



ALERT

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## California Approves Regulations for Driverless Autonomous Vehicles

On February 26, 2018, the California Office of Administrative Law ("OAL") approved the California Department of Motor Vehicles' ("Cal DMV") proposed regulations allowing the testing and deployment of fully autonomous vehicles without a human behind the wheel. As of April 2, 2018, permit holders—approximately 50 at the moment—may now test and deploy fully autonomous, unmanned vehicles on specified California roadways.

The definitional terms of Cal DMV's regulations now permit operation of autonomous vehicles by a "remote operator," defined as a natural person not seated in the driver's seat of the vehicle. In fact, the regulations clarify that the presence of a natural person in the vehicle will no longer affect whether the vehicle meets the definition for an autonomous test vehicle. However, a communications link between the remote operator and the operating autonomous vehicle must exist, and the remote operator must be able to take control of the vehicle in an emergency. California permit holders must also train their remote operators and submit to Cal DMV a course outline documenting their training programs. Cal DMV is counting on industry to devise and implement a training and monitoring system that achieves the level of safety desired.

The OAL's approval is a step forward for California, its autonomous vehicle permit holders, and the future of autonomous vehicle technology. California was one of the first states to take on the daunting task of regulating this fast-moving, emerging industry. Now, manufacturers may continue their work within California, using the measured regulatory framework that balances safety with innovation.

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