call for sufficiently detailed information to disclose the cause, conditions, persons, and vehicles involved in the accident being reported, as specified.

3) Requires CHP to tabulate all accident reports and public statistical information based upon the reports, as specified.

4) Requires the driver of a motor vehicle who is in any manner involved in an accident originating from the operation of the motor vehicle on a street or highway that has resulted in property damage in excess of $1,000, bodily injury, or in the death of any person, to report the accident within 10 days to DMV, as specified.

5) Authorizes the operation of autonomous vehicles on public roads for testing purposes under certain circumstances specified in regulations adopted by DMV.

6) Prohibits the operation of autonomous vehicles on public roads for non-testing purposes unless the manufacturer of the vehicles submits an application to DMV that is approved pursuant to DMV regulations.

7) Requires DMV, by January 1, 2015, to adopt regulations setting forth requirements for the application to operate autonomous vehicles on public roads for non-testing purposes.

8) Authorizes DMV's regulations to include requirements that the department determines to be necessary to the safe operation of autonomous vehicles on public roads, including, but not limited to, special rules for the registration of autonomous vehicles and rules for the revocation, suspension, or denial of any license or approval granted by DMV.

9) Requires DMV to approve an application submitted by a manufacturer for the operation of autonomous vehicles for non-testing purposes if DMV finds that the applicant has submitted all information and completed testing necessary to satisfy DMV that the autonomous vehicles

are safe to operate on public roads and the applicant has complied with all requirements specified in DMV regulations.

10) Authorizes DMV to impose additional requirements it deems necessary to ensure the safe operation of autonomous vehicles if those vehicles are capable of operating without the presence of a driver inside the vehicle, including the presence of a driver in the driver's seat of the vehicle, if DMV determines that such a requirement is necessary to ensure the safe operation of those vehicles on public roads.

FISCAL EFFECT: Unknown

COMMENTS: In response to arguments for the traffic safety benefits of increasingly automated vehicle technology, the Legislature passed and Governor Brown signed legislation requiring DMV to adopt regulations for the operation of autonomous vehicles on California's public roads in 2012 [SB 1298 (Padilla), Chapter 570, Statutes of 2012]. The rollout of DMV's regulations was separated into two stages: regulations for insurance requirements for the purposes of testing autonomous vehicles and regulations for the full deployment of autonomous vehicles on California roads for non-testing purposes. Both sets of regulations were required to be adopted by January 1, 2015. DMV adopted testing regulations on May 19, 2014, and submitted proposed regulations for non-testing purposes for public comment on March 10, 2017. The public comment period will end on April 24, 2017, and DMV anticipates adopting finalized regulations before the end of 2017.

While DMV's proposed regulations create an accident reporting requirement for autonomous vehicles being operated for testing purposes, they do not include accidents involving autonomous vehicles being operated for non-testing purposes.

Under existing law, CHP prepares a standard accident report used by law enforcement agencies throughout California: the CHP 555. The form contains extensive information, such as the location of the accident and weather conditions, characteristics of the vehicles and parties involved, and factors such as sobriety or inattention affecting the parties involved. This information is tabulated by CHP and used in statistical analysis.

This bill would require that the form also to include whether or not an autonomous vehicle was involved in an accident. Because existing law only requires drivers of vehicles to report accidents they are involved in, this bill would also clarify that that requirement extends to operators of autonomous vehicles – who may not be driving the vehicle in an accident – as well. These changes would allow law enforcement and DMV to gain a better understanding of how autonomous vehicles affect traffic safety as they are deployed and become more widespread in California

Double referral: This bill will be referred to the Assembly Communications and Conveyance Committee should it pass out of this committee.

Previous legislation: AB 770 (Nakano), Chapter 710, Statutes of 2001, required any collision report prepared by a member of CHP, or any other peace officer, include information as to whether a cellular telephone or any other distraction was a possible contributing factor to the collision.

SB 1298 (Padilla), Chapter 570, Statutes of 2012, established conditions for the operation of autonomous vehicles upon public roadways.

REGISTERED SUPPORT / OPPOSITION:

Support

California Delivery Association

Opposition

TechNet (February 14, 2017 version of the bill)

Analysis Prepared by: Justin Behrens / TRANS. /