



## SB 572 (Gonzalez) Level 2 ADAS Vehicle Data Reporting

### SUMMARY

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Senate Bill (SB) 572 will require manufacturers of Level 2 advanced driver assistance system (ADAS) vehicles to report crashes to the Department of Motor Vehicles (DMV) if the federal National Highway Traffic Safety Administration (NHTSA) Standing General Order (General Order) 2021-01<sup>1</sup> is repealed, substantially amended, or ceases to be enforced.

### EXISTING POLICY

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Existing law (Cal. Vehicle Code § 38750) grants the DMV the authority to regulate the usage of “autonomous vehicles,” defined to mean vehicles that meet the definition of Level 3, Level 4, or Level 5 of SAE International’s “Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles, standard J3016 (APR2021).”

NHTSA Standing General Order 2021-01 requires specified vehicle and equipment manufacturers and operators of autonomous driving systems and Level 2 ADAS system vehicles to report crashes to NHTSA. NHTSA makes this data public on their website.

### BACKGROUND/PROBLEM

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NHTSA’s General Order, which has been in force in its current form since April 2023, requires specified vehicle and equipment manufacturers and operators of autonomous driving systems (ADS) and Level 2 ADAS system vehicles to report crashes to NHTSA under

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<sup>1</sup> <https://www.nhtsa.gov/laws-regulations/standing-general-order-crash-reporting>

specified conditions. The General Order requires that crashes involving Level 2 ADAS vehicles must be reported if the Level 2 ADAS was in use at any time within 30 seconds of the crash and the crash involves a vulnerable road user or results in a fatality, a vehicle tow-away, an air bag deployment, or an individual being transported to a hospital for medical treatment. NHTSA makes data publicly available on their website, and also can use these data to respond to crashes that raise safety concerns about the technology through further investigation and enforcement.

However, changes at the federal level have put this important public safety data collection in question. According to reports, the Trump transition team recommended dropping the General Order.<sup>2</sup> Additionally, Tesla executives, including Elon Musk, have reportedly opposed the General Order and pushed to scrap crash-reporting requirements.<sup>3</sup>

California has by far the most crashes involving Level 2 ADAS vehicles, according to NHTSA data – 747, which is over 500 more crashes than the state with the next-highest total. If the federal government stops collecting and publishing this data, California will be unable to use these statistics to design data-driven policies that improve road safety and prevent these dangerous collisions.

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<sup>2</sup> <https://www.reuters.com/business/autos-transportation/trump-transition-recommends-scraping-car-crash-reporting-requirement-opposed-by-2024-12-13/>

<sup>3</sup> <https://www.reuters.com/business/autos-transportation/trump-transition-recommends-scraping-car-crash-reporting-requirement-opposed-by-2024-12-13/>

## **SOLUTION**

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If the General Order is rescinded or substantially amended at the federal level, or NHTSA ceases enforcing the General Order and publishing this information on its website, SB 572 will require manufacturers to report collisions involving Level 2 ADAS vehicles to the DMV under specified conditions that mirror the General Order. It would also require the DMV to publish the data on its website and transmit the data to NHTSA and the National Transportation Safety Board.

Specifically, SB 572 would require manufacturers of Level 2 ADAS vehicles to report a crash to the DMV if the crash occurred on a publicly accessible road in California, the Level 2 ADAS was engaged within 30 seconds of the crash, and the crash involves a vulnerable road user, results in a fatality, results in an individual being transported to a hospital for medical treatment, or results in a vehicle tow-away or air bag deployment.

Requiring manufacturers to report these collisions would provide critical public safety data to the DMV and make that data accessible to other stakeholders and consumers to improve transparency and road and vehicle safety.

## **SUPPORT**

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## **CONTACT**

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