



June 10, 2014

Ms. Jean Shiomoto
Director
Department of Motor Vehicles
2415 1st Ave., Mail Station F101
Sacramento, CA 95818-2606

Re: Autonomous Vehicle Regulations

Dear Director Shiomoto:

I am writing on behalf of Consumer Watchdog to express our concern that Google and others with a vested interest in developing autonomous vehicle technology, also known as “driverless cars,” may push the Department of Motor Vehicles into promulgating rules regulating the public use of these vehicles on California’s highways that are inadequate to protect our safety.

The DMV has just published regulations that take effect Sept. 16 governing manufacturers’ testing of autonomous vehicles on our highways. The department is now drafting regulations that will regulate the public use of the vehicles and expects to adopt them late in December.

In the ideal rule-making process regulations covering the public use of autonomous vehicles would not be adopted until they could be informed by the results of testing that was done under DMV regulation. Unfortunately the Legislature, under pressure from Google and the tech industry, required in SB 1298 that the regulations for both testing and public use be adopted by Jan. 1, 2015. Although the Legislature has set an early deadline for adopting the autonomous vehicle regulations, it hasn’t completely precluded a prudent approach that would still protect public safety. We urge the DMV to follow a sensible and deliberate approach that would require adequate testing and time to analyze the test results.

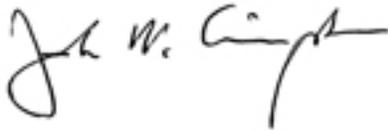
Under the testing regulations a manufacturer must file reports explaining when and why a test driver had to take over operation of the car and details of any accidents. The first such testing reports would cover the period from when a test vehicle received a permit – presumably Sept. 16 – through Nov. 30, 2015. These reports would be due by Jan. 1, 2016.

Consumer Watchdog believes that no public use of an autonomous vehicle should be allowed until the results of at least a year’s tests were available and subject to public scrutiny. The incident reports are due Jan. 1, 2016, but sufficient time – we’d suggest at least six months -- must be allowed to analyze the test results. Consumer Watchdog urges the department to include a requirement in the public use regulations for a year of testing under DMV regulation and six months to analyze the test data before a vehicle could be offered to the public. Under the regulations we are proposing, the earliest time a “driverless car” could be approved for public use on California’s highways would be July 1, 2016.

There can be no doubt that Google is pushing to deploy autonomous vehicles as fast as it can. The Department of Motor Vehicles must not succumb to the Internet giant's pressure. One of the key safety provisions of the testing regulations is the requirement that there must be a test driver in the driver's seat who is capable of assuming control of the car if there is a problem. Little more than a week after the DMV adopted the testing regulations, Google announced plans for a fleet of driverless cars that have no steering wheel, brake pedal or accelerator. There would be no way for an occupant to take control in an emergency; occupants would be captives of Google's technology, completely at the Internet giant's mercy.

We call on the DMV to ensure the safety of the public is put well ahead of the self-serving agendas of the manufactures. The autonomous vehicle regulations for public use should require a full year's results of testing under DMV regulations with at least six months to publicly scrutinize and analyze the results before a vehicle can be certified.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Simpson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John M. Simpson
Privacy Project Director

Cc: Brian G. Soublet, Randi Calkins