



October 24, 2023

ORDER OF SUSPENSION

Cruise LLC
1201 Bryant Street
San Francisco, CA 94103

Autonomous Vehicles Testing
Permit – Driverless Vehicles

The Autonomous Vehicle Testing Permit – Driverless Vehicles issued to Cruise LLC is hereby suspended immediately for violations pursuant to California Vehicle Code 38750 (d)(3), and California Code of Regulations (CCR), Title 13, Division 1, Chapter 1, Article 3.7, Section 227.42 (b)(5) and (c).

Facts

On October 2, 2023, at approximately 9:30 p.m., an accident occurred on or around 5th and Market Streets in San Francisco. A pedestrian was struck, while in the crosswalk, by an unknown third-party vehicle and fell into the path of a Cruise Autonomous Vehicle (AV). The AV initiated a hard-braking maneuver and came to a complete stop. During the course of performing the hard-braking maneuver, the AV collided with and ran over the pedestrian. After coming to a complete stop, the AV subsequently attempted to perform a pullover maneuver while the pedestrian was underneath the vehicle. The AV traveled approximately 20 feet and reached a speed of 7 mph before coming to a subsequent and final stop. The pedestrian remained under the vehicle.

On October 3, 2023, representatives of the Department of Motor Vehicles and the California Highway Patrol met with representatives from Cruise to discuss the accident. During the meeting, the department was shown video footage of the accident captured by the AV's onboard cameras. The video footage presented to the department ended with the AV's initial stop following the hard-braking maneuver. Footage of the subsequent movement of the AV to perform a pullover maneuver was not shown to the department and Cruise did not disclose that any additional movement of the vehicle had occurred after the initial stop of the vehicle. The department only learned of the AV's subsequent movement via discussion with another government agency. The department requested Cruise provide a copy of the video with the additional footage, which was received by the department on October 13, 2023.

Basis of Suspension

1. 13 CCR §227.42(c) – ... However, the department shall immediately suspend or revoke the Manufacturer’s Testing Permit or a Manufacturer’s Testing Permit - Driverless Vehicles if a manufacturer is engaging in a practice in such a manner that immediate suspension is required for the safety of persons on a public road.

After coming to an initial stop following the accident, the autonomous vehicle attempted to perform a pullover maneuver while the pedestrian was under the vehicle. This action increased the risk of, and may have caused, further injury to the pedestrian. The subsequent maneuvering of the vehicle indicates that Cruise’s vehicles may lack the ability to respond in a safe and appropriate manner during incidents involving a pedestrian so as not to unnecessarily put the pedestrian or others at risk of further injury.

Although the accident involved a vehicle operating under Cruise’s deployment permit, the behavior of the vehicle raises concerns that vehicles operated under Cruise’s driverless testing permit also lack the ability to respond in a safe and appropriate manner during incidents involving a pedestrian. Until the department can make a determination regarding the safe operation of the vehicles, the continued operation of Cruise’s driverless test vehicles on public roads poses an unreasonable risk to the public.

2. 13 CCR §227.42 (b)(5) - Any act or omission of the manufacturer or one of its agents, employees, contractors, or designees which the department finds makes the conduct of autonomous vehicle testing on public roads by the manufacturer an unreasonable risk to the public.

During the meeting on October 3, 2023, Cruise failed to disclose that the AV executed a pullover maneuver that increased the risk of, and may have caused, further injury to a pedestrian. Cruise’s omission hinders the ability of the department to effectively and timely evaluate the safe operation of Cruise’s vehicles and puts the safety of the public at risk.

Order

Pursuant to Title 13, Division 1, Chapter 1, Article 3.7, Section 227.42, Cruise LLC shall cease all operations of autonomous driverless test vehicles on public roads until Cruise LLC has demonstrated to the department that the manufacturer has taken appropriate action to correct the deficiencies that caused the suspension. A peace officer may impound any vehicle operated under a suspended permit pursuant to California Vehicle Code Section 22651 (o)(D)(ii).

Request for Hearing

Pursuant to Title 13, Division 1, Chapter 1, Article 3.7, Section 227.44, Cruise LLC may submit a request in writing to demand a hearing before the director or his or her representative. If Cruise LLC wishes to request a hearing, please submit the enclosed Request for Hearing form within 60 days from receipt of this letter. A request for a hearing will not stay the suspension.

Oct. 24, 2023

Date



Bernard C. Soriano
Deputy Director, Policy