



Assemblywoman Susan Bonilla
Room 4140
State Capitol
Sacramento, CA
94249

Aug. 4, 2016

Re: Oppose AB 1592 (Bonilla)

Dear Assemblywoman Bonilla:

We are deeply disturbed by your sudden about-face and decision, without discussion, to withdraw all data privacy protections from AB 1592, which would authorize the first autonomous vehicles on California roads without human drivers, despite DMV rules to the contrary.

We are writing on behalf of Consumer Watchdog to express our opposition to your AB 1592 as just amended in the Senate. We call on you to withdraw the bill or amend it to restore the privacy protections you had added at our insistence in an earlier amendment.

The bill allows the Contra Costa Transit Authority to test driverless vehicles on public roads with no steering wheel, accelerator and brake pedal or an operator inside the vehicle. Vehicles being tested are limited to a top speed of 35 miles an hour.

Recognizing the substantial privacy concerns about the data gathered by self-driving vehicles you made a crucial amendment strongly supported by Consumer Watchdog as your AB 1592 made its way through Senate committees to limit collection of the data for use of the operation of the vehicle only. This is a critical model for all driverless vehicles, and one the industry dislikes because it would prevent driverless vehicles from becoming commercial surveillance devices.

The amendment provided:

“The operator of the autonomous technology may only collect data about the operation of the autonomous vehicle and the environment of the vehicle that is necessary for the operation of the vehicle and not for marketing or other commercial purposes. The data shall not be retained any longer than is necessary for the operation of the vehicle or for research purposes related to operation of the vehicle. For the testing of autonomous vehicles within the designated business park, the department may require data collection for evaluating the safety of the vehicles.”

Unexpectedly and with no discussion with Consumer Watchdog you have amended the bill and totally gutted any privacy protections that had been added. The newly amended bill now reads:

“The operator of the autonomous vehicle technology tested pursuant to this section shall disclose to an individual who participates in the pilot project what personal information, if any, concerning the pilot project participant is collected by an autonomous vehicle.”

You had an opportunity to set a meaningful privacy standard in this pilot project that could have served as a model as self-driving robot cars are developed in California and throughout the nation. While self-driving robot cars are not yet available to the general public, it is critical that policymakers deal with the issues the vehicles raise before the robot cars are widely deployed. You seemed to understand that and to be acting accordingly when you offered the crucial privacy amendment Consumer Watchdog strongly supported.

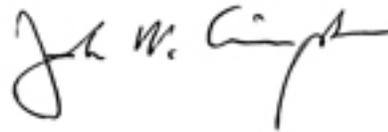
However, instead of following through, you have apparently succumbed to the pressure of robot car developers like Google, who want to gather as much personal information about us as they can and use it however they see fit. In fact, Google opposed the same amendment you had proposed, limiting the use of the technology to driving only, not marketing, in previous legislation authorizing the first driverless cars on California roads (SB 1298). It's outrageous that you would capitulate to robot carmakers and surrender consumer privacy protections without a discussion or a fight. We urge you to reconsider.

If you care at all about consumers' privacy rights you must withdraw AB 1592 or amend it to restore the vital privacy protective language that you had added earlier.

Sincerely,



Jamie Court
President



John M. Simpson
Privacy Project Director

Cc: Ryan Morimune