

JONATHAN L. HANDEL
ATTORNEY AT LAW
8033 W. SUNSET BLVD. #234
LOS ANGELES, CALIFORNIA 90046
(323) 650-0060 JH@JHANDEL.COM JHANDEL.COM

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Via email: LADRegulations@dmv.ca.gov

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

Re: Public comments on proposed autonomous vehicles regulations

Dear Brian:

It has been a pleasure to testify before you and your colleagues at several workshops related to regulation of autonomous vehicles, and I'm now pleased to submit the following comments on the Department's March 10, 2017, proposed regulations, which primarily concern post-testing deployment of such vehicles.

Statement of Interest

I am not representing any clients or other third parties or organizations and my comments are intended solely to benefit the public by increasing then safety and reliability of deployed vehicles.

Manufacturer Self Certification of Safety

Re: 13 C. Cal. Regs. §§ 228.06(a)(1), (2), (5), (6), (7), (8), (9), (10), (b), (c)(5).

As you know from my testimony and writing, I do not believe that manufacturers and suppliers can be trusted to adequately ensure the safety of autonomous vehicles. That's not how the FDA does it, and it's not how the DMV should either, especially in light of the long history of mistakes and deception on the part of the auto industry and Waymo's sister company Google/Alphabet.

For detail, I hereby incorporate by reference my article *How Do We Know Driverless Cars Are Safe? Google Says 'Trust Us'*, http://www.huffingtonpost.com/jonathan-handel/how-do-we-know-driverless_b_5549658.html and my 1/27/2015 and 2/2/2016 DMV testimony (found at jhandel.com/cars). I would add also to the litany of misconduct a more recent development, VW's use of "defeat devices" to deceive environmental regulators, which makes it especially rich that a VW representative tried to assure DMV that manufacturers are trustworthy.

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Non-Anonymous Data

In 228.224(b) “(b) If the information is not anonymized, the manufacturer shall obtain the written approval of the operator of an autonomous vehicle” — change “operator to “driver (or, for vehicles that do not require a driver, the occupants.”

Typo

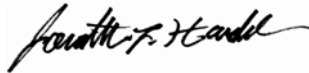
“228.26. Registration Autonomous Vehicles.” — missing “of”.

Responsibility for Safety

In 228.28(a)(2), “The manufacturer of the vehicles described in this section shall be responsible for the safe operation of the vehicle, including compliance with all traffic laws applicable to the performance of the dynamic driving task, ~~when the autonomous vehicle is operating in autonomous mode within its approved operational design domain.~~” Delete as indicated. If the car disobeys its restrictions and goes into unauthorized territory, the manufacturer should still be responsible.

Similar change in 228.28(b).

Sincerely,



Jonathan L. Handel