PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Legal Division Resolution L-619

February 23, 2023

R E S O L U T I O N

**RESOLUTION L-619 AUTHORIZING DISCLOSURE OF AUTONOMOUS VEHICLE PILOT AND DEPLOYMENT PHASE I PERMIT APPLICATIONS WITHOUT CONFIDENTIALITY CLAIMS OR WITH PROCEDURALLY INADEQUATE CONFIDENTIALITY CLAIMS**

**SUMMARY**

The California Public Utilities Commission (“Commission”) has received, pursuant to the California Public Records Act (“CPRA”), numerous public records requests seeking disclosure of autonomous vehicle (“AV”) applications, including two seeking all AV permit applications.**[[1]](#footnote-1)** The Commission has so far received ten applications for drivered AV pilot permits, two applications for driverless AV pilot permits, and two conversion requests from Drivered Pilot to Drivered Deployment. However, some of the autonomous vehicle application submitters, pursuant to General Order (“G.O.”) 66-D, requested confidential treatment for their AV permit applications. Under these conditions, the Commission’s Legal Division is required to issue a Resolution addressing the confidentiality claims and making a determination regarding the release of the requested records, to be voted on by the full Commission.**[[2]](#footnote-2)** Here, Legal Division considers the confidentiality claims, and authorizes disclosure of the AV pilot and deployment phase I permit applications, though withholding some portions as confidential.

**DISCUSSION**

# Documents at Issue

At present, the Commission has four autonomous vehicle programs for Charter-Party Carrier of Passengers (“TCP”) permitholders:

* Drivered Autonomous Vehicle Pilot Program
* Driverless Autonomous Vehicle Pilot Program
* Phase I Drivered Autonomous Vehicle Deployment Program
* Phase I Driverless Autonomous Vehicle Deployment Program

The CPUC’s pilot programs are authorized by Decision (D.) 18-05-043 and the CPUC’s phase I deployment programs are authorized by Decision 20-11-046 (later modified by D.21-05-017).

AV companies must submit applications to participate in the programs to Consumer Protection and Enforcement Division (“CPED”). If approved by CPED, permits to operate in California are issued. They are publicly available on the Commission’s website within the transportation portal.

# Legal Background

The Legislature has declared that “access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state.”**[[3]](#footnote-3)** The California Constitution, the CPRA, and discovery law favor disclosure of public records. The public has constitutional and statutory rights to access most government information.**[[4]](#footnote-4)** The California Constitution’s mandate provides that the public has the right to access most Commission records. Cal. Const. Article I, § 3(b)(1) states:

The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.**[[5]](#footnote-5)**

The California Public Records Act (CPRA) requires that public agency records be open to public inspection unless they are exempt from disclosure under the provisions of the CPRA.**[[6]](#footnote-6)** Agencies must justify withholding a public record in response to a CPRA request on the basis of specific exemptions in the CPRA or upon a showing that on the facts of the particular case the public interest in nondisclosure clearly outweighs the public interest in disclosure.**[[7]](#footnote-7)**

The CPRA requires the Commission to adopt written guidelines for access to agency records, and requires that such regulations and guidelines be consistent with the CPRA and reflect the intention of the Legislature to make agency records accessible to the public.**[[8]](#footnote-8)** General Order 66-D (“G.O. 66-D”), effective January 1, 2018, constitutes the Commission’s current guidelines for access to its records, and reflects the intention to make Commission records more accessible.**[[9]](#footnote-9)** G.O. 66-D also sets forth the requirements that a person must comply with in requesting confidential treatment of information submitted to the Commission. This Resolution applies the forgoing legal standards to the information submitters’ claims for confidential treatment for their autonomous vehicle permit applications.

# AV Applications without Confidentiality Claims

G.O. 66-D Section 5.2, which applies to records without confidentiality claims furnished to the Commission on or after January 1, 2018. G.O. 66-D Section 5.2, states:

information submitted to the Commission with no claim of confidentiality at all may be released to the public without further action by the Commission, unless the Commission withholds the information per an exemption of the CPRA.

There are several autonomous vehicle applications that did not file confidentiality claims at all. The Commission will release them to the public. They will be redacted according to this Resolution as well.

# AV Applications with Confidentiality Claims

Seven companies have filed applications and received AV operating permits from the CPUC. Only five companies, Aurora, Cruise, Waymo, Motional, and Zoox, filed confidentiality claims along with their applications.**[[10]](#footnote-10)** Pony.AI and AutoX did not file confidentiality claims along with their applications. The companies which did not file confidentiality claims will be redacted according to this Resolution.

## Procedural Requirements of G.O. 66-D

The procedural requirements to file confidentiality claims are outlined in G.O. 66-D § 3.2. G.O. 66-D Section 3.2 states the information submitter bears the burden of proving the reasons why the Commission should withhold any information, or any portion thereof, from the public.**[[11]](#footnote-11)** To obtain confidential treatment of information submitted to the Commission, all the following conditions must be met:

(a) the information submitter must designate each page, section, or field, or any portion thereof, as confidential…

(b) specify the basis for the Commission to provide confidential treatment with specific citation to an applicable provision of the CPRA. A citation or general marking of confidentiality, such as “GO-66” and/or “Public Utilities Code Section 583” without additional justification of confidentiality does not satisfy the information submitter’s burden to establish a basis for confidential treatment…

(c) provide a declaration in support of the legal authority cited in Section 3.2(b) of this GO signed by an officer of the information submitter or by an employee or agent designated by an officer. The officer delegating signing authority to an employee or agent must be identified in the declaration.

(d) Provide a name and email address of the person for the Commission to contact regarding the potential release of information by the Commission per Section 5 of this GO.**[[12]](#footnote-12)**

Aurora states the entirety of their application is confidential. Under a section titled “Confidential Information” Aurora states: “In accordance with General Order 66-D and California Government Code 6255, Aurora requests confidential treatment for the entirety of this application, including this letter, its attachments, and all enclosed forms submitted…”

Zoox’s Drivered AV Pilot Application requested “pursuant to GO 66-D” that five particular portions of their application be kept confidential.**[[13]](#footnote-13)**

Aurora and Zoox’s initial applications’ confidentiality claims do not meet all the minimal requirements of G.O. 66-D Section 3.2. These confidentiality claims are general markings of confidentiality, without additional justification. G.O. 66-D § 3.2(b) specifically warns that this does not satisfy the information submitter’s burden to establish a basis for confidential treatment.**[[14]](#footnote-14)** Additionally, confidentiality claims must be signed with an officer’s signature and a contact must be provided.**[[15]](#footnote-15)**

Cruise states within PL739-A, all information in the fields (1) California Driver License No., (2) Birth Date, and (3) Full name of driver, are confidential. Also, Cruise asserts the entirety of the forms TL706-F3 the profit and loss statement, the certificate of liability insurance, the statement and map of their operational design domain, and Cruise’s Staffing Services Agreement with Aerotek, Inc. are confidential. Cruise cites to specific statutes to support their claims of confidentiality by document, with supporting justification.

Motional requests confidential treatment for the operator names, personal addresses, phone numbers, and driver’s license numbers, and AVT numbers, on DMV AV Test Vehicle Operator Permits, phone number on the DMV AVT program manufacturer permit, and the requester account number listed on the DMV Employer Pull Notice (EPN) agreement. In their entirety, Motional seeks to claim confidential treatment for Vehicle Preventive Maintenance Record, Form TL-706-F3 profit and loss statement, auto liability and worker’s compensation insurance certificates and policies, and the Motional Operational Design Domain (ODD). Motional asserts these are exempt from disclosure either as they are driver personal information, or trade secret information, and cites to statutes.

Waymo asserts confidential treatment for the following documents in their entirety: AV Test Driver Training Course Outline and Description, Form TL-706-F3 profit and loss statement, addendum to TL-706-F3 profit and loss statement, Waymo LLC Business Affiliation Addendum, Addendum to Driver’s Vehicle Inspection Report, auto liability and workers’ compensation insurance forms, Waymo’s drug and alcohol plan, and Waymo’s contracts or agreements with its third-party staffing vendors. Waymo cites to statutes to support their confidentiality claim.

Cruise’s four application’s, Motional’s application’s, and Waymo’s re-application’s confidentiality claims sufficiently meet the minimum procedural requirements of G.O. 66-D § 3.2.**[[16]](#footnote-16)** When an information submitter has satisfied the procedural requirements, G.O. 66-D § 5.5 provides that before releasing information in response to a CPRA request, or in any other context, Legal Division will determine whether the information submitter has established a lawful basis of confidentiality.**[[17]](#footnote-17)** In a forthcoming Resolution, Legal Division will apply legal standards to determine if Cruise, Motional, and/or Waymo have established a lawful basis of confidentiality.

## By Document

### The Public Records Act Favors Disclosure

As stated above, in Section 2, the Public Records Act and the Constitution favor disclosure of records, where a specific exemption does not preclude disclosure. Here, the majority of the documents in the Autonomous Vehicle Applications are subject to disclosure, unless a specifically enumerated exemption prevents the Commission from disclosing the document. Documents with specific exemptions are listed below.

### Form PL-769-AV DMV AV Manufacturer’s Testing Permits

Section 6255(a), commonly known as the public interest balancing test, which states that an agency may withhold documents if it determines that, on the facts of the case, the public interest served by not disclosing the records clearly outweighs the public interest served by disclosure of the record. G.O. 66-D § 3.2(b) provides in relevant part that:

If the information submitter cites Government Code Section 6255(a) (commonly known as the public interest balancing test) as the legal authority for the Commission to withhold the document from public release, then the information submitter must demonstrate with granular specificity on the facts of the particular information why the *public* interest served by not disclosing the record clearly outweighs the *public* interest served by disclosure of the record. A *private* economic interest is an inadequate interest to claim in lieu of a *public* interest.

When it comes to a disclosure decision, it is the Commission, not the information submitter, that applies the balancing test under Gov. Code § 6255(a), and that is responsible for supporting and defending balancing test disclosure determinations. The CPRA bars agencies from delegating to others the responsibility for CPRA disclosure decisions. Cal. Gov’t Code § 6253.3 provides that: “A state or local agency may not allow another party to control the disclosure of information that is otherwise subject to disclosure pursuant to this chapter.”**[[18]](#footnote-18)**

When the Commission engages in an independent balancing of public interests for and against disclosure, we balance the public benefit that the information may give the public an opportunity to evaluate the performance of the Commission as a regulatory agency by permitting a ready comparison between the information submitted by the carriers against information provided by the Commission or the carrier in other contexts. Balancing this against, as Cruise and Waymo both point out, the privacy interests of individual employees in their personal telephone numbers, and addresses being published in a public forum, we find a strong balance in favor of public disclosure, with the exception of portions of records that include individual employee’s full names, personal telephone numbers, and home addresses. Moreover, the case law supports using 6255(a) to withhold individuals’ full names, personal telephone numbers, and home addresses from public documents.**[[19]](#footnote-19)**

Cal. Gov’t. § 6254(c)**[[20]](#footnote-20)** was not asserted, but this is an apt exemption. Cal. Gov. Code § 6254(c) exempts from mandatory disclosure.” Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.”

This Resolution finds that on all autonomous vehicle applications’ form PL-769-AV DMV AV Manufacturer’s Testing Permits may be released, though withholding the drivers’ license numbers, birth dates, and full names of the individual employees pursuant to Cal Gov’t §§ 6255(a) and 6254(c).

### Form TL706-F3 Profit/Loss Statement

When the Commission engages in an independent balancing of public interests for and against disclosure under Gov. Code § 6255(a), we balance the public benefit that the information may give the public an opportunity to evaluate the performance of the Commission as a regulatory agency by permitting a ready comparison between the information submitted by the carriers against information provided by the Commission or the carrier in other contexts. Balancing this against the potential harm in disclosing financial information that is unknow to other companies’ and could cause competitive harm, we decide in favor of withholding the Profit/Loss Statements.

In sum, this Resolution finds the disclosure of the entirety of the TL706-F3 Profit/Loss Statement is precluded by Cal Gov’t Code § 6255(a).

### Form INF 1105 DMV Pull Notice Agreement

The Commission finds the DMV EPN requester code number included on Form INF 1105 DMV Pull Notice Agreement is confidential pursuant to its own exercise of Gov. Code § 6255(a). The Commission finds the public benefit in releasing the requester account number on the DMV Employer Pull Notice is not outweighed by the public benefit in maintaining the confidence of that information because it is an identifying number that could be used to identify other DMV records that correspond to this information, which is invasive and has no benefit. Cal. Gov’t Code § 6254(c) would also be applicable here.

In sum, this Resolution finds the disclosure of DMV EPN requester code numbers on Form INF 1105 DMV Pull Notice Agreement is precluded by Gov. Code § 6255(a).

### Third Party Contracts

When the Commission engages in an independent balancing of public interests for and against disclosure under Gov. Code § 6255(a), we balance the public benefit that the information may give the public an opportunity to evaluate the performance of the Commission as a regulatory agency by permitting a ready comparison between the information submitted by the carriers against information provided by the Commission or the carrier in other contexts. Balancing this against the potential harm in disclosing financial information that is unknown to other companies’ and could cause competitive harm, we decide in favor of withholding the contract price from any third-party contracts.

In sum, this Resolution finds the disclosure of the contract price in any third-party contracts is precluded by Cal Gov’t Code § 6255(a).

# Conclusion

All AV Pilot and Phase I AV Deployment permit applications shall be open to the public, though with the confidential portions as determined above redacted.

**COMMENTS**

In accordance with Public Utilities Code § 311(g), the Draft Resolution was mailed to the parties on December 9, 2022. Comments were filed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_. Reply comments were filed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

FINDINGS

1. The Commission received multiple requests that seek disclosure of records of autonomous vehicle applications.
2. Commission review finds that the autonomous vehicle applications’ confidentiality claims are partially justifiable.
3. The public interest favors withholding any portion that could reveal personal information under Cal. Gov’t Code § 6254(c).

CONCLUSION

1. The documents in the requested Commission’s investigation file and report are public records as defined by Cal. Gov’t. Code § 6250, *et seq*.
2. The California Constitution favors disclosure of governmental records by, among other things, stating that the people have the right of access to information concerning the conduct of the peoples’ business, and therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny. Furthermore, the California Constitution also requires that statutes, court rules, and other authority favoring disclosure be broadly construed, and that statutes, court rules, and other authority limiting disclosure be construed narrowly; and that any new statutes, court rules, or other authority limiting disclosure be supported by findings determining the interest served by keeping information from the public and the need to protect that interest. Cal. Const. Article I, §§ 3(b)(1) and (2).
3. The general policy of the CPRA favors disclosure of records.
4. Justification for withholding a public record in response to a CPRA request must be based on specific exemptions in the CPRA or upon a showing that, on the facts of a particular case, the public interest in nondisclosure clearly outweighs the public interest in disclosure. Cal. Gov’t. Code § 6255.
5. Cal. Gov’t Code § 6254(c) exempts from mandatory disclosure personal information, the disclosure of which would constitute an unwarranted invasion of personal privacy.
6. Cal. Gov’t Code Section 6255(a), commonly known as the public interest balancing test, exempts from disclosure records for which the public interest in maintaining their confidentiality clearly outweighs the public interest in disclosure.

**THEREFORE, IT IS ORDERED THAT**:

1. The request for disclosure of the Commission records concerning autonomous vehicle pilot and deployment permit applications is granted, with the exception of any personal information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

This Resolution is effective today.

I certify that this Resolution was adopted by the California Public Utilities Commission at its regular meeting of February 23, 2023, and that the following Commissioners approved it:

|  |
| --- |
| RACHEL PETERSON Executive Director |

**APPENDIX A**

TCP Application Documents

|  |  |
| --- | --- |
| DMV EPN | Requester Code is confidential |
| Driver/remote operator list | Public |
| Terminal address | Public |
| Vehicle list | Public |
| Applicant/carrier declarations, including Vehicle Safety Inspection Declaration, others | Public |
| Controlled substances and alcohol testing certification program | Public |
| Profit and loss statement | Entire document is confidential |
| Insurance | Public |
| 3rd Party Contracts | Contract price is confidential |

Drivered AV Pilot Program Documents

|  |  |
| --- | --- |
| DMV AV Manufacturer’s Testing Permit | Operators’ full names, addresses, and phone numbers are confidential |
| DMV AV Operator Permit | Operators’ full names, addresses, and phone numbers are confidential |
| AV Test Driver training course outline and description | Public |
| Attestation of compliance with DMV regulations | Public |
| Attestation of 30 days of California operations under DMV permit | Public |
| Statement and Map of Operational Design Domain | Public |
| Passenger Notice and Consent Plan | Public |
| (Optional) Supplement to Projected Profit or Loss Statement | Entire document is confidential |
| (Optional) Request(s) for exemption(s) to General Order 157-E | Public |
| 3rd Party Contracts | Contract price is confidential |

Driverless AV Pilot Program Documents

|  |  |
| --- | --- |
| DMV Driverless AV Testing Permit | Operators’ full names, addresses, and phone numbers are confidential |
| DMV Process in the Event of a Collision | Public |
| DMV Law Enforcement Interaction Plan | Public |
| DMV Disclosure to Passengers Regarding Collection and Use of Personal Information | Public |
| AV Remote Operator training course outline and description | Public |
| Attestation of compliance with DMV regulations | Public |
| Attestation of 30 days of California operations under DMV permit | Public |
| Statement and Map of Operational Design Domain | Public |
| Passenger Notice and Consent Plan | Public |
| Passenger Safety Plan | Public |
| 3rd Party Contracts | Contract price is confidential |
| (Optional) Supplement to Projected Profit or Loss Statement | Entire document is confidential |
| (Optional) Request(s) for exemption(s) to General Order 157-E | Public |

Drivered AV Deployment Program Documents

|  |  |
| --- | --- |
| DMV AV Manufacturer’s Deployment Permit | Operators’ full names, addresses, and phone numbers are confidential |
| DMV Law Enforcement Interaction Plan | Public |
| DMV Disclosure to Passengers Regarding Collection and Use of Personal Information | Public |
| AV Test Driver training course outline and description | Public |
| Attestation of compliance with DMV regulations | Public |
| Attestation of 30 days of California operations under DMV permit | Public |
| Statement and Map of Operational Design Domain | Public |
| Passenger Notice and Consent Plan | Public |
| 3rd Party Contracts | Contract price is confidential |
| (Optional) Supplement to Projected Profit or Loss Statement | Entire document is confidential |
| (Optional) Request(s) for exemption(s) to General Order 157-E | Public |

Driverless AV Deployment Program Documents

|  |  |
| --- | --- |
| DMV AV Manufacturer’s Deployment Permit | Operators’ full names, addresses, and phone numbers are confidential |
| DMV Process in the Event of a Collision | Public |
| DMV Law Enforcement Interaction Plan | Public |
| DMV Disclosure to Passengers Regarding Collection and Use of Personal Information | Public |
| AV Remote Operator training course outline and description | Public |
| Attestation of compliance with DMV regulations | Public |
| Attestation of 30 days of California operations under DMV permit | Public |
| Statement and Map of Operational Design Domain | Public |
| Passenger Notice and Consent Plan | Public |
| Passenger Safety Plan | Public |
| Tier 3 Advice Letter | Public |
| Third-Party Contracts | Contract price is confidential |
| (Optional) Supplement to Projected Profit or Loss Statement | Entire document is confidential |
| (Optional) Request(s) for exemption(s) to General Order 157-E | Public |

1. 18 were received by November 23, 2022. Public Records Act Requests #19-505, #20-14, #21-231, #21-252, #21-253, #21-254, #21-255, #21-256, #21-257, #21-258, #21-363, # 21-382, #21-390, #21-481, #21-684, #21-703, #22-101, and #22-120. [↑](#footnote-ref-1)
2. General Order (“G.O.”) 66-D Sections 5.5(a), (c), and 6.1. [↑](#footnote-ref-2)
3. Government Code § 6250. [↑](#footnote-ref-3)
4. *See, e.g.,**National Lawyers Guild, San Francisco Bay Area Chapter v. City of Hayward* (2020) 9 Cal.5th 488, 492: “The California Public Records Act (PRA) establishes a right of public access to government records. “…the PRA was enacted for the purpose of increasing freedom of information by giving members of the public access to records in the possession of state and local agencies.” ([*Los Angeles County Bd. of Supervisors v. Superior Court* (2016) 2 Cal.5th 282, 290](https://1.next.westlaw.com/Link/Document/FullText?findType=Y&serNum=2040679491&pubNum=0007052&originatingDoc=I401aa0d0a11a11eabb91c2e2bc8b49a5&refType=RP&fi=co_pp_sp_7052_290&originationContext=document&transitionType=DocumentItem&ppcid=317ee9bed8064aad8b0042eb8c190410&contextData=(sc.Search)#co_pp_sp_7052_290)). In enacting the statute in 1968, the Legislature declared this right of access to be “a fundamental and necessary right of every person in this state” ([Gov. Code, § 6250](https://1.next.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000211&cite=CAGTS6250&originatingDoc=I401aa0d0a11a11eabb91c2e2bc8b49a5&refType=LQ&originationContext=document&transitionType=DocumentItem&ppcid=317ee9bed8064aad8b0042eb8c190410&contextData=(sc.Search)))—a declaration ratified by voters who amended the California Constitution in 2004 to secure a “right of access to information concerning the conduct of the people's business” ([Cal. Const., art. I, § 3](https://1.next.westlaw.com/Link/Document/FullText?findType=L&pubNum=1000203&cite=CACNART1S3&originatingDoc=I401aa0d0a11a11eabb91c2e2bc8b49a5&refType=LQ&originationContext=document&transitionType=DocumentItem&ppcid=317ee9bed8064aad8b0042eb8c190410&contextData=(sc.Search)), subd. (b)(1). (*See* [*Los Angeles County Bd. of Supervisors*, at p. 290.](https://1.next.westlaw.com/Link/Document/FullText?findType=Y&serNum=2040679491&pubNum=0004645&originatingDoc=I401aa0d0a11a11eabb91c2e2bc8b49a5&refType=RP&fi=co_pp_sp_4645_290&originationContext=document&transitionType=DocumentItem&ppcid=317ee9bed8064aad8b0042eb8c190410&contextData=(sc.Search)#co_pp_sp_4645_290))”; Sierra Club v. Superior Court (2013) 57 Cal.4th 157, 166-167: “’Given the strong public policy of the people's right to information concerning the people's business (Gov. Code § 6250), and the constitutional mandate to construe statutes limiting the right of access narrowly (Cal. Const., art. I, § 3, subd. (b)(2)), ‘all public records are subject to disclosure unless the Legislature has *expressly* provided to the contrary.’” (*Office of Inspector General v. Superior Court* (2010) 189. Cal.Ap.4th 695, 709, quoting *Williams v. Superior Court* (1993) 5 Cal.4th 337, 346, italics added by the Court of Appeal”; *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608, 617. [↑](#footnote-ref-4)
5. *See* e.g., International Federation of Professional & Technical Engineers, Local 21, AFL-CIO v. Superior Court (2007) 42 Cal.4th 319, 328-329. [↑](#footnote-ref-5)
6. *See* Roberts v. City of Palmdale (1993) 5 Cal.4th 363, 370. (“The Public Records Act, Section 6250 et seq., was enacted in 1968 and provides that “every person has a right to inspect any public record, except as hereafter provided.” (§ 6253, subd. (a).) [↑](#footnote-ref-6)
7. Cal. Gov’t. Code § 6255(a). The fact that a record may fall within a CPRA exemption does not preclude its disclosure. *Modified Presiding Officer’s Decision Finding the San Francisco Municipal Transportation Agency in Contempt, in violation of Rule 1.1 of the Commission’s Rules of Practice and Procedures* (“SFMTA”) (2015) Decision (“D.”) 15-08-032, at 18: “CPRA exemptions are permissive rather than mandatory; they allow nondisclosure but do not prohibit disclosure. (*CBS, Inc. v. Block* (1986) 42 Cal.3d 646, 652; *Re San Diego Gas and Electric Company* (1993) D.93-05-020). [Footnote: 49 CPUC2d 241, at 242.]” *See also*, *Marken v. Santa Monica-Malibu Unified School District* (2012) 202 Cal.App.4th 1250, 1261-1262; *Register Div. of Freedom Newspapers, Inc. v. County of Orange* (1984) 158 Cal.App.3d 893, 905; *Black Panthers v. Kehoe* (1974) 42 Cal.App.3d 645, 656; Cal. Gov’t. Code § 6253(e): “Except as otherwise prohibited by law, a state or local agency may adopt requirements for itself that allow for faster, more efficient, or greater access to records than prescribed by the minimum standards set forth in this chapter.”; and the penultimate sentence in Cal. Gov’t. Code § 6254: “This section does not prevent any agency from opening its records concerning the administration of the agency to public inspection, unless disclosure is otherwise prohibited by law.” [↑](#footnote-ref-7)
8. Government Code § 6253.4(a), (b). [↑](#footnote-ref-8)
9. *See* D.17-09-023, at 11-12, 14. [↑](#footnote-ref-9)
10. Aurora Drivered Pilot AV Application at pp 1-2, Cruise Drivered Pilot AV Application at p 106, Cruise Driverless Pilot AV Application at p 52, Cruise Drivered Deployment AV Application at p. 97, Cruise Driverless Deployment AV Application at p. 139, Waymo Drivered Pilot AV Application at p. 295, Waymo Drivered Pilot AV Application Reapplication at p. 149, and Zoox at p. 126. [↑](#footnote-ref-10)
11. General Order 66-D § 3.2. [↑](#footnote-ref-11)
12. *Id.* [↑](#footnote-ref-12)
13. Zoox Drivered Pilot AV Application at p. 126. [↑](#footnote-ref-13)
14. G.O. 66-D § 3.2(b): “A citation or general marking of confidentiality, such as “GO 66-D” and/or “Public Utilities Code Section 583” without additional justification of confidentiality does not satisfy the information submitter’s burden to establish a basis for confidential treatment.” [↑](#footnote-ref-14)
15. G.O. 66-D § 3.2(c)&(d). [↑](#footnote-ref-15)
16. Waymo Drivered Pilot AV Reapplication at pp 149-151; Cruise Drivered Pilot AV Application at p. 107; Cruise Driverless Pilot AV Application at p. 57; Cruise Drivered Deployment AV Application at pp. 38, 97-98; Cruise Driverless Deployment AV Application at pp. 139-140. [↑](#footnote-ref-16)
17. G.O. 66-D § 3.2. [↑](#footnote-ref-17)
18. D.20-12-021 at p. 35. [↑](#footnote-ref-18)
19. *City of San Jose v. Superior Court* (1999) 74 Cal.App.4th 1008 [Court upholds withholding names, addresses, and phone numbers of airport noise complainants]; *Coronado Police Officers Assn. v. Carroll* (2003) 106 Cal.App.4th 1001 [Court upholds withholding information in a public defender’s database about police officers]; *Los Angeles Unified School District v. Superior Court* (2014) 228 Cal.App.4th 222 [Court upholds withholding individual teacher test scores, identified by name]. [↑](#footnote-ref-19)
20. Cal. Gov’t. § 6254(c): “Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.” [↑](#footnote-ref-20)