



San Mateo County Bill Analysis Form

Date Submitted: February 2, 2024
Submitted Department: County Executive's Office
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Reviewed and Approved by County Attorney
 Yes No

Reviewed and Approved by County Executive
 Yes No N/A

Senate Bill 915 Senator Cortese, District 15, Autonomous Vehicle Service Deployment and Data Transparency Act

Version Date: January 9, 2024
 New bill Amended Bill Gut & Amend

Recommended Position
 Sponsor Support
 Support, if Amended, Oppose
 Other - Supervisors Canepa and Mueller requested the Board support this measure.

Summary

Senate Bill (SB) 915 (Cortese) would require operators who have obtained approval from the California Department of Motor Vehicles (DMV) and the California Public Utilities Commission (CPUC) to conduct autonomous commercial passenger services to secure approvals from the local government where they operate, before commencing services.

Background/Analysis

As Autonomous Vehicle (AV) systems have begun their deployment for commercial activities, local governments have struggled to prevent disruptions to emergency response and ensure that these technologies can be deployed safely.

In May 2018, the CPUC authorized the first phase of AV pilot programs, allowing driverless AV passenger services to be tested. On August 10, 2023, the CPUC granted General Motors Cruise (Cruise) and Alphabet Waymo (Waymo) final permits in the City and County of San Francisco, allowing the operators to charge the public for robotaxi services, expand hours of operations, expand their fleets and service areas.

Challenge

Unlike the process for regulating taxicabs, local governments cannot establish rules and regulations around the deployment of autonomous vehicle services. The State of California has opened testing of these vehicles in local jurisdictions without formal approval from the jurisdictions where they operate. Moreover, local law enforcement agencies have lacked the authority to cite autonomous vehicles for moving violations.

According to the bill author, "City councils and county boards of supervisors adopt ordinances on any given week, nimbly and with local accountability. SB 915 returns control to the local communities who know their streets best."

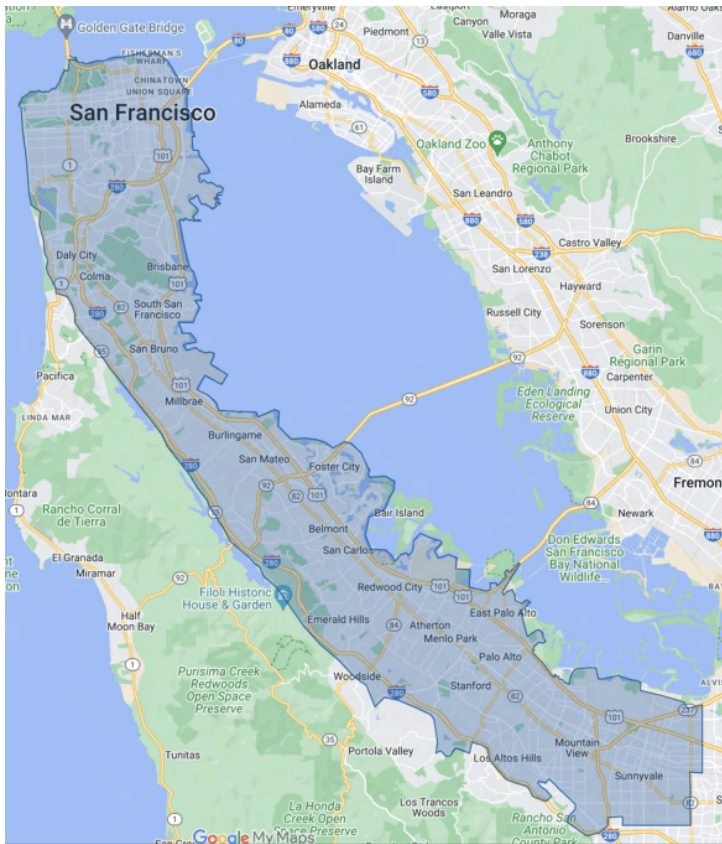
So far, local governments impacted by AV deployment have noted several incidents with emergency responders. On June 22, 2023, the San Francisco Police Officer's Association wrote a letter to the CPUC, requesting that Cruise and Waymo's applications for commercial operations be delayed until a more thorough evaluation, citing an AV blocking the path of emergency vehicles responding to the scene of a mass shooting. Other incidents reported by the San Francisco Fire Department include:

- Ignoring yellow emergency tape and warning signs to enter a street with compromised electrical wires, causing entanglement around the vehicle's sensors;
- Blocking firehouse driveways, requiring more distant resources to be dispatched, and increasing response times;
- Sitting motionless on one-way streets, creating traffic and prohibiting emergency vehicles from responding to incidents;
- Pulling up behind a fire truck with emergency lights on, interfering with firefighters unloading ladders, and
- Entering an active fire scene, then parking on top of the fire hose.

After several collisions involving Cruise vehicles, the DMV ordered Cruise to halve its fleet only a week after its final permits had been issued. On October 24, 2023, the DMV announced that it had suspended Cruise's autonomous vehicle deployment and driverless testing permits based on

a determination that the vehicles were unsafe for public operation and that the manufacturer had misrepresented the safety of its cars.

On January 19, 2024, Waymo announced that it had filed paperwork with the CPUC to extend driverless deployment services to include the urban areas of San Mateo County and portions of Santa Clara County, as illustrated in the shaded portion of the following map.



Recommended Solution

Under SB 915, operators who have obtained approval from the DMV and the CPUC to conduct autonomous commercial passenger services would also be required to obtain approvals from the local government where they operate before commencing services. It would be unlawful for AV operators to operate in a city, county, or city and county where an operator has been granted authority to operate on a commercial basis by any state agency without a permit issued by the local government agency.

The bill would authorize affected cities and counties to form a joint powers authority (JPA) to regulate and administer the programs within the borders of the JPA and partner with transit agencies located within the jurisdictional boundaries.

The following regulations could be implemented via ordinance under SB 915:

- Caps on maximum fares,
- Reasonable limits on the number of autonomous vehicles and service hours,
- Certification processes to ensure that operators are complying with state and federal disability access laws.
- Fee schedules for moving violations or traffic obstructions,
- Processes for first responders to override autonomous systems in case of emergencies,
- Data transparency agreements, and
- Service fees related to administration.

The bill would also require operators to maintain financial responsibility for operations, educate employees on disability access laws and regulations, allow yearly inspections by local governments, and provide documentation that the operator meets the requirements and complies with ordinances created under this legislation.

Departments Impacted

- **San Mateo County Sheriff:** Given the implementation challenges in San Francisco, Sheriff Corpus favors having the companies obtain proper permits to operate in our areas of jurisdiction and supports the recommendations outlined in SB 915.
- **Public Works:** The City/County Association of Governments of San Mateo County is preparing a draft framework for AV deployment in the County. The Department also recommends a thoughtful analysis before implementing any AV regulations, including how fees are collected and distributed and if those revenues would support roadway maintenance, improvements, or enhancements.
- **Office of Sustainability:** Notes that proposed expansions of AV service in the Peninsula should include safety considerations for pedestrians, bicyclists, and other drivers. However, the Office also notes that the bill could create a patchwork of local regulations instead of more uniform standards.
- **Public Safety Communications:** Notes minimal impacts.

Fiscal Impact

SB 915 would have no direct fiscal impact on the County of San Mateo. However, if the County were to implement these regulations, there may be costs associated with administering the program and capital costs for any construction projects.



Support

League of California Cities (Co-Sponsor)
International Brotherhood of Teamsters (Co-Sponsor)
California Labor Federation

Opposition

None on record.

Status

1/09/24—Introduced