

Date of Hearing: June 22, 2026

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

SB 1315 (Cabaldon) – As Amended June 3, 2026

SENATE VOTE: Not Relevant

SUBJECT: Advanced autonomous driving systems

SUMMARY: Prohibits a manufacturer of an automobile in this state from requiring or providing a software update that either removes, disables, or materially restricts a driver's ability to manually engage or disengage an advanced autonomous driving system in a vehicle that was available at the time of the vehicle's original retail sale or requires a driver to engage an advanced autonomous driving system as a condition of operating the vehicle under a condition in which manual operation was previously available. Specifically, **this bill:**

- 1) Provides that the Attorney General, a district attorney, or a city attorney may bring a civil action to enforce the provisions of this bill with a civil penalty not to exceed \$25,000 per violation. Provides that each material software update deployed in violation of this section constitutes a separate violation.
- 2) Defines "advanced autonomous driving system" to mean a vehicle equipped with autonomous technology that has been integrated into that vehicle and that meets the definition of Level 2 or Level 3 of the SAE International's "Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles, standard J3016 (APR2021)," as may be revised.
- 3) Provides that a violation of this provision is not an infraction or an unlawful business practice under section 17200 of the Business Code.
- 4) Requires the Department of Motor Vehicles (DMV) to consider adding one or more questions to the driving examination addressing all of the following:
 - a) The distinction between SAE international's Level 2 of driving automation, which requires the driver to remain engaged and responsible for the dynamic driving tasks at all times, and higher levels of driving automation, which assumes primary control of vehicle operation.
 - b) The legal liability of a driver who operates a vehicle while an advanced driving system is engaged, including their ongoing responsibility to monitor the driving environment and intervene if necessary.
 - c) The limitations of advanced autonomous driving systems, including the conditions under which those systems may disengage or request driver intervention.
- 5) Makes various findings and declarations.

EXISTING LAW:

- 1) Defines “autonomous vehicle” (AV) to mean 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). (Vehicle Code Section (VEH) 38750).
- 2) Defines within the Vehicle Code “advanced driver assistance system” to mean Level 2 of SAE International’s Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles, standard J3016 (APR 2021) (VEH 28155).
- 3) Prohibits a vehicle from being equipped with a device that is specifically designed for, marketed for, or being used for, neutralizing, disabling, or otherwise interfering with a driver monitoring system that is engaged when drivers are utilizing advanced driver assistance system features or autonomous technology, as defined. (VEH 28155).

FISCAL EFFECT: Unknown

COMMENTS: 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. Humans 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.

Level 2 systems require the driver to pay active attention to the road at all times. Level 3 systems allow the driver to completely disengage from the driving task until the vehicle requests the human to take back control. Experts question whether humans can safely transition between these states.

Experts and some AV developers have questioned whether Level 3 vehicles are safe at all, as it creates a split responsibility between drivers and machines. In October of 2015, Google released a report on its experiences with its driverless technology. In 2012, several Google employees were allowed to use Google's vehicles on autonomous mode for the freeway portion of their commute to work. Every employee was warned that the car is in its beginning stage, and they should pay attention 100% of the time. Each car was equipped with a video camera inside that would film the passengers.

Despite Google's instructions, videos showed that some drivers completely turned away from the driving seat to do things like search for a cell-phone charger, while others simply relaxed. Engineers call this behavior automation bias. Google stated in their report: "We saw human nature at work: people trust technology very quickly once they see that it works. As a result, it's difficult for them to dip in and out of the task of driving when they are encouraged to switch off and relax."

Waymo, Google's automated vehicle arm, has publicly stated they will not be releasing Level 3 vehicles out of safety concerns that drivers may fall asleep while systems are operating, placing the driver and other users at risk.

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 breaking and put on a test track. Drivers were provided with 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.

Vehicle manufacturers have developed driver monitoring systems for Level 2 vehicles in order to ensure drivers are paying attention to the road. These systems include cameras to monitor a driver's eyes, weight sensors to ensure a person is in the driver's seat, and monitors in the steering wheel to ensure the person is still holding it even though the vehicle is performing the driving tasks.

While Level 2 systems are not as advanced as Level 3 systems, the problems identified by Google for Level 3 systems for driver overreliance have been prevalent for users of Level 2 systems. Unlike Level 3 systems, Level 2 systems are not capable of completing all dynamic driving tasks but can complete enough of the dynamic driving tasks where drivers may stop paying attention.

In 2021, the National Highway Traffic Administration (NHTSA) issued a standing blanket order requiring manufacturers and operators to report to it certain crashes involving vehicles equipped with Level 2 automated driving systems or advanced driver assistance systems. In 2022, 392 crashes were reported, including six fatalities. Tesla accounted for 273 of the crashes.

While much of the existing safety data focuses on driver distraction when automation is active, a parallel consumer protection issue has emerged regarding vehicle autonomy: the risk that manufacturers may use over-the-air software updates to permanently restrict a driver's manual operational control or alter vehicle handling without consumer consent.

According to the author, California has long led the nation in embracing technological innovation, and autonomous vehicles are no exception. As this technology evolves, California must ensure drivers are informed and protected. SB 1315 prohibits automobile manufacturers from providing software updates that remove or restrict a driver's ability to manually operate their own vehicle. No Californian should lose the ability to drive their own car because of a silent software update.

“The bill also requires the Department of Motor Vehicles to consider adding questions about autonomous driving systems to the driver's license examination, to ensure that future drivers understand their legal responsibilities and the limitations of these technologies.

“SB 1315 does not impede autonomous vehicle adoption; rather, it establishes the consumer protections necessary for that adoption to proceed on a data-driven foundation.”

Committee comments. As the Legislature evaluates regulatory frameworks for highly automated vehicles, a critical consumer safety concern is the documented risk associated with partial driving automation, such as standard Autopilot and Full Self-Driving (FSD) Beta. According to a recent peer-reviewed study analyzing user behavior published in *Frontiers in Psychology* (and indexed via the National Institutes of Health), partial automation systems create severe safety hazards rooted in human behavioral adaptation, system complacency, and technological unpredictability.

The study highlights a dangerous operational paradox for systems classified under SAE Level 2, which require constant human supervision:

Over extended use, standard highway automation systems often induce a false sense of security. Drivers frequently succumb to "mind-off" driving, engage in severe secondary distractions (such as texting or sleeping), and intentionally bypass driver-monitoring safety checks using aftermarket steering wheel weights.

System Unpredictability and Increased Workload: Conversely, in complex urban environments, systems like FSD Beta operate with high levels of erratic and unpredictable behavior. Because technology can "do the wrong thing at the worst time," drivers are forced into a state of hyper-vigilance. This constant anticipation of sudden system failures ironically increases the driver's mental and physical workload, stress, and operational fatigue.

Ultimately, the empirical data suggests that current Level 2 driver-monitoring mechanisms are insufficient to mitigate these risks. Partial self-driving systems either promote dangerous driver disengagement on one hand, or introduce acute, unsafe operational stress on the other, creating significant oversight challenges for traffic safety and vehicle code enforcement.

This bill ensures drivers can make the decision on whether they want to use new features sent by automakers.

However, this bill has some issues the Legislature may want to address. An SAE Level 2 vehicle is not an autonomous vehicle, per the Society of Automotive Engineers, though this bill defines a Level 2 system as an advanced autonomous driving system. Defining it as such would effectively be calling virtually every new vehicle on the road today an autonomous vehicle. Instead, Level 2 vehicles are vehicles with an advanced driver assistance system. The Legislature recognized the danger of conflating the two when it passed SB 1398 (Gonzalez) Chapter 308, Statutes of 2022, which required car dealers or manufacturers that sell vehicles with driver assistance systems to provide the buyer or owner with a consumer notice that describes the functions and limitations of the vehicle. SB 1398 also made it a deceptive business practice to describe a partial automation feature in a manner that implies or would lead a reasonable person to believe the vehicle is autonomous. In December of 2025, the DMV found Tesla in violation of state law for using “full self-driving” and “autopilot” to describe its driving systems.

In addition, some software updates sent by automakers are security updates that are necessary to protect the driver, either by enhancing cyber security or by improving existing functions. Such software updates may be prescribed by NHTSA. Authorizing a user to reject them may put all drivers on the road at risk.

Finally, it is unclear if this bill applies to all vehicle manufacturers that sell vehicles in this state or to vehicle manufacturers who manufacture in this state.

To address these issues, the committee suggests the following amendments that keep in line with the legislative intent of this bill while also permitting necessary software updates:

1. Strike all references to Advanced autonomous driving assist system and replace it with advanced driver assistance system, defined as an SAE level 2 system.
2. Strike VEH 38758 and replace with the following:

38758. (a) Notwithstanding any other law, the manufacturer of an *advanced driver assistance system, or an automobile equipped with an advanced driver assistance system, shall ensure a driver is able to disable or disengage either an advanced driver assistance system or autonomous technology as a condition of operating the vehicle under a condition in which manual operation was previously available.*

Previous Legislation. SB 1313(Ashby) Chapter 604, Statutes of 2024, prohibits vehicles from being equipped with a device that is designed for, or being used for, neutralizing, disabling, or otherwise interfering with a direct driving monitor system.

SB 1398 (Gonzalez), Chapter 308, Statutes of 2022 requires a dealer or manufacturer of a passenger vehicle that is equipped with any partial driving automation feature to provide the buyer or owner with a notice that provides the name of each feature and clearly describe the functions and limitations of the feature.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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