

DEPARTMENT OF MOTOR VEHICLES

Autonomous Vehicles Branch MS D405
2415 1st Avenue Sacramento, CA. 95818



October 24, 2023

ORDER OF SUSPENSION

FILED

12/01/23

10:16 AM

R1212011

Cruise LLC
1201 Bryant Street
San Francisco, CA 94103

Autonomous Vehicles
Deployment Permit

The Autonomous Vehicle Deployment Permit 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 3.8, Section 228.20(b)(3) and (6).

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 §228.20 (b) (6) - Based upon the performance of the vehicles, the Department determines the manufacturer's vehicles are not safe for the public's operation.

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.

2. 13 CCR §228.20 (b) (3) - The manufacturer has misrepresented any information related to safety of the autonomous technology of its vehicles.

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. The performance of the vehicle indicates Cruise's vehicles may lack the ability to respond in a safe and appropriate manner during incidents involving 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 I, Chapter 1, Article 3.8, Section 228.20(c) Cruise LLC shall cease all commercial operations of autonomous 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 3.8, Section 228.22, Cruise LLC may request a hearing within five (5) days of receipt of this order of suspension. The Department shall provide for a hearing within a reasonable time not to exceed 21 days after a written request for hearing is filed with the Department. A request for hearing does not stay the effective date of the suspension. To request a hearing, please submit the enclosed Request for Hearing form within five (5) days from receipt of this letter.


Oct. 24, 2023
Date


Bernard C. Soriano
Deputy Director, Policy

CERTIFICATE OF MAILING

The undersigned authorized OMV employee certifies that on the date below he/she deposited in the United States mail, a copy of the document to which this certification is affixed, in an envelope with prepaid postage and addressed to the person or entity named in the document at the last address listed in the official records of the OMV.

10/24/23
Date


Signature of Authorized OMV Employee

Enclosure

