March 6, 2023

Assembly Member Laura Friedman
Chair, California State Assembly Transportation Committee
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P.O. Box 942849-0044
Sacramento, CA 95814

Assembly Member Vince Fong
Vice Chair, California State Assembly Transportation Committee
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RE: Assembly Bill 316 (Aguiar-Curry, 2023): OPPOSE

Dear Chair Friedman, Vice Chair Fong, and members of the Assembly Transportation Committee,

The undersigned organizations write to express strong opposition to AB 316, which would effectively ban autonomous truck deployments by requiring a "human safety operator" to be physically present in all heavy-duty autonomous vehicles ("AV"). We have come together out of our shared commitment to usher in the promise of autonomous trucking through the safe and expeditious deployment of this technology in California.

Autonomous trucks will make our roads safer, boost supply chain efficiency, and create new, high-quality career opportunities for workers without causing significant job displacement. As explained in more detail below, however, prohibiting the operation of heavy-duty AVs unless a human operator is physically present in the vehicle is effectively a permanent ban on driverless trucks, would undermine California's regulatory process, block California from accessing the benefits of autonomous trucking technology, and further set California back on this critical innovation relative to other states.

AB 316 would impose a permanent ban on Level 4 driverless trucks in California. By requiring human operators in autonomous trucks—in perpetuity, and with no articulated path for the state to approve fully autonomous solutions—AB 316 would impose a clear ban on Level 4 driverless trucks in California. Accordingly, the measure effectively locks California into the status quo, ensuring innovative technology developed in California simply cannot be deployed in the Golden State. Without a clear path to driverless deployment, the AV trucking industry cannot realistically invest in testing operations either. The current absence of testing and deployment rules for autonomous trucks in California has already pushed California-based companies to innovate and create jobs in other states that are leading the way, while precluding California consumers, businesses, and its supply chain from realizing the benefits of this critical technology.

AB 316 would thwart California's robust regulatory process. The Legislature passed a comprehensive legislative framework in 2012, which authorized the testing and deployment of AVs pursuant to regulations adopted by the Department of Motor Vehicles ("DMV") and the California Highway Patrol ("CHP"). Although the Legislature did not distinguish between vehicle classes when it directed the agencies to adopt such regulations, the DMV's regulations currently prohibit heavy-duty AVs from testing or deploying in California. The DMV and the CHP—experienced safety regulators that have already established a robust regulatory regime for light-duty AVs—are now confronting this issue, with the agencies recently taking a critical step to initiate a rulemaking process that addresses AVs over 10,000 pounds. Instead of imposing an ex ante human-driver requirement that would serve only to further forestall heavy-duty AV innovation and investment in the state, the Legislature should allow this public, stakeholder-focused rulemaking process to appropriately take its course.

California would continue to fall even further behind other states on autonomous trucking innovation. California was among the first states to adopt a comprehensive legislative framework for AV testing and deployment over a decade ago. AV technology has since been tested and deployed in states across the country and across modalities, and it maintains an incredible safety record. Other states have taken notice, and now, a majority of U.S. states have recognized the numerous benefits of AVs by authorizing AV deployment, including deployment of autonomous trucks. Requiring a human driver to remain in AVs that weigh 10,000 pounds or more would deviate from the overwhelming majority of states' approaches to AV regulation.

The status quo for safety is unacceptable. The National Highway Traffic Safety Administration ("NHTSA") estimates that nearly 43,000 traffic deaths occurred in 2021—representing a 16-year high and an 11% increase in fatalities from 2020. Nearly 14% of crashes in the United States involve a truck, and 1 in 3 long-haul truck drivers experience a serious crash in their career. In their Large Truck Crash Causation Study, NHTSA and the Federal Motor Carrier Carrier Safety Administration ("FMCSA") found that drivers of trucks over 10,000 pounds were responsible in 87% of incidents in which the truck caused the crash. Rather than increase barriers to the deployment of heavy-duty AVs, California should support driverless AV operation because, unlike human drivers, AVs do not drive drunk, text while driving, fall asleep at the wheel, or recklessly speed. Indeed, for over a dozen years, AV technology has been tested on America's public roads and maintains a remarkable safety record. Autonomous trucks are safely operating without human drivers across the country, but AB 316 would prevent California from reaping these safety benefits.

AVs will create new, high-quality jobs while avoiding displacement of current drivers. In addition to enhancing safety on our roadways, the AV industry is currently leveraging the existing workforce to create new roles for different education and skill levels. Many of the jobs created will not require a college degree, such as service technicians, remote assistance operators, mapping data collectors, delivery packers, and more. Several leading AV developers expect to deploy their technology on long-haul trucking lanes using a transfer hub model, creating new job opportunities at logistics facilities, as well as increasing demand for human short-haul drivers to move goods the first and last mile. Workers with experience in the trucking industry specifically, particularly as truck drivers, offer valuable skills to AV trucking employers. Unfortunately, the U.S. trucking industry is currently short of an estimated 78,000 truck drivers due to a long-term decline in new drivers entering the profession, and an annual turnover rate exceeding 90%. If current trends continue, the shortage could surpass 160,000 in 2031. Driverless truck deployments can help mitigate the driver shortage and increase quality of life for workers in the logistics industry, but supporting innovation is a necessary step to the development of a strong workforce.

Autonomous trucks will bring economic and supply chain efficiency benefits. Autonomous heavy-duty vehicles that operate in interstate commerce will fundamentally change the manner and speed in which goods move in our country while making roads safer for everyone. This technology also presents an array of environmental benefits, including greater fuel efficiency, more efficient use of physical infrastructure, reduced congestion, and reduced agricultural spoilage and related preservation of soil and water resources. Moreover, autonomous long-haul trucking has the potential to broadly benefit the economy by improving the efficiency of countless industries that rely on moving goods on trucks, such as agriculture, retail, and manufacturing. According to a study funded by the U.S. Department of Transportation and Federal Highway Administration, automating long-haul trucking will spur $111 billion in aggregate investment spending across the U.S. economy, increase total U.S. employment by 26,400 to 35,100 jobs per year on average, and raise annual earnings for all U.S. workers by more than $200 per worker per year. In California specifically, a study from the Silicon Valley Leadership Group Foundation found that autonomous trucking technology can add $6.5 billion in economic activity to the state, while bringing greater efficiency to our supply chain, spurring wage gains and job growth..

Autonomous trucks will usher in a new era of mobility, with incredible potential to improve safety, efficiency, make California's transportation system safer, more efficient, and more accessible. We strongly believe California should continue to support safety-enhancing policies without foreclosing a future with autonomous trucks. For the reasons described above, we respectfully strongly oppose AB 316.

Sincerely,

Autonomous Vehicle Industry Association
Abate-A-Weed
AT Industrial Products
Aurora
AUVSI
Bay Area Council
California Asian Chamber of Commerce
California Chamber of Commerce
California Delivery Association
California Hispanic Chamber of Commerce
California Manufacturing and Technology Association
California Retail Hardware Association
California Small Business Association
California Alliance for Freight Innovation
California Clothing Recyclers
Cavnue
Coalition of Small and Disabled Veteran Businesses
Consumer Technology Association
Einride
Fairfax Lumber and Hardware
Family Business Association of California
Gatik
Inland Empire Chamber Alliance
Inland Empire Economic Partnership
International Warehouse and Logistics Association
Kodiak Robotics
MEMA, The Vehicle Suppliers Association
Mountain View Chamber of Commerce
Plus
Rich Desmond, Board Chair, Sacramento County
San Gabriel Valley Economic Partnership
San Jose Chamber of Commerce
Seabreeze Charts and Books
Spartan Radar
Star Milling Co.
Sunnyvale Chamber of Commerce
Silicon Valley Leadership Group
TechNet
TuSimple
Uber Freight
US Xpress
Waabi
Waymo