



**Testimony to the Senate Judicial Proceedings Committee
SB 949 – Vehicle Laws – Fully Autonomous Vehicles
Position: UNFAVORABLE**

The Honorable Will Smith
Judicial Proceedings Committee
2 East, Miller Senate Building
Annapolis, MD 21401
cc: Members, Judicial Proceedings Committee

March 5, 2025

Dear Chairman Smith and Committee Members,

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

We oppose **SB 949** because we are concerned that it would put Marylanders at unnecessary risk by, for the first time, explicitly authorizing the widespread private use of autonomous cars and trucks on Maryland highways – at a time when the industry continues to face serious safety questions, public faith in AV technology is limited, federal regulators are yet to establish clear or rigorous safety standards for autonomous vehicles, and Maryland lacks a legal framework of its own to regulate such vehicles.

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.)¹ 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.”² 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.³

Part of the reason for this is that, for all their high-tech sensors, as Dr. Missy Cummings, a leading AV expert and head of George Mason University's Autonomy and Robotics Center, notes: “the computer vision systems in these cars are extremely brittle. They will fail in ways we simply don't understand.”⁴ And at this point we have no federal safety standards for AV software or vision systems.

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

¹ <https://www.statista.com/chart/32985/collisions-crashes-per-motor-vehicle-vehicle-miles-traveled-by-type-of-vehicle/>

² <https://www.newscientist.com/article/2435896-driverless-cars-are-mostly-safer-than-humans-but-worse-at-turns/>

³ <https://www.nytimes.com/2023/10/11/opinion/driverless-cars-san-francisco.html>

⁴ <https://www.nytimes.com/2023/10/11/opinion/driverless-cars-san-francisco.html>

⁵ <https://www.brookings.edu/articles/the-evolving-safety-and-policy-challenges-of-self-driving-cars/>



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 were outright afraid of self-driving vehicles (up from 55% in 2022) while just 9% said they trusted the technology.⁶

To be fair, **SB 949** does make an effort to establish some rules of the road for AVs and does stipulate that autonomous vehicles on state roads must be capable of operating “in accordance with Maryland vehicle law” and “in compliance with all applicable federal motor vehicle safety standards.” But this offers little reassurance that they will be safe, as Maryland has not developed regulations specific to AV tech and, more troublingly, Congress and the lead federal auto safety agency (NHTSA) have yet to establish such standards.

Indeed, in May 2023, Jennifer Homendy, the chair of the National Transportation Safety Board lamented that, “The federal government isn’t doing their job in that area... The NTSB has called on regulators to set performance minimums for these features [AVs], to test vehicles rigorously against those standards and provide the results to consumers. But we’re still waiting.”⁷

Two years later, we’re still waiting. Worse still, a couple weeks ago the Elon Musk-led DOGE group apparently fired half the people working on a special task force NHTSA had established to examine AV safety and about 10% of the agency’s workforce. This will almost surely leave NHTSA even less prepared to oversee AV tech effectively. As one of the fired engineers remarked, “If the question is, will this affect the federal government’s ability to understand the safety case behind Tesla’s vehicles, then yes, it will.”⁸

To this point, Maryland has (wisely, I think) moved slowly on this unproven technology. While MDOT has articulated a “Vision for Connected and Automated Vehicles” and the state passed legislation in 2023 that authorizes limited conversions of vehicles into AVs, mostly for off-road commercial and industrial uses, the state has not acted to authorize widespread private use of AVs on public roads.

SB 949 would change that equation dramatically by allowing a person (or a transportation network or a for-hire vehicle firm) to operate “a fully autonomous vehicle on a highway in the state without a human driver” and, in fact, specifically precluding a state agency or local government that may have concerns about their safety from prohibiting their operation. While I know the bill sponsors are looking at amendments that may provide additional safeguards (and I’m happy to discuss those ideas), as written the bill’s safety provisions are really rather modest: They require, basically, that the vehicles meet state and federal laws and that the AVs can achieve a “minimal risk condition” and submit a plan for interaction with law enforcement after a crash or failure.

I fear those stipulations leave serious safety concerns unresolved, especially given that (as noted above) no system of federal or state regulations to ensure AV safety yet exists. Safety advocates also note that

⁶ <https://info.oregon.aaa.com/aaa-fear-of-self-driving-cars-on-the-rise/>

⁷ <https://www.cnn.com/2023/05/06/business/ntsb-automatic-driving-safety/index.html>

⁸⁸ <https://www.washingtonpost.com/business/2025/02/21/musk-doge-tesla-autonomous-vehicles-nhtsa/>



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what AV systems may deem a “minimal risk condition” after a system failure may not be a safe situation for other drivers at all.

As drafted, the bill also sets no limits on the size or number of AVs allowed on Maryland roads. It could therefore enable an unlimited number of large AV trucks, as well as smaller self-driving cars, to be on our roads – all while specifically prohibiting state agencies or local jurisdictions or from setting up even local prohibitions on them. The safety concerns this might raise in sensitive or risky areas like school zones or areas with a high density of pedestrian traffic are serious.

Until or unless we have clear data, reviewed carefully by experts outside the industry itself, that shows AV vehicles (including trucks) are safe and a regulatory framework in place to help ensure they will operate safely on public roads, moving to allow their widespread use (in unlimited numbers, in fact) -- as **SB 949** would do -- would, I fear, expose Maryland drivers to serious, ill-understood, and unnecessary risks.

We oppose SB 949 and ask you to give it an UNFAVORABLE report.

Sincerely,

Franz Schneiderman
Consumer Auto