

Date of Hearing: July 10, 2019

ASSEMBLY COMMITTEE ON COMMUNICATIONS AND CONVEYANCE

Miguel Santiago, Chair

SB 59 (Allen) – As Amended July 3, 2019

**SENATE VOTE:** 37-1

**SUBJECT:** California Transportation Commission: advisory committee: autonomous vehicle technology

**SUMMARY:** Requires the California Transportation Commission (CTC) to establish the California Council on the Future of Transportation to provide the Governor and Legislature with policy recommendations regarding autonomous vehicles (AVs). Specifically, **this bill:**

- 1) Requires the chair of CTC to establish an advisory committee known as the California Council on the Future of Transportation.
- 2) Requires the specified council to provide the Governor and the Legislature with recommendations for changes in state policy to ensure that California continues to be the world leader in autonomous, driverless, and connected vehicle technology.
- 3) Requires the specified council to consist of all of the following members selected by the chair of CTC, all of whom shall serve without additional compensation:
  - a) One or more individuals who represent insurance interests;
  - b) One or more individuals who represent a bona fide labor organization that represents transportation workers;
  - c) One or more individuals who represent local government from a rural, suburban, or urban area of the state or from an organization that represents local governments;
  - d) One or more individuals who represent a California public research institution;
  - e) One or more individuals who represent a vehicle manufacturer or an organization that represents vehicle manufacturers;
  - f) One or more individuals who represent a technology company that develops autonomous technology or an organization that represents technology companies that are developing autonomous technology;
  - g) One or more individuals who represent a disability rights organization;
  - h) One or more individuals who represent a local transit agency;
  - i) One or more individuals who represent a statewide motorist service membership organization;

- j) One or more individuals from a bicycle or pedestrian safety organization;
  - k) One or more individuals from an environmental justice or environmental equity advocacy organization; and,
  - l) One or more individuals from a public health, science, or environmental organization.
- 4) Specifies that the following individuals shall also serve on the specified council, without compensation:
- a) The Secretary of the Natural Resources Agency or the secretary's designee;
  - b) The Secretary of Labor and Workforce Development or the secretary's designee;
  - c) The Chair of CTC or the chair's designee;
  - d) The Director of the Office and Planning and Research or the director's designee;
  - e) The Director of Transportation or the director's designee;
  - f) The Commissioner of the California Highway Patrol or the commissioner's designee;
  - g) The Insurance Commissioner or the commissioner's designee;
  - h) The Director of Motor Vehicles or the director's designee;
  - i) The Director of the Governor's Office of Business and Economic Development or the director's designee; and,
  - j) The Chair of the State Air Resources Board (CARB) or the chair's designee.
- 5) Requires the chair of CTC to consult with the members of the specified council when selecting the specified individuals described in this bill.
- 6) Requires the specified council to gather public comment on issues and concerns related to AVs and to submit recommendations for statewide policy changes and updates, and any additional research or data needed, to the Legislature no later than January 1, 2022, and to continue to submit a report of its recommendations biannually thereafter, or more frequently at CTC's discretion.
- 7) Requires the specified report to be submitted in compliance with specified laws governing reports to the Legislature.
- 8) Requires the specified council to include in the specified report, but is not limited to including, policy recommendations on the following topics:
- a) Safety for all road users in the near and long term, including potential changes to traffic laws, and licensing and registration, taking into account changes in AV technology over time;

- b) Infrastructure improvements that may be needed for the safe operation of AVs;
  - c) Improving how individuals travel, including, but not limited to, reducing traffic congestion and vehicle miles traveled;
  - d) Furthering the state's environmental, public health, and energy objectives, including the state's planning priorities, as specified;
  - e) Promoting the integration of new mobility services with walking, bicycling, transit, and other modes of travel;
  - f) Labor and economic impacts that include, but are not limited to, potential job loss, worker displacement, and job creation;
  - g) Increasing the availability of accessible mobility options, particularly for individuals with technological, financial, cultural, and other barriers to mobility or with different physical, sensory, and cognitive abilities, that provide accessible physical equipment and communication interfaces; and,
  - h) Potential changes to insurance requirements.
- 9) Requires the specified council to create subcommittees focused on one or more specified topics to gather public comment and provide recommendations to the council. Requires one subcommittee to be led by the Office of Planning and Research and focus on a specified topic, taking into consideration the principles established by the California Multi-Agency Workgroup on Automated Vehicle Deployment for Healthy and Sustainable Communities. Policy recommendations developed by this subcommittee shall be submitted to the council and the Legislature by January 1, 2022, and shall be made available to the public.
- 10) Makes the following findings and declarations:
- a) California, as a technological hub for innovation, should support the continued research and development of AV technology as it has the potential to eventually contribute, along with other transportation developments, to safety and mobility and to other environmental, economic, public health, and social equity benefits. AV technology continues to be developed and its full potential has yet to be realized; and,
  - b) The deployment of AVs, along with all other parts of the transportation sector, should appropriately support the state's efforts to improve road safety, reduce greenhouse gas (GHG) emissions and criteria air pollutants, reduce traffic congestion and vehicle miles traveled, encourage efficient land use, and increase access to mobility and economic opportunities for all Californians.
- 11) Sunsets this bill on January 1, 2030.

**EXISTING LAW:**

- 1) Establishes conditions for the operation of AVs upon public roads and requires the Department of Motor Vehicles (DMV) to adopt regulations for the operation of AVs as soon as practicable, but no later than January 1, 2015, as specified. (Vehicle Code (VEH) Section 38750)
- 2) Defines “autonomous vehicle” to mean any vehicle equipped with autonomous technology that has been integrated into that vehicle. Specifies that an AV does not include a vehicle that is equipped with one or more collision avoidance systems, including, but not limited to, electronic blind spot assistance, automated emergency braking systems, park assist, adaptive cruise control, lane keep assist, lane departure warning, traffic jam and queuing assist, or other similar systems that enhance safety or provide driver assistance, but are not capable, collectively or singularly, of driving the vehicle without the active control or monitoring of a human operator. (VEH Section 38750)
- 3) Establishes the Charge Ahead California Initiative to provide incentives that increase the availability of zero-emission vehicles (ZEVs) and near-zero-emission vehicles, particularly in disadvantaged, low-income, and moderate-income communities. (Health and Safety Code (HSC) Section 44258 et seq.)
- 4) Requires CARB to adopt rules and regulations that would reduce the state’s GHG emission levels to 1990 levels by 2020. (HSC Section 38500 et seq.)
- 5) Provides CARB with primary responsibility for control of mobile source air pollution, including adoption of rules for reducing vehicle emissions and the specification of vehicular fuel composition. (HSC Section 39000, et seq., and Section 39500, et seq.)
- 6) Requires CARB to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution which CARB has found to be necessary, cost effective, and technologically feasible, to carry out specified purposes. (HSC Section 43013 et seq.)

**FISCAL EFFECT:** Unknown. This bill has been keyed fiscal by the Legislative Counsel.

**COMMENTS:**

- 1) **Authors Statement:** The author did not provide an author statement.
- 2) **Background:** Over the past few years, California has seen the rapid development of automotive technology. Within the next decade, partially and fully automated vehicles are nearing a point in which widespread deployment becomes a reality. Deployment of AVs has the potential to transform personal mobility and safety. From 2000 to 2017, over 620,000 individuals were killed in car accidents. According to the National Highway Traffic Safety Administration, 94% of those crashes were tied to human error. Automated driving has the potential to decrease the number of crashes tied to human choices and behavior. In addition, AVs open new doors and opportunities for a new class of people and communities, such as people with disabilities, the elderly, or low-income. AVs have the potential to transform how

cities, and the state, think about urban planning and public transit, as well as energy use and pollution. Although, the rise of new technology is inevitable, in order for the state to keep pace, society must find a balance between the development of emerging technology and the unknown socioeconomic impacts and safety concerns.

- 3) **DMV Autonomous Vehicle Regulations:** In 2012, the Legislature passed SB 1298 (Padilla), Chapter 570, Statutes of 2012, which established conditions for the operation of AVs upon public roadways. SB 1298 required DMV to adopt regulations for the operation of AVs by January 1, 2015. The DMV rolled out its regulation in two stages. In the first stage, DMV established regulations for insurance requirements for the purposes of testing AVs, while stage two established regulations for the full deployment of AVs for non-testing purposes. In 2014, the DMV released its regulations for the testing of AV's with a human driver at the wheel, and in 2018 the DMV finalized its regulations for the testing and deployment of AV's on public roads without a driver at the wheel. There are 61 companies that currently hold testing permits with a driver at the wheel, and one company with a testing permit without a driver at the wheel. No company currently has been approved a AV deployment permit from the DMV.
- 4) **California Council on the Future of Transportation:** The UC Davis Institute of Transportation Studies recently released a series of policy briefs characterizing AVs as one of three revolutions in transportation, along with electrification and shared mobility that must happen concurrently in order to bring about increased access to mobility, transportation affordability, and reductions in GHG emissions. Without these three revolutions happen concurrently, California could end up instead with more vehicle miles traveled, more vehicles on the road, more GHG emissions, and more energy use.

Although the state continues to promote aggressive climate goals, and the full deployment of AVs continues to move toward reality, little has been discussed over how these topics interact with one another. Aside from the individual benefits offered by new technologies, such as enhanced safety and mobility, there are potential undesirable outcomes that may accompany them, including increases in vehicle miles and GHG emissions from AVs, as well as their impact on congestion, public transit services, and the labor market. Establishing a multi-agency study group with specified members that include a range of different expertise and perspectives from across fields may very well help policymakers comprehend the challenges AVs pose, and provide them with potential policy and planning solution to better promote the adoption of new emerging transportation technologies.

The current version of the bill reflects substantial amendments adopted in the Assembly Committee on Transportation. The previous version of the bill codified an existing interagency working group lead by the Office of Planning and Research (OPR) to guide development of AVs. According to the Assembly Transportation Committee analysis:

“Given the need for a holistic, comprehensive, independent evaluation of the many potential policy impacts involving AV deployment, the committee suggests amendments to have CTC lead a separate autonomous vehicle task force from the one OPR is already doing. This task force will share some of the same goals as OPR, including looking at policies that encourage multimodal transportation, looking at ways to influence the way people travel (while taking a technology neutral approach), and policies that further the state's environmental, public

health, and energy objectives; while also looking at areas OPR has not considered, including road safety, the future of work, infrastructure improvements, insurance, and accessibility for individuals with disabilities.”

This bill requires CTC to establish the California Council on the Future of Transportation to provide policy recommendations regarding AVs. The council would consist of various stakeholders with an interest in AVs and how they are developed or could provide valuable insight for policies that should be incorporated including labor unions; the insurance industry; auto manufacturers; AV technology companies; research institutions; environmental advocacy organizations; disability rights groups; bicycle and pedestrian safety organizations; motorist service member organizations and transportation agencies.

- 5) **Related Legislation:** SB 336 (Dodd) of 2019 requires transit operators to staff their autonomous transit vehicles with at least one trained employee. *Status: Pending in the Assembly Committee on Transportation.*
- 6) **Prior Legislation:** SB 936 (Allen) of 2018 required OPR to convene an Autonomous Vehicles Smart Planning Task Force and submit recommendations to the Legislature to ensure that the deployment of AVs promotes specified policies and objectives. *Status: Died in the Senate Committee on Appropriations.*

SB 802 (Skinner) of 2017 required OPR to convene an Emerging Vehicle Advisory Study Group to review and advise the Legislature on policies pertaining to new types of motor vehicles operating in California, including AVs. *Status: Died in the Assembly Committee on Appropriations.*

SB 1298 (Padilla) of 2012 established conditions for the operation of AVs upon public roadways. *Status: Chapter by the Secretary of State, Chapter 570, Statutes of 2012.*

- 7) **Double-referral:** This bill is double referred, having been previously heard by the Assembly Committee on Transportation on July 1, 2019 and approved on a 13-0 vote.

## REGISTERED SUPPORT / OPPOSITION:

### Support

350 Bay Area  
CALSTART  
Center for Climate Change & Health  
Community Environmental Council  
Fossil Free California  
Leadership Counsel for Justice & Accountability  
Mayor of Sacramento, Darrell Steinberg  
Sierra Club California  
Transform  
Union of Concerned Scientists

**Opposition**

None on file.

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