

Date of Hearing: July 14, 2025

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

SB 572 (Gonzalez) – As Amended July 3, 2025

SENATE VOTE: 29-5

SUBJECT: Vehicles: advanced driver assistance system: crash reports

SUMMARY: Requires the Department of Motor Vehicles (DMV) to compile and publish crash data that manufacturers of vehicles with advanced driver assist technology (ADAS) report to the DMV. Specifically, **this bill:**

- 1) Requires a manufacturer of a Level 2 ADAS vehicle to report an accident involving a Level 2 ADAS vehicle to DMV within five calendar days upon receipt of notice of the accident, if the vehicular crash met all of the following conditions:
 - a) Is on a publicly accessible road in California;
 - b) Level 2 ADAS feature was engaged any time 30 seconds prior to the accident, as specified;
 - c) Accident results in a fatality, any individual being transported to a hospital for medical treatment, an air bag deployment, or impact with a vulnerable road user; and,
 - d) Accident occurs 10 or more calendar days from the enactment of this measure.
- 2) Requires the abovementioned vehicular crash reports submitted to DMV to provide all applicable information consistent with the requirements of the Third Amended General Order 2021-01, as specified.
- 3) Requires a manufacturer of a Level 2 ADAS vehicle that was involved in a crash and submitted an initial report to DMV, to provide an updated report to DMV by the 15th of the subsequent month of the initial report if substantially new information was discovered or substantially changed in one of a variety of reporting fields, as specified.
- 4) Requires DMV to post accident reporting data, pursuant to the provisions specified in this bill, onto the department's internet website and update the data on a bimonthly basis, as specified. Further requires DMV to submit the received accident data to the National Highway Traffic Safety Administration (NHTSA) and the National Transportation Safety Board on a bimonthly basis.
- 5) Prohibits DMV from publishing any proprietary business information, as specified, or personally identifying information when posting the abovementioned accident reporting data on its internet website.
- 6) Makes a manufacturer that fails to report a crash as required by the bill liable to the department for a civil penalty of \$27,874 per violation per day, as specified.

- 7) Provides that the reporting provisions specified in this measure will become operative only if the Third Amended Standing General Order 2021-01 is repealed and not replaced with another General Order, federal statute, or federal regulation that is consistent with this General Order published as of June 16, 2025.

EXISTING LAW:

- 1) Authorizes the operation of an autonomous vehicle (AV) on public roads for testing purposes by a driver who possesses the proper class of license for the type of vehicle operated, if specified requirements are satisfied. (Vehicle Code Section (VEH) 38750 (b).)
- 2) Defines “autonomous vehicle” to mean a vehicle equipped with technology that makes it capable of operation that meets the definition of Levels 3, 4, or 5 of the Society of Automotive Engineers (SAE) International's Taxonomy and Testing of Autonomous Vehicles Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles, standard J3016 (APR 2021). (VEH 38750 (a)(2).)
- 3) Requires the DMV to adopt regulations providing requirements for submitting evidence of insurance, surety bond, or self-insurance requirements, submitting and approving an application to operate an autonomous vehicle, and processes related to notices of autonomous vehicle noncompliance. (VEH (d)(1).)
- 4) Authorizes the DMV to establish additional requirements through regulations that the DMV determines, in consultation with the Department of the California Highway Patrol, are necessary to ensure the safe operation of autonomous vehicles on public roads. (VEH 38750 (d)(3).)

FISCAL EFFECT: According to Senate Appropriations Committee:

- DMV anticipates ongoing annual costs of approximately \$500,000 annually, including \$300,000 for consulting services to create, modify, and maintain a crash reporting system and dashboard, and \$200,000 for 1.0 PY of workload to review and evaluate the reported data. Staff notes that the bill’s requirements would only be operative, and these costs would only be incurred, to the extent that the federal General Standing Order is repealed and not replaced with a similar federal general order, statute, or regulation. (Motor Vehicle Account)

COMMENTS: SB 1298 (Padilla), Chapter 570, Statutes of 2012 permitted AVs to be operated on public roads for testing purposes by a driver under certain conditions. In 2014, DMV released regulations to allow for the testing of AVs with a test driver, and in April 2018, DMV finalized regulations for the testing and deployment of AVs on public roads without a driver, with certain limitations. 58 companies currently have a testing permit with a driver, and eight companies have received a testing permit without a driver. One company has received a deployment permit.

SAE International is a U.S. based professional association of engineers. SAE International’s *Taxonomy and Definition for Terms Related to Driving Automation Systems for On-Road Motor Vehicles* have become the accepted engineering definitions for the different levels of automation with NHTSA and DMV. SAE has designated six different levels of Automated Vehicles (AVs):

Level 0: The human driver does all the driving.

Level 1: An advanced driver assistance system (ADAS) on the vehicle can sometimes assist the human driver with either steering or braking/accelerating, but not both simultaneously. An example includes adaptive cruise control.

Level 2: ADAS on the vehicle control both steering and braking/accelerating simultaneously under some circumstances. The human driver must pay full attention (“monitor the driving environment”) at all times and perform the rest of the driving task. Examples include Tesla’s Autopilot and Cadillac Super Cruise.

Level 3: An ADAS on the vehicle performs all aspects of the driving task under some circumstances. In those circumstances, the human driver must be ready to take back control at any time when the ADAS requests the human driver to do so. In all other circumstances, the human driver performs the driving task.

Level 4: ADAS on the vehicle performs all driving tasks and monitors the driving environment – essentially, does all the driving – in certain circumstances. The human need not pay attention in those circumstances.

Level 5: ADAS on the vehicle does all the driving in all circumstances. The human occupants are passengers and do not need to be involved in driving.

Both the federal and state law define AVs as vehicles with automated technology of Levels 3-5.

Level 2 and Level 3 systems relieve the driver of some or all of the dynamic driving task, while still requiring the driver to pay active attention to the road.

Research at Virginia Tech University sponsored by General Motors (GM) and the Federal Highway Administration found similar results. Twelve drivers were given vehicles with adaptive cruise control that handled a car’s steering and braking and put on a test track. Drivers were provided reading material, food, drinks and entertainment media. A passenger joined them and was watching a DVD during the test drive. 58% of drivers watched the DVD for some time during the three hour trip. 25% of the drivers read--increasing their risk of a car crash by 3.4 times. Overall, drivers were estimated to be looking away from the road about 33% of the time during the course of the three-hour trip.

NHTSA General Order 2021-01. NHTSA’s General Order 2021-01 establishes mandatory vehicular crashes reporting requirements for vehicles equipped with ADAS Level 1 and 2 technology. Specifically, the Order requires manufacturers to report vehicular crashes involving ADAS Level 1-equipped vehicles involved in a crash if the ADAS technology was active within 30 seconds of the incident; and to report whether the incident resulted in property damage or injury. For Level 2 ADAS, manufacturers must report vehicles involved in crashes if ADAS was active within 30 seconds and involved a vulnerable user, a fatality occurred, a passenger was hospitalized, the vehicle was towed off, or an airbag was deployed.

Reports have indicated that the Trump administration may end the reporting of car crashes to the NHTSA under General Order 2021-01. Reuters reported in December 2024 that ending this disclosure “would particularly benefit Tesla, which has reported most of the crashes – more than 1,500 – to federal safety regulators under the program. 845 of those crashes occurred in

California. The Biden Administration had proposed making this General Standing Order permanent prior to the November 2024 election. In June 2025, NHTSA extended the general standing order until June 2028. The updated general standing order changed several reporting requirements, including increasing the threshold for reporting property damage crashes, allowed for less severe crashes to be reported monthly instead of within five days, and removing reporting requirements if there is nothing to report.

Tesla has been targeted in NHTSA investigations, including three stemming from the data. According to a December 2024 Reuters story, the Trump administration had initially proposed scrapping the reporting rule altogether. According to Reuters, “Crash reporting data serves a crucial consumer protection function as the data has allowed the NHTSA to ‘detect crash patterns’ and pursue investigations and safety recalls. NHTSA said it has received and analyzed data on more than 2,700 crashes since the agency established the rule in 2021. The data has influenced 10 investigations into six companies, NHTSA said, as well as nine safety recalls involving four different companies.”

According to the author. “Officials within the federal government have signaled they may consider ending the NHTSA requirement that manufacturers report collisions involving Level 2 ADAS vehicles and Level 3-5 autonomous vehicles. California has more Level 2 ADAS vehicles – which are vehicles that have driver support features including lane centering and adaptive cruise control but require a driver at all times – than any other state, as well as the most collisions involving these vehicles. While the DMV is already pursuing regulations for autonomous vehicles, there is currently no state reporting requirement for Level 2 ADAS vehicles. Without NHTSA’s data, California will be left in the dark about the potential dangers of driver support technologies. We must establish safeguards to ensure that if the federal government vacates their responsibility to regulate road and vehicle safety, California consumers, regulators, and public safety officials will maintain access to this critical data. SB 572 will require manufacturers of Level 2 ADAS vehicles to report collisions involving these vehicles to the DMV, and require the DMV to post this information on their website. This will provide the transparency and accountability from manufacturers that Californians deserve as vehicle technologies advance.”

The California Professional Firefighters (CPF), *writing in support of this bill*, argue “In recent years, CPF members have responded to incidents involving vehicles using autonomous driving technology. When these incidents occur the primary focus of firefighters is to effectively stabilize patients and get them safely to definitive care. While this is the primary focus of our members, it is also critical to collect information on any accidents involving this technology in order to understand the incidents and identify opportunities to reduce the likelihood of an accident reoccurring in the future.

Currently, the National Highway Traffic Safety Administration (NHTSA) Standing General Order (General Order) 2021-01 requires vehicle and equipment manufacturers and operators of autonomous driving systems (ADS) and Level 2 ADAS system vehicles to report collisions under specified conditions. NHTSA makes this data publicly available on their website and can use data to respond to crashes that raise safety concerns about the technology through further investigation and enforcement. According to NHTSA data, California has the most crashes involving Level 2 ADAS vehicles – 747, which is over 500 more crashes than any other state. As of February 2025, NHTSA had six pending investigations into Tesla’s ADAS system, which is marketed as full self-driving technology, prompted by numerous crashes that occurred when the technology was engaged.

However, changes at the federal level have put crash reporting requirements at risk. If the federal government ceases collecting and reporting this important public safety data, SB 572 will require manufacturers to report collisions involving Level 2 ADAS vehicles that meet specific criteria to the DMV, and require the DMV to make the data public to ensure that consumers, regulators, and stakeholders have access to this critical information.

Should the federal government roll back safeguards, SB 572 will ensure oversight of driver assistance technology and improve transparency, accountability, and vehicle safety. For these reasons, we are proud to support this important measure.”

The bill has no formal opposition. Tesla writes the following about its “concerns” with the bill: “We remain concerned about the bill’s operative provisions if NHTSA adopts and repeals a subsequent version of the Standing General Order (SGO) to keep pace with the rate of technology improvement or public safety needs, such as an Eighth Amended SGO five years from now for example. In this scenario, SB 572 would automatically require the California Department of Motor Vehicles (DMV) to enforce reporting aligned with the Third Amended SGO, which may differ significantly from future iterations and be outdated. Additionally, we remain concerned that the reporting obligations fail to sufficiently protect proprietary and confidential business information. Within NHTSA’s SGO incident reporting form, there is an option to allow reporting entities to identify data as confidential via a check box. While SB 572 states that the DMV shall not publish any proprietary business information, explicit legislative text is recommended to ensure reporting entities are able to inform the DMV at time of submission when and which data is proprietary, mirroring the SGO’s reporting form.”

Committee comments: This bill indefinitely requires DMV to collect crash data for ADAS systems should the federal government stop collecting the data. When this bill was introduced, there were indications that the new administration planned on removing the data collection requirement altogether, removing valuable data that a future administration may have used to develop regulations for safety requirements for ADAS systems or issue recalls because of the lack of safety of existing systems. This bill was intended to remove pressure from automakers on the federal government who wanted the general standing order repealed because of the potential damage to their stock value(in June of 2025 Tesla filed a lawsuit against NHTSA over making the crash reporting public out of concerns for potential trade secrets being released).

Should this administration decide in 2028 not to extend the general standing order, DMV would be required to collect ADAS crash data consistent with the rules established by the general standing order (DMV already collects crash data for automated vehicles (SAE levels 3-5), which it has the ability to regulate. DMV has no regulatory authority for level 2 systems.

According to the Legislative Analyst Office (LAO), the Motor Vehicle Account (MVA), the primary funding source for DMV, is expected to fully exhaust its reserves and become insolvent in 2025-26. The LAO recommends the Legislature should consider MVA cost pressures when evaluating new proposals. LAO argues that “Until a plan is put in place to address MVA’s structural deficit, we recommend the Legislature set a high bar for considering approval of any proposals that create additional MVA cost pressures and accelerate the risk of insolvency.”

In the Governor's proposed 2025-2026 budget, the Governor warned that "Given the projected fiscal constraints in the MVA by 2025-26, the Administration will continue to prioritize fiscal discipline and will set a high bar for any new workload or initiatives beyond the DMV's existing operational priorities. By focusing on core operational priorities, the DMV will focus on serving Californians while navigating the MVA's fiscal constraints."

REGISTERED SUPPORT / OPPOSITION:**Support**

Advocates for Highway and Auto Safety
California Bicycle Coalition
California Professional Firefighters
California Safety and Legislative Board of Smart – Transportation Division
California Walks
Center for Auto Safety
Consumer Attorneys of California
Consumer Watchdog
Consumers for Auto Reliability & Safety
Public Citizen
Streets for All
Teamsters California

Opposition

None on file

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