

File No. 250762

Committee Item No. _____

Board Item No. 77

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: July 22, 2025

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
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OTHER

- | | | |
|--------------------------|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Assembly Bill 33 6/30/25</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>CSAC and LCC Standing 7/16/25</u> |
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Prepared by: Lisa Lew

Date: July 18, 2025

Prepared by: _____

Date: _____

1 [Supporting California State Assembly Bill No. 33 (Aguiar-Curry) - Autonomous Vehicles]

2
3 **Resolution supporting California State Assembly Bill No. 33, Autonomous Vehicles,**
4 **introduced by Assembly Member Cecilia Aguiar-Curry, which prohibits an autonomous**
5 **vehicle without a human operator from delivering commercial goods directly to a**
6 **residence or to a business for its use or retail sale.**
7

8 WHEREAS, On December 2, 2024, Assembly Member Cecilia Aguiar-Curry introduced
9 Assembly Bill No. 33 to address community safety concerns regarding fully autonomous
10 commercial delivery vehicles operating without human oversight; and

11 WHEREAS, Assembly Bill No. 33 would prohibit autonomous vehicles without human
12 operators from delivering commercial goods directly to residences or businesses, ensuring
13 human oversight and accountability in commercial delivery operations that interact directly
14 with the public; and

15 WHEREAS, The proliferation of autonomous vehicles in San Francisco has raised
16 significant safety concerns among residents, pedestrians, and local businesses regarding
17 unattended commercial deliveries in residential neighborhoods and business districts; and

18 WHEREAS, Autonomous vehicles have demonstrated operational challenges in San
19 Francisco, including incidents where they have delayed emergency responders, blocked
20 traffic, and created safety hazards for pedestrians and other vehicles; and

21 WHEREAS, Commercial deliveries require interaction with customers, navigation of
22 complex residential and business environments, and the ability to respond to unexpected
23 situations that benefit from human judgment and intervention; and

24 WHEREAS, A requirement for human operators in autonomous vehicles that conduct
25 commercial deliveries provides immediate accountability, customer service capability, and

1 emergency response when issues arise during delivery operations; and

2 WHEREAS, Assembly Bill No. 33 strikes an appropriate balance between allowing
3 autonomous vehicle technology to develop while ensuring public safety and community
4 protection through required human oversight for commercial delivery operations; and

5 WHEREAS, Assembly Bill No. 33 supports job preservation in the delivery and
6 transportation sectors while promoting responsible deployment of autonomous vehicle
7 technology; and

8 WHEREAS, San Francisco has a strong interest in ensuring that emerging
9 transportation technologies are deployed in a manner that prioritizes public safety and
10 community welfare; now, therefore, be it

11 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
12 hereby urges the California State Legislature and the Governor to pass Assembly Bill No. 33;
13 and, be it

14 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
15 Francisco hereby directs the Clerk of the Board to transmit a copy of this Resolution upon
16 passage to the San Francisco's state legislative delegation and the City Lobbyist.

AMENDED IN SENATE JUNE 30, 2025

AMENDED IN ASSEMBLY APRIL 1, 2025

AMENDED IN ASSEMBLY MARCH 4, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 33

Introduced by Assembly Member Aguiar-Curry
(Principal coauthor: Assembly Member Lackey)
(Coauthors: Assembly Members ~~Davies~~ Addis, Davies, and
Lowenthal)
(Coauthor: Senator Cervantes)

December 2, 2024

An act to add Sections 38760, 38761, ~~38762, and 40010~~ and 38762 to the Vehicle Code, relating to autonomous vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 33, as amended, Aguiar-Curry. Autonomous vehicles.

Existing law authorizes the operation of an autonomous vehicle on public roads for testing purposes by a driver who possesses the proper class of license for the type of vehicle operated if specified requirements are satisfied. Existing law prohibits the operation of an autonomous vehicle on public roads until the manufacturer submits an application to the Department of Motor Vehicles, as specified, and that application is approved. A violation of the Vehicle Code or a local ordinance adopted pursuant to that code is an infraction.

This bill would prohibit the delivery of commercial goods, as defined, directly to a residence or to a business for its use or retail sale through the operation of an autonomous vehicle without a human *safety* operator on any highway within the State of California. The bill would ~~declare~~

~~that a violation of this prohibition is not an infraction and is instead punishable by a civil fine not to exceed \$25,000 for each instance of the violation. The bill would make certain findings and declarations related to these provisions. make a first violation of this provision subject to a \$10,000 administrative fine and a \$25,000 administrative fine for subsequent violations. The bill would authorize the department to suspend or revoke the permit of an autonomous vehicle manufacturer for repeated violations of this provision.~~

The bill would require the department to submit a report to the Legislature evaluating the performance of autonomous vehicle technology and its impact on public safety and employment, as specified. This bill would require all relevant state agencies, including, among others, the Department of Transportation and the State Air Resources Board, to provide information to the department to research this report. The bill would prohibit the department from issuing a deployment permit for the use of an autonomous vehicle to deliver commercial goods without a human *safety* operator until a later enacted statute authorizes the issuance of a permit for that purpose.

The bill would also make certain findings and declarations related to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The deployment of autonomous vehicles (AVs) for
- 4 commercial purposes poses potential risks to road safety, especially
- 5 given the technology's reliance on complex algorithms that can
- 6 be prone to unforeseen errors and failures.
- 7 (b) The widespread use of AVs in the delivery industry threatens
- 8 the livelihoods of thousands of Californians employed as drivers
- 9 and delivery personnel whose work provides stable, well-paying
- 10 jobs that support families and communities.
- 11 (c) While technological innovation is valuable, it must be
- 12 balanced against the potential displacement of workers and the
- 13 economic impact on local economies. Preserving good jobs and
- 14 ensuring robust workforce participation is essential to California's
- 15 long-term economic health.

(d) The state must prioritize the development and enforcement of regulations that protect public safety, promote job security, and maintain oversight over emerging technologies.

SEC. 2. Section 38760 is added to the Vehicle Code, to read:

38760. For purposes of ~~Section 38761~~, *Sections 38761 and 38762*, the following definitions shall apply:

(a) “Autonomous vehicle” has the same meaning as that term is defined in paragraph (2) of subdivision (a) of Section 38750.

(b) “Commercial goods” means any goods, wares, merchandise, or other tangible items requiring transportation for a fee or a commercial purpose. Commercial goods include any items for which a motor carrier permit is required pursuant to Division 14.85 (commencing with Section 34600).

(c) (1) “Human *safety* operator” means a person operating an autonomous vehicle or vehicle equipped with autonomous technology who is trained in operating and shutting off the vehicle. A human *safety* operator shall meet all federal and state qualifications for the type of vehicle being operated, whether in automated or nonautomated mode.

(2) The definition of “operator,” as that term is defined in paragraph (4) of subdivision (a) of Section 38750, is separate and distinct and does not apply to Section 38761.

(d) “Motor carrier permit” means the authorization issued by the department that allows motor carriers to transport property for compensation pursuant to Chapter 2 (commencing with Section 34620) of Division 14.85.

SEC. 3. Section 38761 is added to the Vehicle Code, to read:

38761. (a) Notwithstanding any other law, the delivery of commercial goods directly to a residence or to a business for its use or retail sale through the operation of an autonomous vehicle without a human *safety* operator is prohibited on a highway within the State of California.

(b) (1) *The department shall impose an administrative fine of ten thousand dollars (\$10,000) for a first violation of this section.*

(2) *The department shall impose an administrative fine of twenty-five thousand dollars (\$25,000) for each subsequent violation of this section.*

(3) *Penalties assessed pursuant to this section shall be recoverable by the department and deposited into the Motor*

1 *Vehicle Account in the State Transportation Fund for use by the*
2 *department in administering this chapter.*

3 *(c) The department may, subject to regulations adopted pursuant*
4 *to subdivision (d) of Section 38750 and the notice and hearing*
5 *requirements of Chapter 5 (commencing with Section 11500) of*
6 *Part 1 of Division 3 of Title 2 of the Government Code, suspend*
7 *or revoke the permit of an autonomous vehicle manufacturer for*
8 *repeated violations of this section.*

9 SEC. 4. Section 38762 is added to the Vehicle Code, to read:

10 38762. (a) (1) By January 1, 2031, or five years after
11 commencement of testing, whichever occurs later, and upon
12 appropriation by the Legislature, the department shall submit a
13 report to the Legislature and the relevant policy and fiscal
14 committees evaluating the performance of autonomous vehicle
15 technology and its impact on public safety and employment in the
16 transportation sector for autonomous vehicles utilized to deliver
17 commercial goods.

18 (2) The report shall include both of the following:

19 (A) A summary of disengagements, crashes, and other
20 information the department believes is relevant.

21 (B) A recommendation on whether the Legislature should
22 remove, modify, or maintain the requirement for an autonomous
23 vehicle utilized to deliver commercial goods to operate with a
24 human safety operator physically present in the vehicle.

25 (3) While preparing the report, the department shall consult
26 with all of the following:

27 (A) The Department of the California Highway Patrol regarding
28 traffic impacts, driver and passenger safety risks, and impacts on
29 other motorists, bicyclists, and pedestrians.

30 (B) The Labor and Workforce Development Agency regarding
31 job-related impacts, including worker displacement and
32 shortcomings in retraining opportunities.

33 (C) The Department of Transportation regarding infrastructure
34 impacts, deficiencies, and needs.

35 (D) The State Air Resources Board regarding how autonomous
36 vehicles utilized to deliver commercial goods impact the 2022
37 Scoping Plan for Achieving Carbon Neutrality.

38 (E) Independent experts regarding the performance of the
39 technology, public safety impacts, and other relevant factors in
40 considering deployment.

1 (b) The Department of the California Highway Patrol, the Labor
2 and Workforce Development Agency, the Department of
3 Transportation, the State Air Resources Board, and all other
4 relevant state agencies shall provide information, as specified by
5 the department, that is needed to research the report required by
6 this section.

7 (c) It is the intent of the Legislature to, upon issuance of the
8 report required in subdivision (a), conduct an oversight hearing to
9 assess the state of autonomous vehicle technology for vehicles
10 utilized to deliver commercial goods.

11 (d) The department shall not issue a deployment permit for use
12 of an autonomous vehicle utilized to deliver commercial goods
13 without a human safety operator earlier than one year after the
14 oversight hearing described in subdivision (c) and only if a later
15 enacted statute authorizes the issuance of a permit for that purpose.

16 ~~SEC. 5. Section 40010 is added to the Vehicle Code, to read:~~

17 ~~40010. A violation of Section 38761 is not an infraction and~~
18 ~~shall instead be punishable by a civil fine not to exceed twenty-five~~
19 ~~thousand dollars (\$25,000) for each instance of the violation.~~

From: [Hsieh, Frances \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [ChanStaff \(BOS\)](#); [Chan, Connie \(BOS\)](#)
Subject: Chan Roll Call item
Date: Wednesday, July 16, 2025 10:47:23 AM
Attachments: [Chan - Resolution - Assembly Bill 33.doc](#)
[California-2025-AB33.pdf](#)
[Chan - Intro Form - AB 33.pdf](#)

Good morning, Clerk staff!

Attached is an introduction form and resolution from Supervisor Connie Chan for the FAWCR agenda. We confirm that this is a routine, non-controversial matter. Neither the League of California Cities nor California State Association of Counties have taken positions on this bill.

Please let me know if you have any questions or need anything further.

Thanks,
Frances

Frances Hsieh | 謝令宜
Pronouns: she/her/hers
Office of Supervisor Connie Chan
San Francisco Board of Supervisors, District 1
(415) 554-7410

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: