

Date of Hearing: July 1, 2026

ASSEMBLY COMMITTEE ON COMMUNICATIONS AND CONVEYANCE

Tasha Boerner, Chair

SB 1246 (Cortese) – As Amended June 15, 2026

SENATE VOTE: 27-9

SUBJECT: Autonomous vehicles

SUMMARY: This bill imposes new requirements on commercial autonomous vehicles, as defined, and autonomous vehicle manufacturers pertaining to remote assistants, remote drivers, and local incident technicians, and emergency response. Additionally, this bill requires the Commission on Peace Officer Standards and Training (POST) to implement voluntary training of law enforcement officers on commercial autonomous vehicles, as specified. Specifically, **this bill:**

- 1) Establishes findings and declarations related to autonomous vehicles.
- 2) Requires the POST commission to implement a course for voluntary training of law enforcement officers on commercial autonomous vehicles.
- 3) Defines “commercial autonomous vehicle” to mean an autonomous vehicle operated without a human driver for compensation or as part of a commercial enterprise, including passenger transportation or the delivery of goods or freight.
- 4) Defines “autonomous passenger service vehicle” to mean an autonomous vehicle operating without a human driver for compensation or as part of a commercial enterprise for purposes of passenger transportation.
- 5) Defines “local incident technician” to mean a natural person who responds onsite on behalf of an autonomous vehicle manufacturer to incidents involving an autonomous vehicle, including accidents that involve damage to persons or property, and requests for assistance from emergency response officials. Local incident technicians shall be employees of the autonomous vehicle manufacturer or an entity contracted with the autonomous vehicle manufacturer to provide local incident technician services that employs 50 or more local incident technicians. Local incident services may include towing services.
- 6) Defines “remote assistance” to mean a natural person who meets all of the following conditions:
 - a. Is not physically located in the driver’s seat of the vehicle.
 - b. Is able to provide information or advice to an autonomous vehicle to facilitate trip continuation when the autonomous vehicle encounters a situation it cannot manage or is able to alert the automated driving system of the need to fall back to a minimal risk condition, but does not include remote driving.
 - c. Is able to provide an autonomous vehicle with revised goals or tasks.

- 7) Defines “remote driver” to mean a natural person who is not physically located in the driver’s seat of the vehicle and performs real-time performance of part or all of the dynamic driving task fallback, including real-time braking, steering, acceleration, and transmission shifting.
- 8) Requires an autonomous vehicle manufacturer to ensure, through its staffing and assignments, that remote drivers or remote assistants are able to immediately respond to all calls and incidents, that local incident technicians are immediately dispatched, as provided.
- 9) Requires, in the event of a fleetwide emergency or system failure, an autonomous vehicle manufacturer to immediately notify local jurisdictions and emergency dispatch.
- 10) Authorizes a local incident technician to coordinate on behalf of the autonomous vehicle with emergency response officials, and to relocate the vehicle if necessary.
- 11) Requires the Department of Motor Vehicles (DMV) to adopt guidelines establishing reasonable response times for local incident technicians to be present at emergencies, as specified.
- 12) Requires autonomous vehicles to be equipped with manual override systems, as specified, or that a manufacturer shall ensure that remote assistants or remote drivers have the ability to place an autonomous vehicle in neutral in cases of emergency.
- 13) Requires the POST commission to develop uniform guidelines and requirements for the manual override training, and written guidelines required to be provided by autonomous vehicle manufacturers.
- 14) Authorizes the POST commission to charge autonomous vehicle manufacturers a fee sufficient to cover the reasonable regulatory costs associated with administering this bill.
- 15) Specifies that a violation of this bill is not a crime, and authorizes a city attorney or county counsel to bring a civil action in any court of competent jurisdiction for violations. Establishes specified penalties of up to \$5,000 or \$10,000 per violation, as provided.

EXISTING LAW:

- 1) Defines “autonomous vehicle” to mean a 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). (Vehicle (VEH) Code § 38750(a)(2).)
- 2) 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(a)(1).)
- 3) Defines “person” to include a natural person, firm, copartnership, association, limited liability company, or corporation. (VEH § 470)
- 4) Defines a “manufacturer” of autonomous technology as the person that originally manufactures a vehicle and equips autonomous technology on the originally completed

vehicle or, in the case of a vehicle not originally equipped with autonomous technology by the vehicle manufacturer, the person that modifies the vehicle by installing autonomous technology to convert it to an autonomous vehicle after the vehicle was originally manufactured. (VEH § 38750)

- 5) Defines “vehicle manufacturer” as any person who produces from raw materials or new basic components a vehicle of a type subject to registration, off-highway motorcycles or all-terrain vehicles subject to identification, or trailers subject to identification, or who permanently alters, for purposes of retail sales, new commercial vehicles by converting the vehicles into house cars that display the insignia of approval under existing law. (VEH § 672)
- 6) Authorizes the operation of AVs on public roads for testing purposes under certain circumstances and as provided in the Department of Motor Vehicles (DMV) regulations. (VEH § 38750(b) & (d).)
- 7) Prohibits the operation of AVs on public roads for non-testing purposes unless the manufacturer of the vehicles submits an application to the DMV that is approved pursuant to DMV regulations. (VEH 38750(c).)
- 8) Requires the DMV to approve an application submitted by a manufacturer for the operation of AVs for non-testing purposes if the 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 regulations. (VEH § 38750(e).)
- 9) Commencing July 1, 2026, requires manufacturers of AVs that operate without a human operator physically present in the vehicle, except as provided, to comply with certain requirements, including, among other things, to maintain a dedicated emergency response telephone line that is available for emergency response officials, as defined, and to equip each autonomous vehicle with a two-way voice communication device that enables emergency response officials that are near the vehicle to communicate effectively with a remote human operator, as specified. (VEH § 38750(i).)
- 10) Defines “charter-party carrier of passengers” to mean every person engaged in the transportation of persons by motor vehicle for compensation, whether in common or contract carriage, over any public highway in this state. “Charter-party carrier of passengers” includes any person, corporation, or other entity engaged in the provision of a hired driver service when a rented motor vehicle is being operated by a hired driver. (Public Utilities Code (PUC) § 5360)
- 11) Authorizes the CPUC to supervise and regulate every charter-party carrier of passengers in the State and do all things, whether specifically designated in existing law, or in addition thereto, which are necessary and convenient in the exercise of such power and jurisdiction. (PUC § 5381)
- 12) Makes it a misdemeanor for a charter-party carrier of passengers who violates any provision of the Charter Party Carrier of Passengers Act, or fails to comply by orders of the CPUC. Establishes that such a misdemeanor is punishable by a fine of not less than one thousand dollars (\$1,000) and not more than five thousand dollars (\$5,000) or by imprisonment in a

county jail for not more than three months, or by both that fine and imprisonment. (PUC § 5411)

- 13) Authorizes the Attorney General, a district attorney or a city attorney to institute and prosecute actions or proceedings for the violation of any law committed in connection with, or arising from, a transaction involving the transportation of passengers by a charter-party carrier of passengers. (PUC § 5417.5)

FISCAL EFFECT: Unknown due to significant amendments since the last fiscal analysis. This bill is keyed fiscal by the Legislative Counsel and will be referred to the Appropriations Committee for a fuller analysis, should it pass this committee.

COMMENTS:

- 1) *Double referral and committee jurisdiction.* This bill was first approved by the Assembly Committee on Transportation. Accordingly, this analysis will focus on matters pertaining to the jurisdiction of the Committee on Communications & Conveyance, which includes the transportation of passengers for compensation pursuant to the Passenger Charter-Party Carriers' Act" and associated considerations.
- 2) *Author's statement.* "Autonomous vehicles (AV) are operating on California's roads every day. When these vehicles stall in our streets, they do not just block traffic or public transit - they also interfere with first responders and other emergency operations. Currently, AV remote operators are not required to have a California driver's license and are responsible for dozens of vehicles at a time. Our firefighters, law enforcement, and first responders cannot afford to wait on understaffed remote operators to respond to dynamic situations. SB 1246 puts common-sense standards in place to ensure AV companies act quickly, trained personnel are accountable, and our first responders have the resources they need to keep the public safe."
- 3) *Making sense of the application of this bill to manufacturers and commercial autonomous vehicles.* Existing law defines an autonomous vehicle¹, a [vehicle] manufacturer² and a "manufacturer of autonomous technology"³. AV regulations from the DMV also define those terms in reference to and alignment with the statutory definitions. The definitions in statute are intended to cover both individually owned and operated AVs, as well as fleets or AVs being used for commercial purposes such as in rideshare or delivery.

However, this bill complicates that paradigm somewhat, by introducing and defining a new term "commercial autonomous vehicle". This term is defined more narrowly than the existing definition of autonomous vehicle, to mean an autonomous vehicle operated without a human driver for compensation or as part of a commercial enterprise, including passenger transportation or the delivery of goods and freight. In effect, it would appear this bill generally would not apply to all autonomous vehicles, vehicle manufacturers or manufacturers of autonomous vehicles broadly, but rather narrowly to those vehicles when they're being operated in a specific manner – carrying passengers, goods and freight for

¹ VEH § 38750

² VEH § 672

³ VEH § 38750

compensation. Given that distinction, this bill would seem to primarily impact those autonomous vehicles currently being deployed as Charter-Party Carriers under the supervision of the CPUC, which are among the most visible and common AVs being deployed in the state. Additionally, it would include those companies that move goods and freight, which is not covered by the CPUC's regulatory scheme or jurisdiction, nor currently being utilized on a commercial deployment basis. Both categories of commercial autonomous vehicles have been the subject of recent legislation, regulation, and controversy.

Aside from that important distinction between the terms “commercial autonomous vehicle” and “autonomous vehicle”, there is one section of this bill that stands out because it does not use the term “commercial autonomous vehicle”. Instead, the proposed Section 38802 of the Vehicle Code requires an “autonomous vehicle manufacturer⁴” in the event of a fleetwide emergency, involving “multiple autonomous vehicles” to take specified actions to notify emergency response officials. This section stands out because it utilizes the existing broad term “autonomous vehicle”, and not the more narrow term “commercial autonomous vehicle”. As was described above, that distinction is of great consequence, because it determines whether the provisions of this bill would apply broadly to all manufacturers, or only those manufacturers that are operating the smaller universe of commercial autonomous vehicles. Notably, if these provisions do apply to manufacturers broadly that would be consistent with recent legislation that imposes certain new requirements on manufacturers related to emergency response.⁵

Lastly, this bill also includes a separate definition for the term “autonomous passenger service vehicle” that is substantially similar to the term “commercial autonomous vehicle”. However, the term “autonomous passenger service vehicle” is not used in this bill. The non-operative definition appears to be a holdover from previous versions of this bill. Going forward, the author may wish to address the two definitions and consider removing the non-operative definition.

- 4) *Background on CPUC Autonomous Vehicle Program.* This bill imposes various requirements on commercial autonomous vehicles, as defined, including on vehicle design, remote assistants, remote drivers, local incident technicians, and emergency response. These requirements far exceed, and are much more specific than, the regulations that currently exist under the DMV and CPUC autonomous vehicle programs. Notably, in order to participate in the CPUC's AV Deployment Program, a participating AV company must first obtain a deployment permit from the DMV. There is only one company currently authorized to operate on a commercial deployment basis in the CPUC's autonomous vehicle program, and three companies that have obtained an autonomous vehicle deployment permit from the DMV.

Passenger carriers participating in the CPUC AV deployment program are required to submit data and quarterly reports to the CPUC with aggregated and anonymized information about

⁴ It's not clear that the term “autonomous vehicle manufacturer” is defined or utilized in the Vehicle Code, although the terms “autonomous vehicle” and “manufacturer” are defined separately. Presumably, this term is intended to enjoin the two definitions in a manner similar to the defined term “manufacturer of autonomous technology”. Nonetheless, this section would likely benefit from further technical revisions that this committee is not in a position to address.

⁵ AB 1777 (Chapter 682, Statutes of 2024) authored by Assemblymember Ting.

the pick-up and drop-off locations for individual trips; the availability and volume of wheelchair accessible rides; the service levels to disadvantaged communities; the fuel type used by the vehicles and electric charging; the vehicle miles traveled and passenger miles traveled; and engagement with advocates for accessibility and disadvantaged communities. The regulations also require those carriers to submit a detailed Passenger Safety Plan. This bill goes further, by specifying in particular detail how manufacturers and commercial autonomous vehicles will be managed by the operators, particularly during emergencies.

- 5) *This bill specifies procedures for fleetwide emergencies and other situations.* The stated intent of this bill is to assist with emergency response, and maintain public safety on public roads. Accordingly, this bill imposes specific requirements on the qualifications for remote assistants, remote drivers, and local incident technicians. Additionally, manufacturers would be required to follow specified procedures and ensure through staffing and assignment that remote drivers and local incident technicians would be available to respond to all calls and incidents, and for local incident technicians to be immediately available for dispatch in specified situations, and fleetwide emergencies as defined. Given the potential impact to public rights-of-way caused by AVs, these requirements are not unreasonable on their face. There is public interest in ensuring any vehicle, and certainly commercial autonomous vehicles, do not block the flow of traffic or emergency response. Accordingly, this bill requires the DMV to adopt guidelines establishing reasonable response times for local incident technicians to be present at the scene of an incident. This bill also imposes specific qualifications for local incident response technicians that are questionable and perhaps arbitrary.

For example, this bill requires a local incident technician to either be an employee of the manufacturer, or an entity contracted with the autonomous vehicle manufacturer that employs 50 or more local incident technicians, including a tow company. This standard is seemingly arbitrary, at least as it relates to public safety. If the policy objective is primarily to get vehicles cleared from the street within 30 minutes, as required under penalty by this bill, or have a real person available to coordinate with emergency response officials, it would seem that limiting the number of persons or entities that are authorized to do that work on behalf of the manufacturer may actually make it more difficult to comply. For example, in the event a local incident technician is required to respond to an incident 30 minutes away, it may be preferable to have the AV moved by a smaller tow company. On the other hand, this requirement would help spur employment or contracts with outside entities qualified to do the work, which would have economic development benefits in the areas where commercial autonomous vehicles operate. Further, especially in situations where a local incident technician is expected to coordinate with emergency response officials, it would be preferable to have a person who is familiar with the vehicles and company.

Separately, this bill also establishes a definition of “fleetwide emergency or system failure” for purposes of establishing the parameters of when a manufacturer must notify emergency response officials. Under the definition, any event that simultaneously affects, or has the potential to affect, multiple autonomous vehicles operating under the same software, communications, navigation, or operational system, regardless of geographic location would be considered a fleetwide emergency that requires notification to emergency response officials. While this is well intentioned and could serve to provide situational awareness, it may be beyond what is necessary to achieve the objective. For example, incidents affecting

only several vehicles would likely fall under the definition and require notification to emergency response officials. While several vehicles surely have the capability to cause traffic disruption, such a scenario may not otherwise be considered an emergency. The risk here is that emergency response officials could become overloaded with notifications for minor incidents, thus impacting their availability to respond to other matters. Going forward, the author may wish to consider whether further revising the number, proportion, or density of vehicles affected that constitutes a fleetwide emergency.

- 6) *This bill expands enforcement abilities of local prosecutors.* This bill would expand the enforcement powers of city attorneys and county counsels. Specifically, this bill would authorize both to bring a civil action for violations of the bill's provisions, and also for violations of the manufacturers deployment permit or any regulation authorizing the vehicle's operations. This would appear to include violations of the CPUC's autonomous vehicle deployment permits. Additionally, this bill authorizes enforcement by the same entities for a commercial autonomous vehicle that causes an obstruction during, emergency situations for a period of more than 30 minutes. This bill explicitly states that neither violation is a crime.

While this expansion is indeed significant and maybe unprecedented as it pertains to commercial autonomous vehicles operating pursuant to DMV permits only (ie; carrying goods, but not passengers), there is actually precedent for outside prosecutors to be authorized to initiate actions for violation of the CPUC's regulations. For example, the Passenger Charter-party Carriers' Act already authorizes the Attorney General, a district attorney or city attorney to institute and prosecute actions for the violation of any law committed in connection with a transaction involving a charter-party carrier of passengers⁶. As has already been established, commercial autonomous vehicles that carry passengers would be considered charter-party carriers and therefore subject to those provisions of the law. Additionally, certain violations of the Public Utilities Code relating to charter-party carriers are classified as misdemeanors⁷. To the extent that this bill imposes new legal requirements on commercial autonomous vehicles, for those under the supervision and jurisdiction of the CPUC, robust enforcement options already exist.

7) Similar/related legislation.

- a. AB 33 (Aguiar-Curry) of 2025 prohibits an AV without a human operator from delivering commercial goods directly to a residence or to a business for its use or retail sale. AB 33 is currently on the Senate Inactive File on the Senate Floor.
- b. 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. The bill was vetoed by Governor Newsom.
- c. AB 3061 (Haney) of 2024 would have required the manufacturers of AVs to report to DMV any vehicle collision, traffic violation, or disengagement, or the assault or

⁶ PUC § 5417.5

⁷ PUC § 5411

harassment of any passenger or safety driver that involves a manufacturer's vehicle in California starting July 31, 2025. The bill was vetoed by Governor Newsom.

- d. SB 915 (Cortese) of 2024 would have required local authorization for an AV commercial passenger service to operate within its limits. SB 915 was held in the Assembly Transportation Committee.
- e. AB 1777 (Ting) Chapter 682, Statutes of 2024) placed a variety of safety requirements on manufactures of AVs by July 1, 2026, and further authorized a peace officer to issue a "notice of autonomous vehicle noncompliance" for a violation of the Vehicle Code or a local traffic ordinance to an AV manufacturer.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Highway Patrolmen
California Federation of Labor Unions, Afl-cio
California Professional Firefighters
California Safety and Legislative Board, Smart – Transportation Division (smart – Td)
SEIU California

Opposition

Abate-a-weed
Alliance for Automotive Innovation
Aurora Innovation, INC.
Autonomous Vehicle Industry Association
Avrs Group
Bay Area Council
Bot Auto
Calasian Chamber of Commerce
Calchamber
California Alliance for Freight Innovation
California Manufacturers & Technology Association (CMTA)
Chamber of Progress
Einride
Flasher Barricade Association
Gatik
Honda
International Motors LLC
Kodiak Robotics, INC.
Moia America
Mountain View Chamber of Commerce
National Federation of Independent Business (NFIB)
Nuro, INC.
Palo Alto Chamber of Commerce
Plus Ai
Sf.citi

Silicon Valley Leadership Group
Stack Av
Technet
Tesla
Tier Iv
Torc
Truck and Engine Manufacturers Association
United Spinal Association
Valley Industry and Commerce Association (VICA)
Volvo Group North America
Waabi
Zoox, INC.

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