



Board of Directors Regular Meeting
Meeting Date: 5/17/2018
Agenda Item No.: 2018-May-8.

SACOG Board of Directors

Subject: Support Senate Bill 1184: Sacramento Shared Autonomous Vehicle Pilot Project (Est. time: 0 minutes)

Consent

Prepared by: Christina Lokke

Approved by: James Corless

Attachments: Yes

1. Issue:

Should SACOG take a position on Senate Bill (SB) 1184 (Pan)?

2. Recommendation:

The Government Relations & Public Affairs Committee recommends that the Board take a position to Support SB 1184 (Pan).

3. Background/Analysis:

SB 1184 is sponsored by the City of Sacramento to help facilitate a pilot project to test one of the Civic Lab projects - an autonomous shuttle between a Light Rail station and the Sacramento State campus. The City of Sacramento and the Sacramento Regional Transit District are partnering with Sacramento State to pilot a last-mile autonomous shuttle service for public transit riders between the University/65th Street Light Rail station and the Sacramento State campus. The pilot could be deployed as early as 2019.

In addition to the direct impacts this pilot project has on congestion, it also offers the opportunity for the region to better understand and learn how to become an autonomous vehicle-ready jurisdiction. However, current state regulations may limit the City's ability to secure a manufacturer and operator to engage in this pilot project.

Current law allows for testing and deployment of autonomous vehicles on public roads with or without a human driver behind the wheel, subject to state regulations. To operate an autonomous vehicle on public roads, a manufacturer must obtain a permit from the Department of Motor Vehicles (DMV). The DMV offers three permit options, each with its own set of regulations: (1) a testing permit, with a driver; (2) a driverless testing permit; and (3) a deployment permit.

Manufacturers who receive a driverless testing permit are prohibited from charging the public a fee or receiving compensation for providing a ride in the vehicle. This provision could prevent the pilot program from launching due to the inability to secure an operator

or manufacturer that is willing to engage in a pilot program without compensation. A driverless testing permit is needed, rather than a deployment permit, because it is unlikely a manufacturer will receive a deployment permit if they have not yet conducted the testing needed to demonstrate that the vehicles are safe to operate on public roads. However current regulations for a driverless testing permit prohibit the ability to recover the costs of testing this new technology. SB 1184 seeks to remedy this conundrum.

4. Discussion/Analysis:

SB 1184 removes a regulatory roadblock impeding one of the Civic Lab projects by removing the prohibition for manufacturers to receive compensation for providing rides in an autonomous vehicle for the pilot project in Sacramento. The intent is to allow a third party to cover the costs associated with testing in order to incentivize a manufacture to partner on the pilot project, while still providing free rides to members of the public. All other components of the driverless testing permit must be followed, including the safety regulations.

A pilot project testing a shared autonomous vehicle provides an opportunity to learn the actions jurisdictions must take to ensure the safe deployment of autonomous vehicles on public roads. This will help ensure that local entities have the information they need to maximize safety and prepare for the eventual full-scale deployment of these vehicles.

SB 1184 will help advance this Civic Lab autonomous shuttle pilot project, therefore staff is recommending a Support position. The bill is sponsored by the City of Sacramento. The opposition includes the California Conference Board of the Amalgamated Transit Union, California Conference of Machinists, California Labor Federation, and California Teamsters. It passed out of the Senate Committee on Transportation and Housing and now moves to the Senate Appropriations Committee.

Attachment A is the current text of the bill.

5. Fiscal Impact/Grant Information:

This item has no direct fiscal impact.

ATTACHMENTS:

Description

Attachment A - SB 1184

This staff report aligns with the following SACOG Work Plan Goals:

#5 - Establish the Sacramento Region as an Innovation & Test-Bed for New Ideas

#6 - Help the Region Advance a Vision for "Next Generation Transit"

#7 - Deliver Key High-Profile Transportation Projects

AMENDED IN SENATE MAY 1, 2018
AMENDED IN SENATE MARCH 22, 2018

SENATE BILL

No. 1184

Introduced by Senator Pan

February 15, 2018

An act to add and repeal Section 38757 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1184, as amended, Pan. Vehicles: City of Sacramento shared autonomous vehicle pilot project.

Existing law permits the operation of an autonomous vehicle on public roads for testing purposes if, among other requirements, a driver is seated in the driver's seat and is capable of taking immediate manual control of the vehicle in the event of an autonomous technology failure or other emergency. Existing law, notwithstanding the above provision, until 180 days after the operative date of regulations promulgated by the Department of Motor Vehicles to allow testing of autonomous vehicles without a driver in the vehicle, authorizes the Contra Costa Transportation Authority and Livermore Amador Valley Transit Authority to conduct pilot projects to test autonomous vehicles that do not have a driver seated in the driver's seat and are not equipped with a steering wheel, a brake pedal, or an accelerator if the testing is conducted only at specified locations and the autonomous vehicle operates at speeds of less than 35 miles per hour.

Existing regulations require a manufacturer testing an autonomous vehicle on public roads to comply with specified requirements, including applying for and receiving a Manufacturer's Testing Permit or a Manufacturer's Testing Permit—Driverless Vehicles from the

Department of Motor Vehicles, providing proof to the department of the manufacturer’s ability to respond to a judgment for damages up to \$5,000,000, and providing written identification of an autonomous vehicle to the department. Existing regulations prohibit a manufacturer from allowing an autonomous test vehicle to be operated on a public road if, among other things, the manufacturer receives compensation for providing a ride to a member of the public.

This bill would authorize the City of Sacramento to conduct a shared autonomous vehicle pilot project *within a one-mile radius of the University/65th Street light rail station* to test autonomous vehicles that do not have a driver seated in the driver’s seat and are not equipped with a steering wheel, a brake pedal, or an accelerator, as specified. *The bill would require the city or a manufacturer participating in the pilot project to certify that local law enforcement approves of the testing area and conditions, as specified.* The bill would exempt the city and a manufacturer participating in the pilot project from specified Department of Motor Vehicles regulations, and would allow a manufacturer to receive compensation for allowing a member of the public to ride in an autonomous ~~vehicle~~; *vehicle, but would prohibit directly charging a fee to a member of the public to ride in an autonomous vehicle.*

This bill would make these provisions inoperative on June 1, 2020, and would repeal it as of January 1, 2021.

This bill would make legislative findings and declarations as to the necessity of a special statute for the City of Sacramento.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 38757 is added to the Vehicle Code, to
- 2 read:
- 3 38757. (a) Notwithstanding Section 38750, the City of
- 4 Sacramento is authorized to conduct a shared autonomous vehicle
- 5 (SAV) pilot project for the testing of autonomous vehicles that do
- 6 not have a driver seated in the driver’s seat and are not equipped
- 7 with a steering wheel, a brake pedal, or an accelerator, provided
- 8 the following requirements are met:
- 9 (1) The testing shall be conducted only *within a one-mile radius*
- 10 *of the University/65th Street light rail station in the City of*

1 Sacramento, and a vehicle may traverse roads publicly maintained
2 and open to the use of the public within the area of the pilot project.
3 *project, except for public freeways.*

4 (2) An autonomous vehicle shall operate at speeds of less than
5 35 miles per hour and have a gross vehicle weight rating of
6 *no greater than 10,000 pounds.*

7 (3) ~~An autonomous~~ vehicle manufacturer participating in the
8 pilot program project shall possess a Manufacturer's Testing
9 Permit—Driverless Vehicles or a Permit to Deploy Autonomous
10 Vehicles on Public Streets from the department.

11 (b) *Before the start of testing of an autonomous vehicle that*
12 *does not have a driver seated in the driver's seat on or across a*
13 *public road, the City of Sacramento or an autonomous vehicle*
14 *manufacturer participating in the pilot project, or a combination*
15 *of the two, shall certify that local law enforcement agencies with*
16 *jurisdiction over the public roads in the designated testing area*
17 *approve of the geographic area and environmental, traffic, and*
18 *speed conditions authorized for the pilot project.*

19 ~~(b)~~

20 (c) The City of Sacramento and an autonomous vehicle
21 manufacturer participating in the pilot project shall comply with
22 Article 3.7 (commencing with Section 227.02) of Chapter 1 of
23 Division 1 of Title 13 of the California Code of Regulations, except
24 for subdivision (f) of Section 227.26 of the California Code of
25 ~~Regulation~~ Regulations and any other provision that prohibits a
26 manufacturer from receiving compensation for allowing a member
27 of the public to ride as a passenger in an autonomous vehicle.

28 (d) *Notwithstanding subdivision (c), the City of Sacramento and*
29 *an autonomous vehicle manufacturer participating in the pilot*
30 *project shall not directly charge a fee to a member of the public*
31 *to ride as a passenger in an autonomous vehicle under this pilot*
32 *project.*

33 ~~(e)~~

34 (e) This section shall become inoperative on June 1, 2020, and,
35 as of January 1, 2021, is repealed.

36 SEC. 2. The Legislature finds and declares that a special statute
37 is necessary and that a general statute cannot be made applicable
38 within the meaning of Section 16 of Article IV of the California

- 1 Constitution because of the unique needs of the City of Sacramento
- 2 regarding an SAV pilot project.

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