



California Issues New Autonomous Vehicle Regulations

Self-Driving Cars Could Be Tested as Early as June

California officials took a major step this week toward allowing companies to test autonomous cars without anyone being at the wheel—or even being present in the vehicle. Under revised regulations governing the testing of autonomous vehicles in California, companies can operate vehicles in normal city traffic without a driver as long as proper notice is provided in advance of such tests.

The state first published notice of the proposed regulations in March of this year. Written comments were received, and a public hearing was held with nearly 100 individuals representing vehicle manufacturers, technology manufacturers, privacy advocates, consumer advocates, and transportation agencies. Presently, 42 companies hold permits to test autonomous vehicles on California roads.

Proposed Requirements for Testing

The new draft regulations add requirements for companies testing self-driving cars to notify local authorities about where and when the testing will occur. The regulations, however, do not require testing companies to seek permission in advance to operate test vehicles.

Specific requirements include:

- Local notifications on planned driverless testing, including a list of public roads and the days and times for testing;
- A "communication link" between the vehicle and a "remote operator" who would monitor the vehicle while it is being controlled by its on-board computer; and
- Manufacturer certification that the vehicle is capable of operation without the presence of a driver.

Collection of Personal Information

The regulations also include provisions related to information privacy and the collection of personal information. "Personal information" is defined as information from the vehicle that "is not necessary for the safe operation of the vehicle," and that is reasonably linkable to the vehicle's registered owner, lessee, or passengers. A manufacturer is required to disclose to the passengers of an autonomous vehicle what personal information is collected and how it will be used. Additionally, the regulations require that personal information be anonymized.

Comment Period

The release of the revised regulations commences a 15-day public comment period that ends on October 25, 2017. Interested parties should consider submitting comments by this deadline. The state has indicated a desire to complete the issuance of the final rules by the end of this year.

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