

Date of Hearing: April 6, 2026

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 2193 (Ta) – As Amended March 16, 2026

SUBJECT: Autonomous vehicles

SUMMARY: Specifies when a person in an autonomous vehicle is liable for a violation of the Vehicle Code and when the registered owner of an autonomous vehicle is liable. Specifically, **this bill:**

- 1) Provides that a citation for a Vehicle Code violation shall be issued to the registered owner of the autonomous vehicle if it does not have a person in the driver's seat.
- 2) Provides that if an autonomous vehicle has a person in the driver's seat and commits a traffic violation, the citation shall be issued to the driver regardless of whether the autonomous technology is engaged or not, unless the person in the driver's seat is a customer who is not in control of the vehicle or is a person employed by the registered owner of the autonomous vehicle and is performing testing of the autonomous vehicle but is not in control of the vehicle.
- 3) Authorizes citations to be issued by mail.
- 4) Authorizes the holder of the testing permit or deployment permit to contest a citation or penalty issued under the procedures in this code.

EXISTING LAW:

- 1) Authorizes the operation of autonomous vehicles (AVs) on public roads for testing purposes under certain circumstances specified in DMV regulations. (Vehicle Code Section (VEH) 38750)
- 2) Defines "autonomous vehicle" to mean vehicle equipped with technology that makes it capable of operation that meets the definition of Levels 3, 4, or 5 of the Society of Automotive Engineers (SAE) International's Taxonomy and Testing of Autonomous Vehicles Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles, standard J3016 (APR 2021). (VEH 38750)
- 3) Defines "autonomous technology" to mean technology that has the capability to drive a vehicle without the active physical control or monitoring by a human operator. (VEH 38750)
- 4) States that an AV does not include a vehicle that is equipped with one or more collision avoidance systems, including, but not limited to, electronic blind spot assistance, automated emergency braking systems, park assist, adaptive cruise control, lane keep assist, lane departure warning, traffic jam and queuing assist, or other similar systems that enhance safety or provide driver assistance, but are not capable, collectively or singularly, of driving the vehicle without the active control or monitoring of a human operator. (VEH 38750)

- 5) Prohibits the operation of AVs on public roads for non-testing purposes unless the manufacturer of the vehicles submits an application to DMV that is approved pursuant to DMV regulations. (VEH 38750)
- 6) Requires DMV to approve an application submitted by a manufacturer for the operation of AVs for non-testing purposes if DMV finds that the applicant has submitted all information and completed testing necessary to satisfy that the AVs are safe to operate on public roads and the applicant has complied with all requirements specified in DMV regulations. (VEH 38750)
- 7) Authorizes DMV to impose additional requirements it deems necessary to ensure the safe operation of AVs if those vehicles are capable of operating without the presence of a driver inside the vehicle. (VEH 38750)
- 8) Authorizes law enforcement to issue a “notice of autonomous vehicle noncompliance” upon observing an alleged violation of the vehicle code or an alleged violation of a local traffic ordinance adopted pursuant to the vehicle code. (VEH 38752)
- 9) Defines “a notice of autonomous vehicle noncompliance” means a notice issued by a peace officer that identifies, at minimum, an alleged violation of this code or an alleged violation of a local traffic ordinance adopted pursuant to this code by an autonomous vehicle while the autonomous technology is engaged, the date, time, and location of the alleged violation, and the license plate number of the vehicle. (VEH 38752)
- 10) Requires an AV manufacturer to provide any issued notice of AV noncompliance to DMV within 72 hours of issuance, or within a timeframe otherwise determined by DMV. (VEH 38752)
- 11) Provides that the issuance of the AV noncompliance does not create a presumption that the AV is unsafe and does not limit the manufacturer’s ability to contest the nature or occurrence of the alleged violation identified in the notice. (VEH 38752)
- 12) Provides that that the notice of AV noncompliance does not come into effect until DMV regulations are established and authorizes DMV to establish regulations for notices for and processes for AV noncompliance. (VEH 38752)

Existing DMV regulations:

- 1) Require AV manufacturers to have a testing or deployment permit to operate an autonomous vehicle in California.
- 2) Restrict the testing and deployment of autonomous vehicles to vehicles under 10,001 pounds and excludes motorcycles.
- 3) Authorize testing and deployment of AVs without a human operator inside the vehicle.

- 4) Require an AV with a testing permit (but not a deployment permit) to report collisions to DMV within 10 days of the collision if the collision resulted in damage of property or in bodily injury or death if they have a testing permit.
- 5) Require AVs with a testing permit (but not a deployment permit) to report disengagements on an annual basis.

FISCAL EFFECT: Unknown

COMMENTS: The Legislature passed SB 1298 (Padilla), Chapter 570, Statutes of 2012 which permitted AVs to operate on public roads for testing by a driver under certain conditions. In 2014, DMV released regulations to allow for testing AVs with a test driver, and in April 2018, DMV finalized regulations for the testing and deployment of AVs on public roads without a driver. Thirty-six companies currently have a permit for testing with a driver (down from a high of 58), and six companies have received a permit for testing without a driver. Three companies have received a deployment permit without a human driver. One company has a deployment permit for a level three AV, which requires a human operator. One or two companies currently have a deployment permit. One company, Cruise, has lost both its deployment permit and its permit to test without a human operator.

The Legislature passed AB 1777 (Ting) Chapter 682, Statutes of 2024, which established a process to permit law enforcement officers to issue an AV notice of noncompliance when an AV allegedly violated a section of the Vehicle Code or an ordinance created by the Vehicle Code. DMV was directed to establish in regulations what a notice of noncompliance is. That provision was added to the bill in the last week of session, replacing the language that this bill implements.

In June of 2025 DMV issued a proposal to amend the department's AV regulations. As of the writing of this analysis, those regulations have been amended three times and are out for public comment. The last series of amendments were minor and technical in nature, and the DMV is likely close to finalizing their proposed regulations. The proposed regulations lay out what will be on the form for the notice for AV noncompliance and the length of time a manufacturer has to submit the notice to DMV (72 hours).

The proposed regulations do not lay out consequences for violating the Vehicle Code or for failing to submit the notice of noncompliance to DMV. Under the proposed regulations, DMV is expanding options it can take against an AV company permitted to operate under DMV regulations. Under existing regulations, the only available tool to DMV for violating any DMV regulation related to AVs is to suspend or revoke an AV testing or deployment permit. If an AV operates on California roads without a permit, law enforcement is permitted to immediately tow a vehicle.

Under the proposed regulations, DMV will additionally be able to take incremental enforcement measures, including operational restrictions against a manufacturer if DMV determines that the circumstances of the incident do not require a full suspension or revocation.

These incremental enforcement measures include:

- 1) Reduction in daily fleet in an area determined by DMV or any portion in the operational design domain.

- 2) Reduction in operation design domain (e.g. geographic area of operation, road type, weather etc).
- 3) Reduction in hours of operation.
- 4) Requirement that an AV test driver or support personnel be present in the vehicle under certain conditions.

An AV manufacturer may have the operational restrictions be lifted by submitting data to DMV describing how the deficiencies precipitating the restrictions have been addressed. Upon satisfaction that the deficiencies have been addressed, DMV is permitted to lift any associated operational restriction. DMV is required to provide an AV company with a 15-day notice period prior to suspending, revoking or restricting their ability to operate unless they determine the manufacturer poses an imminent hazard.

Unclear if AVs are safer than humans. According to a RAND Corporation report *Driving to Safety: How Many Miles of Driving Would it Take to Demonstrate Autonomous Vehicle Reliability*, it may take decades before we know if AVs are safer than human drivers. Despite tens of thousands of deaths on the road every year, humans can drive a remarkable number of miles without collisions. Americans drive 3 trillion miles every year. In 2013, there were 2.3 million injuries reported, at a rate of 77 injuries per 100 million miles driven. The 32,719 deaths from car crashes that year correspond to a rate of about one fatality per 100 million miles driven. AVs have not driven anywhere near that many miles, and already an AV has killed at least one person in Tempe, Arizona.

AV companies often cite a report from the National Transportation Safety Board (NTSB) that found that 94% of all collisions are because of human error and concluded that AVs have the potential to save tens of thousands of lives. According to the Insurance Institute for Highway Safety (IIHS), “It is likely that fully self-driving cars will eventually identify hazards better than people, but we found that this alone would not prevent the bulk of crashes.” IIHS estimates that only a third of the collisions caused by human error would be expected to be avoided because AVs will potentially have more accurate perceptions than human drivers and are not vulnerable to incapacitation. Avoiding the other two-thirds would require AVs that are programmed to prioritize safety over speed and convenience.”

AVs performance. The National Highway Traffic Safety Administration (NHTSA) requires AV companies to report crashes to NHTSA. In the last 12 months, AV companies have reported a total of 927 crashes. Since NHTSA began collecting data on AVs in 2021, only 218 injury-related crashes and 2 fatalities have been reported to NHTSA. 183 of the 218 injury related crashes were minor injuries, while only seven were serious. Most crashes occurred in California (1,352), Arizona (435) and Texas (237). All other states reported double digit, single digit, or no collisions, indicating that AVs are primarily being operated in three states.

Since 2021 AVs have been providing passenger service in California. Most AV testing and deployment in California has occurred in San Francisco. In January 2023, the San Francisco County Transportation Authority asked the California Public Utilities Commission to reject Waymo’s request to allow commercial deployment throughout the city. The letter notes a series of 9-1-1 calls that the city had received noting AVs causing traffic obstructions and backups and erratic driving. The duration of unplanned AV stops obstructing travel lanes appeared to range

from minutes (extending through many traffic light cycles) to hours. Additional incidents were posted on social media or reported by the media. The number of reported incidents is likely a fraction of the total unplanned stops because most are reported during late night hours when few people are on the streets to notice them and because many people would not think of calling 9-1-1 in these circumstances. The AV failure incidents the public has reported have been significantly concentrated on downtown streets, streets with transit service, streets on the bike network, intersections, and streets on the City’s High Injury Network (the 12% of San Francisco streets that account for more than 68% of severe or fatal injury crashes).”

According to the author, “AB 2193 ensures that when an autonomous vehicle violates traffic law, someone is accountable. As the use of driverless vehicles expands on our roads, we must ensure our law enforcement framework keeps pace with technology. AB 2193 protects passengers, supports law enforcement, and ensures that companies deploying autonomous vehicles remain responsible for their operations. Innovation should move forward, but it must do so safely and responsibly by holding driverless cars to the same standards as other drivers.”

The California Federation of Labor Unions, *writing in support of this bill*, argues, “Under current law, autonomous vehicles may operate on public roads with permits issued by the Department of Motor Vehicles, and peace officers may issue notices of noncompliance when those vehicles violate traffic laws. AB 2193 clarifies that when an autonomous vehicle commits a traffic violation, the citation is issued to the appropriate responsible party—either the driver, if present, or the registered owner or permit holder when the vehicle is operating without a driver. “This is a simple but important concept: the rules of the road should apply to everyone. California should not create a system where corporations deploying autonomous vehicles are effectively shielded from the same consequences that human drivers face every day. When a human driver repeatedly violates traffic laws, those violations accumulate points and can ultimately result in the loss of a driver’s license. That accountability structure exists because repeated violations suggest that a driver may not be capable of safely operating a vehicle.

“The same principle should apply to autonomous vehicle operators and the companies deploying this technology. If a company’s vehicles repeatedly violate traffic laws, that is evidence that the technology is not performing safely and may not be ready for widespread deployment on public roads.

“For that reason, we believe AB 2193 could be further strengthened by clarifying that repeated violations by an autonomous vehicle fleet should trigger escalating consequences for the manufacturer or permit holder, similar to how the point system works for human drivers. At some point, repeated violations should lead to suspension or revocation of testing or deployment permits. Without escalating consequences, citations risk becoming just another cost of doing business rather than a meaningful safety enforcement tool.”

Committee comments: DMV is currently in the process of authorizing law enforcement to issue a notice of noncompliance to AVs. The proposed regulations from DMV do not lay out a clear process for what happens when a notice of noncompliance is issued. For human drivers, the violations for breaking the rules of the road are clear: you get a financial citation and points are assessed against your license with a specified number that result in insurance rates increasing and ultimately a person’s license being suspended.

AB 1777 originally contained language that would have made clear who a citation goes to: if the vehicle is in autonomous mode the ticket goes to the manufacturer. If the vehicle is not in

autonomous mode it goes to the driver. Under this scenario, the AV companies would have faced financial consequences similar to a human driver.

This bill differs from AB 1777 in several ways. Under this bill, if an autonomous vehicle does not have a person in the driver's seat and commits a traffic violation, the citation is issued to the registered owner of the vehicle. This bill also requires the violation to be issued to the person seated in the driver's seat regardless of whether the technology is engaged or not. This bill exempts a passenger of the vehicle in a rental car environment or a test driver.

Under this language, the owner of the AV, and not the company who built the technology, would become liable for traffic violations and traffic citations issued.

The committee recommends that the manufacturer of AV technology, not the registered owner of the vehicle, should be liable when the AV technology is engaged. While Level 4 and 5 autonomous vehicles can drive themselves without human supervision, Level 3 AVs, like the DMV approved Level 3 Mercedes-Benz DRIVE PILOT system, still require a human to take over the wheel when prompted. Therefore, the committee recommends that in those circumstances, the ticket goes to the driver, or, if the AV technology is found to have been the cause of the violation, to the AV manufacturer.

Therefore, the committee recommends striking the existing language and replacing it with the following:

(k) (1) If a level 4 or 5 autonomous vehicle does not have a person in the driver's seat and commits a traffic violation pursuant to this code, the citation shall be issued to the manufacturer of autonomous technology and may be issued by mail.

(2) If a level 4 or 5 autonomous vehicle has a person in the driver's seat and commits a traffic violation pursuant to this code while the autonomous technology is engaged, the citation shall be issued to the manufacturer of autonomous technology and may be issued by mail.

(3) If an autonomous vehicle has a person in the driver's seat and commits a traffic violation pursuant to this code while the autonomous technology is not engaged, the citation shall be issued to the driver.

(4) If a level 3 autonomous vehicle has a person in the driver's seat and commits a traffic violation pursuant to this code while the autonomous technology is engaged then the citation may be issued to the driver. The driver may, as a defense, raise that autonomous technology was responsible for the violation. A citation may be issued against the manufacturer of autonomous technology of the level 3 autonomous vehicle if the autonomous technology is determined to be the cause of the violation and may be issued by mail.

(4) The holder of the testing permit or deployment permit may contest a citation or penalty under the procedures in this code.

Previous and related legislation. AB 2502 (Pellerin) of 2026 specifies, for purposes of the crimes of intoxicated vehicular manslaughter, driving under the influence (DUI), DUI causing bodily injury to another, and reckless driving in satisfaction of, or as a substitute for, an original DUI charge ("wet reckless"), as specified, "drive" includes the volitional movement of a vehicle with a Level 0, Level 1, Level 2, or Level 3 of driving automation, as those levels are defined by

the Society of Automotive Engineers (SAE). That bill passed out of Assembly Public Safety Committee and is pending before Assembly Appropriations Committee.

SB 1246 (Cortese) of 2026 requires remote operators of an AV to be located in the State of California, requires AVs to maintain a dedicated emergency response telephone line available for emergency response officials, requires an AV to have a manual override system, amongst other things. That bill is set for a hearing in Senate Transportation Committee.

AB 33 (Aguiar-Curry) Prohibits an autonomous vehicle (AV) without a human operator from delivering commercial goods directly to a residence or to a business for its use or retail sale. That bill is pending on the Senate Floor.

AB 1777 (Ting) Chapter 682, Statutes of 2024, established a process to permit law enforcement officers to issue an AV notice of noncompliance when an AV allegedly violated a section of the vehicle code or an ordinance created by the vehicle code, amongst other things.

SB 1298 (Padilla), Chapter 570, Statutes of 2012 established conditions for the operation of AVs upon public roadways.

AB 2286 (Aguiar-Curry) of 2024 would have restricted an AV with a gross vehicle weight (GVW) of 10,001 pounds or more from being operated on public roads for testing purposes, transporting goods, or transporting passengers without a human safety operator physically present in the AV at the time of operation. That bill was vetoed by Governor Newsom.

AB 3061 (Haney) of 2024 would have required the manufacturers of autonomous vehicles (AVs) to report to the Department of Motor Vehicles (DMV) any vehicle collision, traffic violation, or disengagement, or the assault or harassment of any passenger or safety driver that involves a manufacturer's vehicle in California starting July 31, 2025. That bill was vetoed by Governor Newsom.

SB 915 (Cortese) of 2024 would have required local authorization for an AV commercial passenger service to operate within its limits. That bill died in this committee.

AB 316 (Aguiar-Curry) of 2023 was substantially similar to AB 2286. That bill was vetoed by Governor Newsom.

REGISTERED SUPPORT / OPPOSITION:

Support

California Conference Board of the Amalgamated Transit Union
California Conference of Machinists
California Federation of Labor Unions, AFL-CIO
California Safety and Legislative Board, Smart – Transportation Division
California State Sheriffs' Association
CFT– Union of Educators & Classified Professionals, AFT, AFL-CIO
City of Los Alamitos
Teamsters California

Opposition

None on file

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