

Submitter: Dan Jaffee
On Behalf Of:
Committee: House Committee On Transportation
Measure, Appointment or Topic: HB4085

Dear Chair and Committee Members:

I am writing to strongly oppose HB 4085. While there are many serious problems with this hastily prepared and ill-conceived bill, I will focus here on two crucial issues: 1) preemption of local regulation, and 2) "carving out" autonomous vehicles as separate from other for-hire transportation options.

HB 4085 would prevent local governments from regulating Autonomous Vehicles (AVs). This is anti-democratic, and represents a brazen attempt by the AV industry to prevent thoughtful consideration and regulation of AVs before it can emerge. Simply put, local governments must not be preempted. Automated vehicles are massively disruptive technologies that will have enormous and serious social, economic, safety, and environmental impacts, as well as added costs, which will primarily hit local residents, local streets, and local governments. For this and many other reasons, local governments must maintain regulatory authority to be able to control, minimize, or respond to any disruption, including when AVs cause curbside conflicts, stall in the middle of streets, conflict with first-responders, or fail to respond to road closures, events, or construction. This is far from conjecture: cities with existing AV operations including Los Angeles, San Francisco, Austin, and others are already experiencing these very issues. Why would Oregon want to legislate away the ability for local governments to respond to and mitigate these harms? The Oregon State Legislature recognizes the authority of cities and counties to regulate private for-hire transportation in ORS 221.495. This authority must not be impaired or preempted.

Second, if AV networks are allowed to operate at all--a decision that must be left up to local authorities--they should be regulated as part of the private for-hire transportation industry. HB 4085 would carve out "On-Demand AV Networks" as new and different from other private for-hire transportation services. However, AVs are simply a new technological innovation that should be held to similar standards as other private for-hire transportation companies, including taxis, Lyft, Uber, etc. This level playing field would importantly require AVs and AV networks to meet data privacy and data sharing requirements, so that cities can understand traffic impacts and create enforceable standards for minors, citywide service, response times, and users with accessibility needs. I understand that Waymo refuses to meaningfully share data with cities in California, thereby impeding access to vital information; Oregon must require full data transparency by AV companies. Regulating AV Networks as for-hire services would also lead to fairer competition between the various transportation services.

Please vote NO on HB 4085. It should be completely shelved for the 2026 session, with time allowed for a very careful, thoughtful assessment of all of its implications--with ample representation from all affected parties, including local government leaders, taxi and TNC drivers, and others. If appropriate, this issue should be reconsidered in the long 2027 session if needed.

Thank you for your attention.

Sincerely,

Dan Jaffee
Portland