

California's Draft Regulations Concern Autonomous Vehicle Developers

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On the heels of a progressive new [bill](#) that will allow Contra Costa Transportation Authority to test autonomous vehicles without human oversight, California issued a regulatory proposal for autonomous vehicle testing that has some members of the automotive industry [concerned](#). On October 19, California's Department of Motor Vehicle (DMV) [met](#) to discuss the current proposal, which automakers have contested on the grounds that certain terms could hinder the further development of autonomous vehicle technology.

The concept of a driverless car has captured the attention of consumers and [regulators](#) alike. With Silicon Valley darlings Google and Tesla leading the way, traditional automakers such as Audi, BMW, and Ford have joined in the race to make driverless cars a reality. Anthony Foxx, Secretary of Transportation, has gone so far as to say, "We are bullish on automated vehicles." On September 19, the Department of Transportation issued its first set of safety [guidelines](#) for this new technology, indicating the federal government's readiness to begin the transition.

California's new proposal seeks to develop specific regulations within the emergent federal guidelines. The draft proposal includes some terms that are favorable to the automotive industry. For example, the [regulations](#) will allow for testing of autonomous vehicles without a human behind the wheel, and will not require a special driver's license to operate such vehicles.

However, automakers are concerned that some of the stipulations could unduly hinder their ability to bring autonomous vehicles to market. The California proposal would require automakers to submit twelve months of testing data prior to obtaining approval to begin autonomous testing on public roads, thereby subjecting them to an unwelcome delay. California is also proposing a [rule](#) that would require testers to obtain local approval for every municipality a test vehicle passes through, which would limit testing to specific areas and make it difficult for developers to assess the long-distance performance of the vehicle. Another new DMV [term](#) would allow police to extract self-driving data from the prior twenty-four hours without a warrant. This could lead to publication of data only after [accidents](#) or other questionable events.

Although California is not the only state where testing for self-driving technology is either proposed or underway, it is the most populous state in the nation and its regulatory decisions often influence the decisions of other states. Furthermore, there is concern in the industry that its innovative nature could lead to the development of a "patchwork" of different state laws.

Fortunately, state officials and automakers alike recognize the safety advantages of self-driving vehicles, and seem to be working together to ensure that these products are brought to market as safely and efficiently as possible. The DMV has [communicated](#) that this new proposal is part of an iterative process, and they are soliciting public feedback. Time will tell how the regulations will eventually balance an interest in protecting the motoring public with an interest in ensuring that overregulation does not hinder the progress of the autonomous vehicle industry.