

Introduced by Senator Padilla

February 23, 2012

An act to add Division 16.6 (commencing with Section 38750) to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1298, as introduced, Padilla. Vehicles: autonomous vehicles: safety requirements.

Existing law requires the Department of the California Highway Patrol to adopt rules and regulations that are designed to promote the safe operation of specific vehicles, including, among other things, schoolbuses and commercial motor vehicles.

This bill would require the department to adopt safety standards and performance requirements to ensure the safe operation and testing of "autonomous vehicles," as defined, on the public roads in this state. The bill would permit autonomous vehicles to be operated or tested on the public roads in this state pending the adoption of safety standards and performance requirements that would be adopted under this bill.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Division 16.6 (commencing with Section 38750)
2 is added to the Vehicle Code, to read:

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4 DIVISION 16.6. AUTONOMOUS VEHICLES

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6 38750. The Legislature finds and declares all of the following:

1 (a) Development is actively under way of new technology that,
2 through the use of computers, sensors, and other systems, permits
3 a motor vehicle to operate without the active control and continuous
4 monitoring of a human operator. Motor vehicles with this
5 technology, referred to as “autonomous vehicles,” offer significant
6 potential safety, mobility, and commercial benefits for individuals
7 and businesses in the state and elsewhere.

8 (b) Autonomous vehicles have been operated safely on public
9 roads in the state in recent years by companies developing and
10 testing this technology.

11 (c) The State of California, which presently does not prohibit
12 or specifically regulate the operation of autonomous vehicles,
13 desires to encourage the current and future development, testing,
14 and operation of autonomous vehicles on the public roads of the
15 state. The state seeks to avoid interrupting these activities while
16 at the same time creating appropriate rules intended to ensure that
17 the testing and operation of autonomous vehicles in the state are
18 conducted in a safe manner.

19 (d) Toward that end, the Legislature finds it appropriate to
20 authorize the establishment of specific safety requirements for the
21 testing and operation of autonomous vehicles, and to require that
22 future testing and operation of autonomous vehicles in the state
23 comply with those requirements.

24 38751. (a) Except as provided in subdivision (b), autonomous
25 vehicles may be operated on the public roads in this state if the
26 manufacturer of the autonomous vehicle certifies, in a manner to
27 be determined by the Department of the California Highway Patrol,
28 that the vehicle meets all of the safety standards and performance
29 requirements adopted by the department pursuant to subdivision
30 (e) to ensure the safe operation of the vehicle.

31 (b) A manufacturer of an autonomous vehicle may operate the
32 vehicle for testing purposes on the public roads in this state if the
33 manufacturer and the vehicle to be tested meet the testing safety
34 requirements adopted by the department.

35 (c) (1) “Autonomous vehicle” means a motor vehicle that uses
36 computers, sensors, and other technology and devices that enable
37 the vehicle to safely operate without the active control and
38 continuous monitoring of a human operator.

39 (2) A vehicle equipped with one or more crash avoidance
40 systems, including, but not limited to, electronic blind spot

1 assistance, automated emergency braking systems, park assist,
2 adaptive cruise control, lane keep assist, lane departure warning,
3 traffic jam and queuing assist, or other similar systems that enhance
4 safety or provide driver assistance, but are not capable, collectively
5 or singularly, of driving the vehicle without the active control and
6 continuous monitoring of a human operator, is not an autonomous
7 vehicle.

8 (d) A “manufacturer” of an autonomous vehicle is the person
9 as defined in Section 470 that manufactures the autonomous vehicle
10 as an originally completed vehicle or, in the case of a vehicle not
11 originally equipped with autonomous technology, the person that
12 modifies the vehicle to convert it to an autonomous vehicle.

13 (e) (1) As used in this division, “department” means the
14 Department of the California Highway Patrol. The department
15 shall adopt regulations to implement the provisions of this division
16 pursuant to Chapter 3.5 (commencing with Section 11340) of
17 Division 3 of Title 2 of the Government Code.

18 (2) This division does not prohibit the operation and testing of
19 autonomous vehicles on the public roads in this state on or before
20 the adoption of regulations by the department.