

Date of Hearing: June 26, 2017

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

SB 145 (Hill) – As Introduced January 17, 2017

SENATE VOTE: 38-0

SUBJECT: Autonomous vehicles: testing on public roads

SUMMARY: Deletes a requirement that the Department of Motor Vehicles (DMV) notify the Legislature of the receipt and approval of an application from a manufacturer seeking to operate autonomous vehicles capable of operating without the presence of a driver inside the vehicle on public roads for non-testing purposes, and the requirement that the approval of such an application not take effect for 180 days; declares this bill an urgency measure.

EXISTING LAW:

- 1) Authorizes the operation of autonomous vehicles on public roads for testing purposes under certain circumstances specified in regulations adopted by DMV.
- 2) 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.
- 3) 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.
- 4) Requires the application submitted to DMV for the operation of autonomous vehicles on public roads for non-testing purposes to include a certification from the manufacturer that the vehicle allows the operator to take control through the use of the brake, the accelerator pedal, or the steering wheel.
- 5) 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.
- 6) 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.
- 7) Requires DMV to notify the Legislature of the receipt and approval of an application from a manufacturer seeking to operate autonomous vehicles capable of operating without the presence of a driver inside the vehicle on public roads for non-testing purposes, and provides that the approval of the application is not effective until 180 days after the application is submitted.

FISCAL EFFECT: According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

COMMENTS: In response to arguments for the traffic safety benefits of increasingly automated vehicle technology, the Legislature passed and Governor Brown signed legislation in 2012 requiring DMV to adopt regulations for the operation of autonomous vehicles on California's public roads [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 ended on April 24, 2017, and DMV anticipates adopting finalized regulations before the end of 2017. These regulations establish a framework for the testing and operation of autonomous vehicles without the human drivers present in the vehicles.

This bill would delete a requirement that DMV report to the Legislature every time a manufacturer applies for authorization to operate an autonomous vehicle without a driver in the vehicle, as well as a requirement that such an authorization would not take effect for 180 days after the application is submitted. According to the author, removing these requirements will help facilitate the safe and timely deployment of driverless vehicles. These requirements were included in SB 1298 to ensure the Legislature was kept informed on the advancement of autonomous vehicle technology. However, given the rapid pace of technological development and the numerous other venues for the Legislature to monitor this program, such a reporting requirement is cumbersome and no longer necessary. DMV posts extensive information on manufacturers holding permits to test autonomous vehicles under its current regulatory framework and would likely continue that practice for driverless vehicles.

Under its current proposed regulations, DMV would require manufacturers seeking authorization to test driverless autonomous vehicles to comply with a number of requirements to obtain a permit, including paying a \$3,600 application fee, certifying that the vehicles meet applicable Federal Motor Vehicle Safety Standards or have been granted a federal exemption, and submitting a copy of a law enforcement interaction plan and proof of a \$5 million insurance policy. Approval of the application is contingent on meeting these and other requirements, not the 180-day waiting period. Because the 180-day waiting period is not part of any sort of action or approval by the Legislature, DMV, or the manufacturer seeking authorization to deploy its vehicles, deleting that waiting period removes an unnecessary impediment to the continued development of autonomous vehicle technology.

This bill is supported by numerous business and technology groups who believe it will help remove barriers to the deployment of autonomous vehicles in California.

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

Related legislation: AB 1444 (Baker) would authorize the Livermore Amador Valley Transit Authority to conduct a demonstration project for the testing of autonomous vehicles without a driver in the driver's seat, under specific conditions. AB 1444 is set to be heard by the Senate Transportation and Housing Committee on June 27, 2017.

SB 251 (Cannella) would authorize the County of Merced to conduct a pilot project for the testing of autonomous vehicles without a driver in the driver's seat, under specific conditions. SB 251 was set to be heard by the Senate Transportation and Housing Committee on April 18, 2017, but the hearing was cancelled by the author.

Previous legislation: AB 1592 (Bonilla), Chapter 814, Statutes of 2016, authorized the Contra Costa Transportation Authority to conduct a pilot project for the testing of autonomous vehicles without a driver in the driver's seat, under specific conditions.

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

REGISTERED SUPPORT / OPPOSITION:

Support

AAA Northern California, Nevada, and Utah
Asian Business Association
Bay Area Central American Chamber of Commerce
Black Women Organized for Political Action
California Asian Chamber of Commerce
California Chamber of Commerce
California Hawaii State Conference of the NAACP
California League of Latin American Citizens
Computing Technology Industry Association
CTIA
Fathers Against Drunk Driving
Hispanic Chamber of Commerce San Francisco
Latin American and Caribbean Chamber of Commerce
Nicaraguan Chamber of Commerce Northern California
Orange County Business Council
San Diego County Hispanic Chamber of Commerce
San Diego Regional Chamber of Commerce
Silicon Valley Leadership Group
Silicon Valley Organization
Society for the Blind
TechNet
United Domestic Workers Local 3930
Valley Industry and Commerce Association

Opposition

None on file

Analysis Prepared by: Justin Behrens / TRANS. / (916) 319-2093