



Mr. Larry Page, Chief Executive Officer
Mr. Eric Schmidt, Chairman
Google
1600 Amphitheatre Parkway
Mountain View, CA 94043

May 4, 2015

Dear Mr. Page and Mr. Schmidt,

Consumer Watchdog calls on Google to release the report of an accident involving one of your driverless cars that was filed with the California Department of Motor Vehicles and to commit to making public all future driverless car accident reports. It is important that the public know what happened. You are testing driverless vehicles on public highways, quite possibly putting other drivers at risk. Consumer Watchdog learned that there had been an accident and that the report existed when we filed a Public Records Act request with the DMV seeking communications between Google and the department. However, the department treats driverless car accident reports confidentially. In response to our PRA request, the DMV responded with this reference to an accident involving a Google driverless car and explained why it would not be released:

California Government Code section 6254, subdivision (k). Vehicle Code section 20012 provides:

“All required accident reports, and supplemental reports, shall be without prejudice to the individual so reporting and shall be for the confidential use of the Department of Motor Vehicles and the Department of the California Highway Patrol....”

Consequently, the Department is unable to provide a copy of the accident report because an accident report is required to be reported to the Department under Title 13, California Code of Regulations, Section 227.44, which states:

“A manufacturer whose autonomous vehicle is in any manner involved in an accident originating from the operation of the autonomous vehicle on a public road that resulted in the damage of property or in bodily injury or death shall report the accident to the department, within 10 days after the accident, on Report of Traffic Accident Involving an Autonomous Vehicles, form OL 316 (NEW 9/2013) which is hereby incorporated by reference.”

Google is currently testing driverless vehicles on California highways under DMV testing rules that went into effect last September. Regulations covering public use of driverless cars, though due to be in effect by Jan. 1, 2015, are still being drafted. A key safety provision of the testing rules is that a licensed driver must be behind the wheel able to take control of the vehicle if the “autonomous vehicle technology” fails or is inadequate. Ironically, only days after the testing regulations were announced, Google offered a prototype of your own robot car, with no accelerator, brake pedal or steering wheel. Occupants of the car would be completely at the

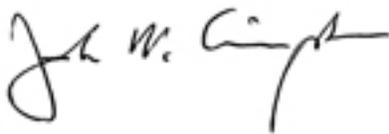
mercy of Google's robot technology and unable to take control in an emergency. Google executives have predicted that Google will have driverless cars available for the general public within five years.

Despite Google's slick public relations campaign suggesting that a robot or driverless car is just around the corner, we have little doubt that it will be many decades before a fully automated vehicle system replaces the personal responsibility model, based on a driver at the wheel, that has governed our transportation system since the advent of the mass production automobile. California is a long, long way from the so-called "autonomous vehicle." Instead, most objective observers expect a step-by-step progression to greater automation of vehicle functions – but with a licensed driver always required ultimately to be in control. As exciting as the prospect of improved automated safety technologies may be, experience suggests their development and application will take many years – and that there may be finite limits to the degree of automation that will be acceptable.

You want to eliminate the most basic safeguard, a licensed driver able to take control, in your proposed driverless vehicles. This aim makes it even more important for the public to understand any accidents that occur involving your vehicles during the testing phase. Rather than hide behind the cloak of DMV confidentiality, Google should disclose the accident report and the full details of the incident. We also call on you to commit to making all future accident reports public. Moreover, DMV rules already require you report the details of all incidents when the robot technology was disengaged and the test driver had to assume control. We call on you to make this disengagement report public as well.

Google has engaged in a highly visible public relations campaign extolling the supposed virtues of driverless cars. It is incumbent upon you to be candid about the cars' failings and shortcomings as well. Your stated mission is "to organize the world's information and make it universally accessible." Sadly, in practice, you've modified this to be "to organize the world's information and make it universally accessible – except when it is about Google." Please treat yourselves as you would treat everyone else. Release DMV driverless car accident reports and details of your driverless car accidents. Make the autonomous technology disengagement reports public as well.

Sincerely,

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

John M. Simpson
Privacy Project Director

Cc: Ron Medford, Director of Safety, Google's Self-Driving Car Program