Auto Consumer Alliance
13900 Laurel Lakes Avenue, Suite 100
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Testimony to the House Environment and Transportation Committee
HB 439 – Vehicle Laws – Fully Autonomous Vehicles –
Human Safety Operators and Reporting Requirements Standards, Requirements
Position: FAVORABLE

The Honorable Mark Korman
Environment and Transportation Committee
Room 251, House Office Building
Annapolis, MD 21401
cc: Members, Environment and Transportation Committee

Feb. 6, 2025

Honorable Chair Korman and Members of the Committee:

I'm a consumer advocate and Executive Director of Consumer Auto, a nonprofit group that works to secure safety, and fair treatment for Maryland drivers and consumers.

We support **HB 439** because it would establish some significant safety and reporting requirements that will help protect Marylanders against the dangers autonomous vehicles are likely to create on Maryland roads. It will also help the state develop an appropriate legal framework to handle the influx of AV trucks and cars that may be on our roads in the coming years.

While Maryland has (wisely, I think) moved cautiously on AVs, some states have moved to allow autonomous vehicles on their roads already – and the new Trump administration is already talking about pushing new rules to allow many more of them on roads around the country.[1] This is deeply troubling to safety advocates, both because Congress and federal safety regulators still have not established a real safety framework or set of rules to govern (or even rigorously evaluate) the safety of autonomous vehicles and because serious questions remain about the safety of AVs and whether they can be even as safe as more conventional cars in the near future.

While AV advocates often claim their vehicles are safer than conventional cars, the data on that issue are murky at best. Data from California in 2022, for instance, showed that the crash rate for AVs was much higher than for more conventional vehicles – with 96.7 out of 1,000 (i.e. almost 10%) of AVs getting in a crash (vs. 7.0/1,000 for all cars) and 26.3 crashes per million miles driven among AVs (vs. 0.7 per million for all cars.)[2] Another study widely reported last year found that AVs appeared to have lower crash rates overall but "also found self-driving cars had a crash rate five times as great as human drivers when operating at dawn and dusk, along with almost double the accident rates of human drivers when making turns."[3] And many analysts have noted how AVs struggle to deal with unusual or sub-optimal road conditions or situations they may not be programmed to handle.[4]

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[1] https://www.caranddriver.com/news/a62941005/trump-relax-rules-self-driving-cars-report/
[2] https://www.statista.com/chart/32985/collisions-crashes-per-motor-vehicle-vehicle-miles-traveled-by-type-of-vehicle/
[3] https://www.newscientist.com/article/2435896-driverless-cars-are-mostly-safer-than-humans-but-worse-at-turns/
[4] https://www.nytimes.com/2023/10/11/opinion/driverless-cars-san-francisco.html

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As a Brookings report from July 2024 argued, the data just don't support faith in the superior safety of AVs at this point: "However easy it is to assume that self-driving cars must be safer, it is a mistake… The best conclusion for now seems to be that the safety advantages of self-driving cars are aspirational but have not been proven."[5]

Given such problems, and some deadly, well-publicized crashes caused by AV malfunctions, it's not surprising that public faith in AV technology is limited – and seems to be falling. In 2023 68% of Americans told AAA last year that they are outright afraid of self-driving vehicles (up from 55% in 2022) while just 9% said they trusted the technology. [6]

To this point, neither federal safety regulators nor Maryland law have taken the kind of measures needed to address serious concerns about AV safety or to reassure the public that AVs will be safe and workable. **HB 439** would help fill this gap by taking some important, if fairly modest, safety and data collection steps – especially with respect to larger and more dangerous vehicles.

The bill mandates that AV makers report all collisions, traffic citations, or harassment issues involving their vehicles. It requires clear and timely reporting of the circumstances, road conditions and vehicle performance data related to these incidents. (NHTSA has since 2021 required reporting of crash incidents. But whether or how long that regulation will stay in place under the Trump administration is far from clear.) This will help Maryland officials understand how AVs are performing on our roads – and what rules and regulations we may need to ensure they're safe.

Importantly, the bill also requires human safety operators for larger vehicles (more than 10,000 pounds). This will see to it that, for the time being at least (as we collect data and learn more about how safe AV trucks may be), those vehicles have a safety back-up driver available if they dangerously malfunction. In an emergency, this driver would also be able to communicate with other drivers, set up a flare and take other safety steps AVs obviously can't do on their own. It also mandates that by Dec. 2030, the administration must report to the Assembly how AV trucks are working on MD roads – including their impact on road and pedestrian safety, traffic congestion, job opportunities and our road infrastructure – and make a recommendation about whether MD should continue to require back-up drivers on these vehicles.

The modest safety and reporting steps this bill mandates should give Marylanders more protection against safety failures that any larger AVs that may be on our state's roads and enable us collect data that will help us make smart decisions about how we may need to regulate AVs in the future.

We support HB 439 and ask you to give it a FAVORABLE report.
Sincerely,
Franz Schneiderman
Consumer Auto

[5] https://www.brookings.edu/articles/the-evolving-safety-and-policy-challenges-of-self-driving-cars/
[6] https://info.oregon.aaa.com/aaa-fear-of-self-driving-cars-on-the-rise/