

January 5, 2017

Michael Picker
President
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94102

Re: Autonomous Vehicles and TNC Services

Dear President Picker:

We write to express our concern regarding the possibility of autonomous vehicles providing TNC services in California. We understand that Uber, which launched autonomous TNC services in San Francisco on December 14, 2016, in violation of permitting requirements for autonomous vehicles established by the California Department of Motor Vehicles, has temporarily ceased these operations and that DMV Director Jean Shiomoto has a dedicated team to work with Uber to expedite the issuance of an autonomous vehicle testing permit. A copy of Director Shiomoto's letter is enclosed for your reference.

In light of Director Shiomoto's letter to Uber, the DMV will likely soon permit Uber and possibly other TNCs to test autonomous vehicles in California. But the DMV's focus is on *testing* autonomous vehicles generally, not assessing whether autonomous vehicles can or should be used to provide commercial passenger services. Even if DMV regulations contemplate use of test vehicles for commercial purposes, use of such vehicles for TNC services is nevertheless prohibited by Public Utilities Code § 5431 and CPUC regulations, which expressly state that "... a TNC is not permitted to itself own vehicles used in its operation or own fleets of vehicles."¹

Test autonomous vehicles operating as TNCs raise serious public safety, accountability, and regulatory concerns. To address these concerns, we request that the CPUC do the following: (1) notify all TNCs that although the meaning of "personal vehicle" has been expanded to include renting or leasing a vehicle to an individual for the purpose of providing TNC services, TNCs themselves or their affiliated companies are prohibited from owning vehicles to provide TNC services, and (2) if and when the DMV completes autonomous vehicle testing but before the CPUC allows autonomous vehicles to provide services for compensation, open a rulemaking

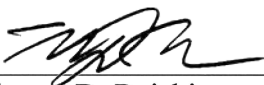
¹ See D:13-09-045 at page 24.

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proceeding to address how and whether autonomous vehicles can be used for charter-party carrier services. The rulemaking should address the use of autonomous vehicles for bus, limousine, and TNC services under the jurisdiction of the CPUC.

We look forward to working with the CPUC as it develops thoughtful autonomous vehicle regulations.

Very truly yours,



Edward D. Reiskin
Director of Transportation
San Francisco Municipal Transportation Agency



Ivar C. Satero
Airport Director
San Francisco International Airport

Enclosure

cc: Ed Lee, Mayor – San Francisco
Jean Shiomoto – Director, California DMV
Mike Florio – CPUC Commissioner
Catherine J. K. Sandoval – CPUC Commissioner
Carla J. Peterman – CPUC Commissioner
Laine M. Randolph – CPUC Commissioner
Brian P. Kelly, Secretary – California State Transportation Agency