

SENATE THIRD READING
SB 1246 (Cortese)
As Amended August 21, 2026
Majority vote

SUMMARY

Imposes new requirements on autonomous vehicle (AV) manufacturers and autonomous passenger service vehicles pertaining to remote assistants, drivers, and local incident technicians, and further provides requirements pertaining to emergency response procedures, manual override systems, data management, as specified.

Major Provisions

- 1) *Delays implementation to July 1, 2028.*
- 2) For provisions specified in this bill, provides various definitions relating to emergency response, remote operations, local incident technicians.
- 3) Requires remote drivers, or local incident technicians, as defined, who monitor, direct, provide input to, advise, supervise, or control commercial autonomous vehicles on a public road in this state, or that provides onsite response to incidents on behalf of an autonomous vehicle manufacturer, be located within the United States and hold a valid US driver's license of the appropriate class with any endorsements required for a human driver to lawfully operate the same vehicle within the state.
- 4) Requires, in the event of a fleetwide emergency or system failure, an autonomous vehicle manufacturer to immediately notify local jurisdictions and emergency dispatch and creates a civil penalty up to \$5000 for failing to do so.
- 5) Requires an AV manufacturer to provide manual override training and written guidance to local incident responders, emergency response officials, and towing providers regarding the manual override system, including safe disabling, relocation, and communication procedures.
- 6) Creates a civil penalty of up to \$10,000 for any commercial AV that causes obstruction during, or that otherwise causes interference with, emergency events, emergency operations, or law enforcement operations for a period of more than 30 minutes from the moment an emergency response official requests a local incident technician.
- 7) 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.
- 8) 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.
- 9) Requires the Commission on Peace Officer Standards and Training (POST) to develop uniform guidelines and requirements for the manual override training and written guidance required to be provided by autonomous vehicle operators. Authorizes POST to charge a fee sufficient to cover the reasonable regulatory costs associated with administering this section.

- 10) Specifies that a violation of the above provisions are not crimes and would instead make violations of these provisions subject to specified civil penalties up to \$10,000 for obstructing vehicles *during emergency events or law enforcement operations for more than 30 minutes. Establishes guidelines for the court to consider when determining the penalty.*
- 11) Requires POST to implement a course or courses of instruction for voluntary training of law enforcement officers on commercial AVs.

COMMENTS

In 2012, the Legislature passed SB 1298 (Padilla), Chapter 570, permitting AVs to operate on public roads for testing by a driver under certain conditions. Two years later, in 2014, DMV released regulations enabling AVs to be tested with a test driver. Subsequently, in April 2018, DMV finalized regulations for both testing and deploying AVs on public roads without a driver.

Thirty-six companies currently have a permit to test with a driver (down from a high of 58), and six companies have received a permit to test 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.

On April 28, 2026, DMV updated its AV regulations, providing additional oversight and enforcement for AVs while also permitting heavy-duty AVs with a gross vehicle weight rating (GVWR) over 10,001 pounds to operate on California roads with a testing and deployment permit. These changes are the most significant update to the DMV's AV regulations since the DMV first permitted driverless testing and deployment on April 2, 2018.

California has been the epicenter of the testing and deployment of AVs. AV permit holders in California logged more than 9 million test miles between December 1, 2024, and November 30, 2025. Nearly half (4.192 million) of those miles were driverless testing miles. Waymo, the only AV company with a deployment permit, drove a total of 61.5 million miles between 2023 and the third quarter of 2025, including 32.3 million miles with passengers. As of September of 2025, Waymo has made over a million passenger trips a month in California, carrying 1.37 million passengers.

The National Highway Traffic Safety Administration (NHTSA) requires AV companies to report crashes to NHTSA. In the last 12 months, AV companies have reported 927 crashes. Since NHTSA began collecting data on AVs in 2021, only 218 injury-related crashes and two 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 operated in three states.

According to the *Analysis of pre-crash scenarios and contributing factors for autonomous vehicle crashes at intersections*, Accident Analysis & Prevention, 58% of AV crashes reported to California DMV from 2018 to 2022 were rear-end collisions.

Vehicle immobilization. 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 to call 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)."

On December 20, 2025, a blackout in San Francisco resulted in Waymo's fleet stopping 1,593 times for two minutes or more. Dispatchers called Waymo 31 times to get vehicles moved, and one call was left on hold for 53 minutes. San Francisco Mayor Lurie ultimately contacted the CEO of Waymo personally to demand the robotaxis be removed from city streets.

Vehicle immobilization incidents have resulted in major changes to DMV regulations and were the driving force behind AB 1777 (Ting, Ch. 682, Stats. 2024), which required better communication with emergency responders. Starting July 1, 2026, autonomous vehicles will be required to have a dedicated emergency response telephone line available for emergency response officials during all hours when the autonomous vehicle is on a public road. The dedicated emergency response telephone line must be equipped and staffed to ensure calls are picked up within 30 seconds by remote operations support personnel who have situational awareness of the autonomous vehicle. There must be a two-way voice communication device that enables emergency response officials who are near the vehicle to communicate effectively with remote operations support that has situational awareness. Emergency response must be able to reach the remote operations support personnel within 30 seconds.

Under the 2018 regulations, the only action DMV could take against a company that failed to comply with DMV regulations was to suspend or revoke its permit to operate. The new regulations provide DMV with incremental enforcement measures, including operational restrictions that include, but are not limited to:

- 1) Reduction in the daily fleet in an area determined by the department or any portion of the operational design domain.
- 2) Reduction in operational design domain (e.g., geographic area of operation, road type, weather, etc.).
- 3) Reduction in hours of operation.
- 4) Requirement that an autonomous vehicle test driver or support personnel be present in the vehicle under certain conditions.
- 5) DMV regulations also established the ability for local authorities to issue a notice of noncompliance against an AV manufacturer for violations of the rules of the road. Violations could result in DMV action being taken against them.

According to the Author

"Autonomous vehicles (AV) are operating on California's roads every day. Recent events have shown us that when major AV incidents occur, the stalled vehicles don't just block traffic or public transit - they also interfere with first responders and other emergency operations. Our firefighters, law enforcement, and other emergency personnel cannot afford to wait on remote operators to respond to dynamic situations. SB 1246 sets common-sense standards in place, to increase local coordination, and ensure that AV companies take responsibility for their vehicles. By improving response times, transparency, and accountability SB 1246 will help clear the way for first responders to keep the public safe."

Arguments in Support

Service Employees International Union (SEIU), the sponsor of this bill, writes: "Autonomous vehicle use is rapidly proliferating in California, and like any new technology, there are unanticipated consequences. On December 20, 2025, a single power outage in San Francisco caused over 1,500 AV stoppages, resulted in AVs blocking fire trucks and ambulances responding to emergencies, required the Mayor of San Francisco to personally contact the AV company's CEO to get the AVs cleared, and overwhelmed AV companies' first responder hotlines, with some emergency services staff placed on hold for 53 minutes. These events made clear that current operations and the corresponding regulatory framework are inadequate for the scale of AV deployment already underway. Other concerning incidents have involved AVs driving through active police standoffs, illegally passing school buses, driving over fire hoses, and hitting and injuring children....Autonomous vehicles are on the roads across California, and like any new technology the impacts are felt at the local level first. We urge the legislature to pass these common-sense safety standards, which will ease the burden on local government resources and ensure first responders are not delayed when we need them the most."

Arguments in Opposition

The Autonomous Vehicle Industry Association, writing in opposition to this bill, argues "This bill would directly conflict with statutory and regulatory obligations poised to take effect this year. Rather than rushing through this bill, the Legislature should allow these new rules, which were adopted with thorough broad stakeholder engagement, to take effect before considering additional mandates that would disrupt implementation.

"SB 1246 addresses complex issues with no equivalence anywhere else in the United States and does so against the backdrop of ongoing regulatory efforts at the Department of Motor Vehicles (DMV) and the near-term implementation of new requirements that address topics regulated by this bill.

'Finally, SB 1246 fails to recognize the immense stakeholder engagement the AV industry has done in California, most notably with the law enforcement and first responder communities. This engagement and daily communication is wedded to the fabric of the AV industry. The industry has devoted significant resources to training California's law enforcement and first responders about AV technology and providing ongoing information to ensure the vehicles are safely integrated into California's communities."

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) The DMV will incur one-time costs, likely of about \$115,000, to develop and adopt regulations related to new requirements imposed on AV operators (Motor Vehicle Account (MVA)). The DMV projects the MVA will have a structural deficit as of fiscal year 2027-28.
- 2) POST will need to develop a training course or courses, develop guidelines and establish a process to review and certify AV manufacturers' manual override training and written guidance. POST estimates one-time costs of \$250,000 (GF). POST may be able to recover these costs through a fee on AV manufacturers.
- 3) Potential court cost pressures of an unknown, but potentially significant amount (Trial Court Trust Fund (TCTF), GF). Although courts are not funded on a workload basis, increased workload creates pressure on the GF to backfill the TCTF. The Budget Act of 2025-26 included \$117.3 million GF to backfill the TCTF for trial court operations.

VOTES

SENATE FLOOR: 27-9-4

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Grove, Hurtado, Laird, Limón, McGuire, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Umberg, Wahab, Weber Pierson

NO: Alvarado-Gil, Choi, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares, Wiener

ABS, ABST OR NV: Cabaldon, Dahle, McNerney, Stern

ASM TRANSPORTATION: 13-2-1

YES: Wilson, Davies, Ahrens, Ávila Farías, Carrillo, Elhawary, Harabedian, Hart, Jackson, Lackey, Papan, Ransom, Rogers

NO: Hoover, Macedo

ABS, ABST OR NV: Ward

ASM COMMUNICATIONS AND CONVEYANCE: 7-1-1

YES: Boerner, Bonta, Caloza, Krell, Lowenthal, Rogers, Blanca Rubio

NO: Hoover

ABS, ABST OR NV: Castillo

ASM APPROPRIATIONS: 11-4-0

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Hoover, Dixon, Ta, Tangipa

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