

OFFICE OF THE DIRECTOR
DEPARTMENT OF MOTOR VEHICLES
P.O. BOX 932328
SACRAMENTO, CA 94232-3280



December 14, 2016

Anthony Levandowski
Uber Advanced Technology Center
737 Harrison Street
San Francisco, CA 94107

Dear Mr. Levandowski:

Uber announced today that vehicles with “state-of-the-art self-driving technology” will be available for customers in San Francisco. The announcement further describes the service as allowing Uber to “continue to improve our technology through real-world operations.” Clearly, Uber is intending to test its autonomous vehicle technology on California’s public roadways.

As you know, the California Department of Motor Vehicles (DMV) is responsible for ensuring the safe operation of autonomous vehicles on California’s public roads. To achieve this goal, two years ago the DMV developed regulations for manufacturer’s testing of autonomous vehicles. The regulations were developed to foster technical innovation and ensure the safety of the motoring public. Twenty companies are approved to test a total of 130 test vehicles that are being driven by more than 480 permitted test drivers in California. They are obeying the law and are responsibly testing and advancing their technology.

California Vehicle Code § 38750 and California Code of Regulations Article 3.7 clearly establish that an autonomous vehicle may be tested on public roads only if the vehicle manufacturer, including anyone that installs autonomous technology on a vehicle, has obtained a permit to test such vehicles from the DMV. The permitting requirement serves the important public policy objectives of ensuring that those testing the vehicles have provided an adequate level of financial responsibility; have adequately trained qualified test drivers on the safe operation of the autonomous technology; and will notify the DMV when the vehicles have been involved in a collision and specify the instances when the technology had to be disengaged for safety reasons. These requirements serve to build public trust in the safety of the technology and to foster confidence in allowing autonomous vehicles on public streets.

Had Uber obtained an autonomous vehicle testing permit prior to today, the company’s launch would have been permissible. However, it is illegal for the company to operate its self-driving vehicles on public roads until it receives an autonomous vehicle testing permit. Any action by Uber to continue the operation of vehicles equipped with autonomous technology on public streets in California must cease until Uber complies.

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It is essential that Uber takes appropriate measures to ensure safety of the public. If Uber does not confirm immediately that it will stop its launch and seek a testing permit, DMV will initiate legal action, including, but not limited to, seeking injunctive relief. In the meantime, the DMV is available to meet to discuss our concerns.

The DMV fully supports the advancement of autonomous technologies. This technology holds the promise of true safety benefits on our roadways, but must be tested responsibly. If you have any questions, please feel free to contact me at (916) 657-6469

Sincerely,



BRIAN G. SOUBLET
Deputy Director/Chief Counsel