

**ASSEMBLY BILL**

**No. 316**

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**Introduced by Assembly ~~Member Aguiar-Curry~~ Members  
*Aguiar-Curry and Friedman***

**(Principal coauthors: Assembly Members Kalra and Lackey)**

*(Principal coauthor: Senator Ashby)*

**(Coauthors: Assembly Members Wendy Carrillo, Grayson, Ortega,  
Schiavo, Ward, Wicks, ~~and Wood~~ Wood, Baines, Juan Carrillo,  
Connolly, Mike Fong, Gipson, Lowenthal, McKinnor, Papan,  
Ramos, Reyes, Robert Rivas, Santiago, and Villapudua)**

*(Coauthor: Senator Durazo)*

January 26, 2023

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An act to add Section 38751 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 316, as introduced, Aguiar-Curry. Vehicles: 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.

This bill would prohibit the operation of an autonomous vehicle with a gross vehicle weight of 10,000 pounds or more on public roads for testing purposes, transporting goods, or transporting passengers without a human safety operator physically present in the autonomous vehicle at the time of operation.

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. Section 38751 is added to the Vehicle Code, to  
2 read:

3 38751. (a) An autonomous vehicle with a gross vehicle weight  
4 of 10,000 pounds or more shall not be operated on public roads  
5 for testing purposes, transporting goods, or transporting passengers  
6 without a human safety operator physically present in the  
7 autonomous vehicle at the time of operation.

8 (b) For purposes of this section, the following terms have the  
9 following meanings:

10 (1) "Autonomous vehicle" has the same meaning as defined in  
11 Section 38750.

12 (2) "Human safety operator" means a person operating an  
13 autonomous vehicle or vehicle equipped with autonomous  
14 technology who is trained in operating and shutting off the vehicle.  
15 A human safety operator shall meet all federal and state  
16 qualifications for the type of vehicle being operated, whether in  
17 automated or nonautomated mode.

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20 **REVISIONS:**  
21 **Heading—Line 1.**

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