

SENATE THIRD READING  
SB 1315 (Cabaldon)  
As Amended June 24, 2026  
Majority vote

## SUMMARY

This bill requires the manufacturer of an advanced driver assistance system, or an automobile equipped with an advanced driver assistance system, ensure a driver is able to disable or disengage either an advanced driver assistance system or autonomous technology as a condition of operating the vehicle under a condition in which manual operation was previously available and specifies that failure to do is subject to a civil penalty of \$25,000 per violation.

### Major Provisions

- 1) Provides that the Attorney General, a district attorney, or a city attorney may bring a civil action to enforce the provisions of this bill with a civil penalty not to exceed \$25,000 per violation. Provides that each material software update deployed in violation of this section constitutes a separate violation.
- 2) Provides that a violation of this provision is not an infraction or an unlawful business practice under section 17200 of the Business Code.
- 3) Authorizes the Department of Motor Vehicles (DMV), at the next regularly scheduled update of the driver's exam, to consider adding specific questions about driver assistance systems, the limitations of those systems and the obligation of a driver who uses those systems.

## COMMENTS

Society of Automotive Engineers (SAE) International is a U.S. based professional association of engineers. SAE International's *Taxonomy and Definition for Terms Related to Driving Automation Systems for On-Road Motor Vehicles* have become the accepted engineering definitions for the different levels of automation with National Highway Traffic Administration (NHTSA) and Department of Motor Vehicles (DMV). SAE has designated six different levels of Automated Vehicles (AVs):

Level 0: The human driver does all the driving.

Level 1: An advanced driver assistance system (ADAS) on the vehicle can sometimes assist the human driver with either steering or braking/accelerating, but not both simultaneously. An example includes adaptive cruise control.

Level 2: ADAS on the vehicle control both steering and braking/accelerating simultaneously under some circumstances. The human driver must pay full attention ("monitor the driving environment") at all times and perform the rest of the driving task. Examples include Tesla's Autopilot and Cadillac Super Cruise.

Level 3: An ADAS on the vehicle performs all aspects of the driving task under some circumstances. In those circumstances, the human driver must be ready to take back control at any time when the ADAS requests the human driver to do so. In all other circumstances, the human driver performs the driving task.

Level 4: ADAS on the vehicle performs all driving tasks and monitors the driving environment – essentially, does all the driving – in certain circumstances. Humans need not pay attention in those circumstances.

Level 5: ADAS on the vehicle does all the driving in all circumstances. The human occupants are passengers and do not need to be involved in driving.

Level 2 systems require the driver to pay active attention to the road at all times. Level 3 systems allow the driver to completely disengage from the driving task until the vehicle requests the human to take back control. Experts question whether humans can safely transition between these states.

Experts and some AV developers have questioned whether Level 3 vehicles are safe at all, as it creates a split responsibility between drivers and machines. In October of 2015, Google released a report on its experiences with its driverless technology. In 2012, several Google employees were allowed to use Google's vehicles on autonomous mode for the freeway portion of their commute to work. Every employee was warned that the car is in its beginning stage, and they should pay attention 100% of the time. Each car was equipped with a video camera inside that would film the passengers.

Despite Google's instructions, videos showed that some drivers completely turned away from the driving seat to do things like search for a cell-phone charger, while others simply relaxed. Engineers call this behavior automation bias. Google stated in their report: "We saw human nature at work: people trust technology very quickly once they see that it works. As a result, it's difficult for them to dip in and out of the task of driving when they are encouraged to switch off and relax."

Waymo, Google's automated vehicle arm, has publicly stated they will not be releasing Level 3 vehicles out of safety concerns that drivers may fall asleep while systems are operating, placing the driver and other users at risk.

Research at Virginia Tech University sponsored by General Motors (GM) and the Federal Highway Administration found similar results. Twelve drivers were given vehicles with adaptive cruise control that handled a car's steering and breaking and put on a test track. Drivers were provided with reading material, food, drinks and entertainment media. A passenger joined them and was watching a DVD during the test drive. 58% of drivers watched the DVD for some time during the three-hour trip. 25% of the drivers read--increasing their risk of a car crash by 3.4 times. Overall, drivers were estimated to be looking away from the road about 33% of the time during the course of the three-hour trip.

Vehicle manufacturers have developed driver monitoring systems for Level 2 vehicles in order to ensure drivers are paying attention to the road. These systems include cameras to monitor a driver's eyes, weight sensors to ensure a person is in the driver's seat, and monitors in the steering wheel to ensure the person is still holding it even though the vehicle is performing the driving tasks.

While Level 2 systems are not as advanced as Level 3 systems, the problems identified by Google for Level 3 systems for driver overreliance have been prevalent for users of Level 2 systems. Unlike Level 3 systems, Level 2 systems are not capable of completing all dynamic

driving tasks but can complete enough of the dynamic driving tasks where drivers may stop paying attention.

In 2021, the National Highway Traffic Administration (NHTSA) issued a standing blanket order requiring manufacturers and operators to report to it certain crashes involving vehicles equipped with Level 2 automated driving systems or advanced driver assistance systems. In 2022, 392 crashes were reported, including six fatalities. Tesla accounted for 273 of the crashes.

While much of the existing safety data focuses on driver distraction when automation is active, a parallel consumer protection issue has emerged regarding vehicle autonomy: the risk that manufacturers may use over-the-air software updates to permanently restrict a driver's manual operational control or alter vehicle handling without consumer consent.

According to a recent peer-reviewed study analyzing user behavior published in *Frontiers in Psychology* (and indexed via the National Institutes of Health), partial automation systems create severe safety hazards rooted in human behavioral adaptation, system complacency, and technological unpredictability.

The study highlights a dangerous operational paradox for systems classified under SAE Level 2, which require constant human supervision:

Over extended use, standard highway automation systems often induce a false sense of security. Drivers frequently succumb to "mind-off" driving, engage in severe secondary distractions (such as texting or sleeping), and intentionally bypass driver-monitoring safety checks using aftermarket steering wheel weights.

**System Unpredictability and Increased Workload:** Conversely, in complex urban environments, systems like FSD Beta operate with high levels of erratic and unpredictable behavior. Because technology can "do the wrong thing at the worst time," drivers are forced into a state of hyper-vigilance. This constant anticipation of sudden system failures ironically increases the driver's mental and physical workload, stress, and operational fatigue.

Ultimately, the empirical data suggests that current Level 2 driver-monitoring mechanisms are insufficient to mitigate these risks. Partial self-driving systems either promote dangerous driver disengagement on one hand, or introduce acute, unsafe operational stress on the other, creating significant oversight challenges for traffic safety and vehicle code enforcement.

This bill ensures drivers can make the decision on whether they want to use new features sent by automakers.

### **According to the Author**

California has long led the nation in embracing technological innovation, and autonomous vehicles are no exception. As this technology evolves, California must ensure drivers are informed and protected. SB 1315 prohibits automobile manufacturers from providing software updates that remove or restrict a driver's ability to manually operate their own vehicle. No Californian should lose the ability to drive their own car because of a silent software update.

"The bill also requires the Department of Motor Vehicles to consider adding questions about autonomous driving systems to the driver's license examination, to ensure that future drivers understand their legal responsibilities and the limitations of these technologies.

"SB 1315 does not impede autonomous vehicle adoption; rather, it establishes the consumer protections necessary for that adoption to proceed on a data-driven foundation."

**Arguments in Support**

None on file.

**Arguments in Opposition**

None on file.

**FISCAL COMMENTS**

According to Assembly Appropriations Committee:

- 1) Minor costs to the DMV.
- 2) Potential court cost pressures of an unknown, but potentially significant amount (Trial Court Trust Fund (TCTF), General Fund (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: 38-0-2**

**YES:** Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNeerney, Menjivar, Ochoa Bogh, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

**ABS, ABST OR NV:** Niello, Padilla

**ASM TRANSPORTATION: 15-0-1**

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

**ABS, ABST OR NV:** Ward

**ASM JUDICIARY: 12-0-0**

**YES:** Kalra, Macedo, Bauer-Kahan, Bryan, Connolly, Dixon, Harabedian, Pacheco, Papan, Sanchez, Stefani, Zbur

**ASM APPROPRIATIONS: 15-0-0**

**YES:** Wicks, Hoover, Arambula, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

**UPDATED**

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