

February 8, 2026

To: Chair McLain and members of the House Committee on Transportation

From: Becky Steckler, AICP

RE: Testimony on HB 4085

Dear Chair McLain and members of the Committee,

My name is Becky Steckler, AICP and I am a resident of Portland, Oregon. I was a member of Oregon's Task Force on Autonomous Vehicles (2018) and I am the former Program Director for the Urbanism Next Center at the University of Oregon where I studied autonomous vehicles and new mobility (2017-2022). More recently, I was a Project Director at ECONorthwest where I completed a national study on revenue-related tools for new mobility (including autonomous vehicles) for the National Cooperative Highway Research Program (publication is anticipated in early 2026). **Based on the research I've conducted and reviewed, I oppose HB 4085 as written.**

A well-functioning transportation system moves people and goods in a safe, comfortable, equitable, and efficient manner. While the Oregon Department of Transportation (ODOT) licenses drivers, registers vehicles, and constructs and maintains highways (among many other responsibilities), it is local governments that build, maintain, and manage the local transportation network to ensure that kids can safely get to school, workers can get to jobs, and all residents and visitors can safely shop, go to appointments, or recreate on city streets. I **oppose HB 4085 as introduced because it preempts local governments from being able to regulate and price autonomous vehicles (AVs), thus impeding their ability to manage the local transportation system in several important ways.**

First, HB 4085 preempts local governments from regulating autonomous vehicle use on local streets, which makes it difficult for cities to manage traffic and can make communities less safe. There is a minor exception for airports in that they are allowed to designate staging, picking up or dropping off customers, and charge fees similar to others charged for similar services (HB 4085, Section 11, 2(c)(A) and (B)). Airports are not the only destinations where management of vehicles is critical to reduce congestion and ensure the safe pickup/dropoff of passengers. Local governments must plan for people walking, biking, scooting, and driving to and through major events (such as a Portland Trail Blazers or Hillsboro Hops game, the Albany Veterans Day parade, or a University of Oregon football game), as well as major construction, around schools, during street closures, or other major events requires planning of infrastructure and day-to-day transportation operations.

While AVs *often* operate in a safe manner in these situations, when they don't operate safely, it can be catastrophic to the efficient movement of traffic, as demonstrated in December 2025 when electrical power went out in San Francisco¹. Multiple Waymo vehicles stopped in intersections during the outage, snarling traffic for hours. While AVs are programmed not to speed and to obey traffic laws, they make mistakes that a human driver likely would not, such as driving into a flooded roadway² or into an active crime scene³. Not only can failures of AVs cause significant traffic congestion, but they can also lead to fatal outcomes, as seen with Tesla's self-driving system. The National Highway and Transportation Safety Administration (NHTSA) is investigating Tesla for running red lights, stop signs, and not detecting other traffic signals; crashes at intersections; driving the wrong way on a street; sudden disengagements, and other traffic safety violations⁴. According to NHTSA, there were 956 total crashes and 29 fatal crashes related to Tesla's Autopilot between Jan 2018 and Aug 2023⁵.

Local governments should be able to regulate AVs (as they are different from human drivers) and have recourse or a way to fine, penalize, or ban companies or individuals from operating AVs or self-driving vehicles if they repeatedly violate traffic laws and pose a danger to the public. HB 4085 as introduced would not allow local governments to regulate the use of AVs.

Second, HB 4085 does not allow local governments to assess fees. Setting a price, such as a fee or a tax, is one of the most efficient ways to reduce negative externalities by pricing uses that cause the most harm. These tools ensure that people or companies benefiting from the public right-of-way contribute their fair share to the ongoing maintenance and capital improvements required by new mobility. Unlike human-driven vehicles that park approximately 95 percent of

¹ Sonia A. Rao, Christina Morales, and Alessandro Marazzi Sassoon, "Waymo Suspended Service in San Francisco After Its Cars Stalled During Power Outage," *The New York Times*, December 21, 2025, <https://www.nytimes.com/2025/12/21/us/waymo-suspended-service-in-san-francisco-after-problems-during-power-outage.html>.

² Templeton, Brad. "Waymo's Get Stuck In Phoenix Flood: How Could They Do Better?" *Forbes*, September 29, 2025. <https://www.forbes.com/sites/bradtempleton/2025/09/29/waymos-get-stuck-in-phoenix-flood-how-could-they-do-better/>.

³ Blankstein, Andrew, and Corky Siemaszko. "Driverless Waymo vehicle inadvertently takes riders through tense police stop." *NBC News*, December 2, 2025. <https://www.nbcnews.com/news/us-news/driverless-waymo-vehicle-inadvertently-takes-riders-tense-police-stop-rcna246994>.

⁴ U.S. Department of Transportation, National Highway Traffic Safety Administration. (2025). Investigation: PE25012 [Prompted by VOQs, Standing General Order (SGO) reports and media reports]. (Investigator: Thomas Haugh; Reviewer: Scott Simmons; Approver: Tanya Topka). <https://static.nhtsa.gov/odi/inv/2025/INOA-PE25012-19171.pdf>

⁵ National Highway Traffic Safety Administration. "Additional Information Regarding EA22002 Investigation: Autopilot System Driver Controls." April 25, 2024. <https://static.nhtsa.gov/odi/inv/2022/INCR-EA22002-14496.pdf>.

the time, AVs are likely to keep cruising in the street as they wait for the next paid rider. These “deadhead” miles have the potential to greatly increase traffic, congestion, and the related wear and tear on city streets.

Furthermore, as autonomous and electric vehicles begin to erode traditional funding streams like fuel taxes, local governments must have the authority to implement usage-based fees—such as per-trip or per-mile charges—to sustain the transportation network. Portland currently charges transportation network companies an application fee and a per trip fee to operate in the city. Without the ability to set these prices, cities lose their most effective lever for managing the added congestion and increased vehicle miles traveled (VMT) that on-demand autonomous fleets can generate. the shift to autonomous and electric fleets is already disrupting traditional revenue like fuel taxes. By preempting local fees, HB 4085 creates a 'revenue vacuum' where the very vehicles that use our roads most intensively are not contributing to their upkeep. Ultimately, the ability to assess localized fees allows agencies to nimbly adapt to the complex demands these vehicles place on our streets and curbs, ensuring that the benefits of innovation do not come at a cost to the public’s safety and mobility.

Third, local regulation and ability to assess fees are important tools to reduce GHG emissions pollution and congestion. The California Air Resources Board’s review of the AV literature suggests that VMT could increase by 13-83 percent, depending on the level of automation and the ownership model⁶. The potential increase of VMT and related congestion exacerbated by the introduction of AVs will make it difficult for local governments and the state to achieve their climate and air pollution reduction goals. Oregon’s Climate Friendly and Equitable Communities (CFEC) rules have a goal of reducing GHG emissions by 25 percent in the Portland metro area by 2040 and 20 percent in the seven other metropolitan planning organization regions (Albany, Bend, Corvallis, Eugene-Springfield, Middle Rogue, Rogue Valley, Salem-Keizer). These efforts aim to curb driving to meet state emission goals. If the state of Oregon is going to require communities to reduce GHG emissions and VMT, then the legislature should be passing laws to make it easier for communities to achieve these goals, not harder as this bill would.

AVs are still a unique and new mode to our system, but communities have learned a lot from the introduction of other new mobility modes such as bikeshare, e-scooters, transportation network companies (like Uber and Lyft) over the past 10 to 20 years. In 2020, I and my then colleagues from the University of Oregon conducted a national review of new mobility pilot projects⁷ and found that pilot projects with limited deployment is an effective way for local

⁶ California Air Resources Board, "AVs – 2025 Policy Brief," September 2025, <https://ww2.arb.ca.gov/sites/default/files/2025-09/AVs%20-%202025%20Policy%20Brief.pdf>.

⁷ Becky Steckler, Amanda Howell, Juliette Coia, and Grace Kaplowitz, "Perfecting Policy with Pilots: New Mobility and AV Urban Delivery Pilot Project Assessment" (Urbanism Next Center, University of Oregon, April 2020),

governments and private companies to learn from deployments, share data, and better understand how these new modes impact mobility in our communities. Indeed, the ability to collect and share pertinent data to understand where and when AVs (and other new mobility modes) operate in our communities is critical. In addition, the 2018 Autonomous Vehicle Task Force made multiple recommendations related to local preemption (and how that interferes with the local government's ability to manage the right-of-way), the need for revenue and pricing strategies, insurance minimums, and workforce impacts, as well as other issues. **HB 4085 could be greatly improved if it incorporated safeguards for communities based on the recommendations of the 2018 AV Task Force, experiences in multiple other cities across the country, and the most recent research on the impact of AVs on communities.** An AV bill should not be rushed in the short legislative session. Instead, local governments, state representatives, stakeholders, researchers, and AV companies should work together to develop legislation for the 2027 Legislative Session.

Thank you for your consideration,

Becky Steckler, AICP