

Senate Bill 961 FAQs

Claim: Passive ISA is neither effective nor ready for prime time:

- The National Transportation Safety Board (NTSB) strongly recommends Passive ISA and it is already required on all cars in the European Union. The NTSB has cited multiple studies that show Passive ISA is quite effective at reducing speeding.
- Toyota – the largest American auto manufacturer – is rolling out a Passive ISA feature very similar to the SB 961 requirement on all its vehicles starting later this year. Most (at least 18) major manufacturers offer some sort of Passive or Active system on at least some of their models.

Claim: California is preempted from enacting a Passive ISA law:

- Passive ISA technology is NOT federally preempted. Federal law allows states to regulate vehicle safety and performance features that have not been regulated by the state. No federal Passive ISA regulations exist. Therefore, SB 961's requirement is not federally preempted. The California Assembly has also already passed legislation *this year* that regulates vehicle features that the federal government has similarly not yet regulated.

Claim: NHTSA is already addressing this issue at the federal level:

- The federal government has spent a decade contemplating similar regulations for trucks but hasn't even announced a final rule. NHTSA is even further behind for cars. It could be well over a decade before NHTSA finalizes a regulation, if at all. In that time, tens of thousands of people will die in crashes. As such, the NTSB has said NHTSA's current progress is unacceptable and that NHTSA is unlikely to take action soon.

Claim: SB 961 requires vehicles to be equipped with location or speed-tracking technology and could increase vehicle costs:

- SB 961 does NOT require vehicle tracking or video-sharing technology to be installed on any vehicle: The bill exempts vehicles that aren't already equipped with such technology, addressing privacy concerns. It merely requires that vehicles that are already equipped with at least either GPS or front-facing cameras to have an existing Passive ISA feature be enabled.

Claim: SB 961 is inconsistent with EU regulations:

- 961 does not prevent automakers from providing any of the other types of warnings or systems that are options in the EU regulations – all of which are more invasive than the SB 961 requirement.