



DEPARTMENT NOTICE

22-079

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Interacting with Autonomous Vehicles

Technology evolves rapidly and, at times, faster than legislation or regulations can adapt to the changes. California has begun to allow Autonomous Vehicles (AVs) to pick up passengers, both with or without a safety driver or operator behind the steering wheel. The California Public Utilities Commission (PUC) and the Department of Motor Vehicles (DMV) have oversight of AVs and will soon suggest legislation changes to the Vehicle Code (VC).

The purpose of this Department Notice (DN) is to provide members with information about AVs and to outline current procedures when interacting with AVs. However, because AV technology is quickly evolving, there will be unanticipated situations. Members should consider the totality of the circumstances and exercise appropriate reasonableness when deciding how to respond to unforeseen situations. Members should use sound, professional judgment, and public safety shall be the overriding factor when making all decisions regarding AVs.

Law Enforcement Interaction:

- Members are reminded that every AV interaction involving law enforcement and the public at large is both audio and video recorded. It is possible to access these recordings to help with investigative leads by using proper legal process.
- Live persons monitor the AVs and can communicate via the AV. Members shall not open the vehicle for non-emergency issues. The remote operator who is monitoring the AV will lower the window to communicate with members.
- Members shall not conduct a traffic stop of an AV unless a legitimate law enforcement action exists. Example, members shall not pull over AVs to check if the required DMV AV permits are issued.
- Currently, there are no exceptions for AVs from the rules of the road or any other specific provisions of the VC.
- Members conducting a vehicle stop on an AV should use their forward-facing emergency lights to initiate the stop. The vehicle needs to recognize that the emergency vehicle is conducting a stop versus yielding to an emergency vehicle. Do not turn the forward-facing emergency lights off until the vehicle stop is concluded.

Vehicle Code Violations:

- Moving or Equipment Violations - If members witness a moving or equipment violation by an AV, they may make a traffic stop. If there is a safety driver in the vehicle, then that person can be cited for the violation. Members may, in accordance with Section 40001 VC, cite the registered owner or agent of an AV in absentia for any mechanical or registration violations. At this time, no citation for a *moving* violation can be issued if the AV is being operated in a driverless mode. When a traffic stop is conducted, regardless of

whether a citation is issued or not, members shall write an incident report that includes the following:

- Responsible company
- License plate number
- Car number and/or name
- Name and/or operator ID of the safety driver/remote operator
- Date, time, and location
- Description of violation observed
- Result of traffic stop (citation, warning, etc.)

Forward a copy of the report, along with any citations issued in absentia, to the Commercial Vehicle Unit at Traffic Company.

- Parking Violations - Members may issue a citation for parking violations. Send a copy of the citation to the Commercial Vehicle Unit at Traffic Company.

Traffic Collisions:

- Both *injury and non-injury* crashes involving an AV, whether physically operated or remotely monitored, *shall* be documented in a collision report (CHP555).
- Forward copies of completed reports to the Commercial Vehicle Unit at Traffic Company.

Disabled or Malfunctioning Autonomous Vehicle:

In the event AVs become disabled due to programming or mechanical breakdown:

- Companies are alerted to this event and have live teams that can respond in 5-15 minutes.
- Contact the safety driver or the remote monitor.
- Do not attempt to move the AV.
- Provide traffic control, if necessary, and wait for responding team.
- **DO NOT** cite an AV for being disabled.



WILLIAM SCOTT
Chief of Police

Per DN 20-150, all sworn & non-sworn members shall electronically acknowledge this Department document in PowerDMS. Members whose duties are relevant to this document shall be held responsible for compliance. Any questions regarding this policy should be made to sfpd.writtendirectives@sfgov.org who will provide additional information.