



PCI's California voice.

April 24, 2017

Brian G. Soubllet, Chief Counsel  
Department of Motor Vehicles  
Legal Affairs Division  
P.O. Box 932382, MS C-244  
Sacramento, CA 94232-3820

**RE: AUTONOMOUS VEHICLE REGULATION**

Dear Mr. Soubllet:

ACIC is the Property Casualty Insurers Association of America's (PCI) voice in California. ACIC represents 391 property/casualty insurance companies doing business in California and PCI is composed of nearly 1,000 member companies, representing the broadest cross-section of insurers of any national trade association. ACIC appreciates the opportunity to provide comments to the Department of Motor Vehicles' (DMV) proposed autonomous vehicle regulations.

ACIC supports innovation in the market place for transportation and recognizes that automated driving technology holds great promise for improving mobility in society and reducing the number of accidents, injuries and deaths on our roads, but also represents a fundamental change in the driving risk. Insurers further recognize that changes to existing laws and regulations may be needed to facilitate the testing and deployment of vehicles with automated driving systems, including those that apply to auto safety, insurance and how liability is determined for an accident.

After a careful review of the proposed autonomous vehicle regulations, however, there are a couple of amendments that we would like to suggest to ensure that the proposed regulations are within the statutory framework of SB 1298 (Chapter 570, 2012) and satisfy the Administrative Procedures Act (APA).

**I. Exchange of Data**

The proposed regulation is silent about accessing data after an accident or collision. In today's world, an exchange of information or a statement is made to law enforcement. If the automobile is driverless, then the data in that automobile is the statement necessary to determine liability. Sound public policy dictates a clear standard to address this issue as accidents or collisions are inevitable. We, therefore, urge DMV to include language from previous proposed regulations:

- *The manufacturer shall certify that it will release autonomous technology sensor data as specified in this section that is in the possession or control to law enforcement or peace officers within 24 hours of their request for such data.*

## **II. Types of Data**

The proposed regulation requires that driverless automobiles have an “autonomous technology data recorder,” but stops short of outlining the necessary data. In our view, all driverless automobiles should, at a minimum, capture data related to speed, steering, braking, and objects detected by sensors or video cameras.

## **III. Clarity of Insurance Requirements**

The insurance section references 227.10 of the testing requirements (e.g., \$5 million surety bond), but is unclear what insurance is required for self-insurance or what limit applies. We recommend the DMV clearly specify the type of insurance required under the regulations to be consistent with the enabling statute, SB 1298.

ACIC appreciates your consideration of these comments and looks forward to working with DMV and the California Department of Insurance on these issues. Should you have any questions, please do not hesitate to contact me directly at (916) 440-1117 or email at [armand.feliciano@acicnet.org](mailto:armand.feliciano@acicnet.org).

Respectfully Submitted,



Armand Feliciano  
ACIC Vice President

Cc: The Honorable Governor Jerry Brown  
The Honorable Senator Tony Mendoza, Chair Senate Insurance Committee  
The Honorable Assembly member Tom Daly, Chair, Assembly Insurance Committee  
The Honorable Insurance Commissioner Dave Jones