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From: Senator Dave Cortese, Chair of the Senate Transportation Committee

Date: February 26, 2024

Re: Waymo Software Recall

Director Gordon,

As you know, major news outlets recently reported on a software recall issued by Waymo earlier this week following collisions involving two robotaxis in Phoenix, Arizona that occurred late last year. According to Waymo's own account of the incident, "on December 11, 2023, we informed the Phoenix Police Department and the Arizona Department of Public Safety of these two collisions. We also promptly informed NHTSA of the incidents on December 15, 2023, and we've engaged in four subsequent conversations with NHTSA staff on this topic between December 2023 and February 2024."

Waymo has been operating in San Francisco with a DMV-issued deployment permit in California for several months now. As of January 11, 2024, the California DMV granted Waymo's expanded deployment across the Bay Area and Los Angeles County "all times of day and night" and "up to 65 mph." Given the need for transparency and accountability regarding the deployment of DMV-sanctioned robotaxis, the software recall issued by Waymo on February 13th raises the following questions our committee seeks answers to:

1. Did Waymo alert the California DMV about the collisions that took place on December 11, 2023 in Phoenix, Arizona? If so, when, and what conversations occurred?
2. According to its own account, Waymo began deploying a software update to its entire fleet on December 20, 2023. From December 11 to December 20th, did Waymo take any vehicles out of service in California while addressing the need for a software recall? Further, did the software update impact any Waymo vehicles operating on California roads? If so, did Waymo alert the California DMV that it was undertaking a software update to vehicles operating on California roads?
3. According to its own account, Waymo conducted discussions with NHTSA staff between December 2023 and February 2024 before issuing the software recall. Was the California DMV made aware of these discussions or was it an active participant?
4. Pursuant to the California regulatory framework for deployed AVs, is Waymo required to notify the DMV of incidents either in-state or out-of-state that might necessitate a software or mechanical recall of vehicles operating on California roads? Does the DMV base any of its decisions, or have the authority to consider incidents outside of California or anywhere else?

5. Has Waymo informed the DMV of any other incidents caused by software problems outside of the one that caused the recall?

These are just a few questions that come to mind. The Committee looks forward to the full cooperation of the DMV. Thank you.

Sincerely,



Senator Dave Cortese
Chair, Senate Transportation Committee