



HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
411 LEGISLATIVE AVENUE
DOVER, DELAWARE 19901

House Transportation Committee Meeting Minutes

5.14.25

House Committee Recording

Chair Morrison called the meeting to order at 10:02 a.m.

Members present:

Rep. Morrison, Chair

Rep. Osienski, Vice Chair

Rep. Burns

Rep. Ortega

Rep. Collins

Rep. Heffernan

Rep. Morris

Rep. Smith

Chair Morrison introduced **SB 46, AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO AUTONOMOUS VEHICLES.** *Time Stamp 10:05 a.m.*

SB 46, sponsored by Senator Mantzavinos and Rep. Morrison, requires autonomous tractor-trailers in Delaware highways to have a licensed human safety operator physically present within the autonomous vehicle.

Vice Chair Osienski expressed his support for the bill and commented that it is necessary, as the technology is rapidly evolving.

Rep. Smith asked if there are any insurance requirements for human safety operators inside the autonomous vehicles. Chair Morrison responded that although he did not have enough information at that time, relevant information can be requested.

Mr. Marc Scribner, Senior Transportation Policy Analyst at the Reason Foundation, was invited as an expert witness by Rep. Collins to testify before the committee.

Rep. Collins asked Mr. Scribner if any other state has introduced and implemented the technology. Mr. Scribner affirmed that there are currently approximately three dozen states that have authorized deployment or testing of autonomous vehicles on public roadways, including heavy-duty trucks, and over two dozen that have authorized commercial deployment.

Rep. Collins further inquired if any states have banned autonomous vehicles. Mr. Scribner affirmed that no state in statute has enacted a blanket preemptive ban on autonomous heavy-duty vehicles.

Rep. Collins additionally asked about the status of autonomous vehicles in California. Mr. Scribner affirmed that the current regulations in California allowed the commercial operation of autonomous vehicles up to 10,000 pounds, and the recent proposed rules by the California Department of Motor Vehicles incorporated heavy-duty vehicles, including tractor-trailers.

Mr. Scribner further added that in 2023 and 2024, California banned driverless trucks, and in both of those years, the decision was vetoed by Governor Gavin Newsom, citing that it would be harmful to the state's reputation as the global leader in technology innovation.

Rep. Collins sought clarification on how SB 46 could affect jobs within the trucking industry. Mr. Scribner affirmed that the trucking industry has faced severe challenges in attracting and retaining drivers, particularly for long-haul operations. He argued that although the research is preliminary, there are no immediate concerns for the displacement of actual employed truck drivers, largely because there is currently only a single driverless truck operation along Texas route I-45 between Dallas and Houston. However, he also affirmed that it is expected to be expanded between El Paso and Phoenix in late 2025, and even though there are no immediate concerns, retraining of drivers may be necessary in the long term.

Rep. Collins inquired regarding the prevalence and cause of accidents on the roads. Mr. Scribner testified that, according to the National Highway Traffic Safety Administration, more than ninety percent of accidents on the roads resulted from human error or misbehavior, and despite adequate data, it has been understood that autonomous driving systems can significantly enhance safety on the roads.

Rep. Burns asked the witness about the existing route of operation for autonomous trucks, weather conditions along the route, contingency plan in case of any blockage or interruption, and timeline to develop geofencing mechanisms. Mr. Scribner testified that the vehicles operate with some contingency plans in place and try to stay on limited routes. He further added that although geofencing itself does not take very long, testing and running simulations is a time-consuming process.

Chair Morrison inquired about the duration of active autonomous truck operation along I-45 in Texas. Mr. Scribner responded that in commercial driverless operation, it has only been about three weeks since the launch.

Rep. Collins asked the witness if the immediate deployment of autonomous trucks is possible in Delaware. Mr. Scribner affirmed that immediate deployment is not possible in Delaware without adequate testing in adverse weather conditions.

Rep. Collins questioned if the Delaware Department of Transportation has the ability to regulate any vehicle that is deemed unsafe for operation. Mr. Scribner affirmed that under the existing vehicle code, the Department of Transportation has the authority to refuse, rescind, cancel, or suspend the registration of any unsafe or unfit to be operated motor vehicle.

Rep. Heffernan asked Chair Morrison if the bill requires a safety operator for autonomous cars as well. Chair Morrison affirmed that the bill regulates tractor-trailers only.

Chair Morrison opened the floor for public comments.

Members of the public who voiced support for the bill included Paul Thornburg of Teamsters Local 326, Tom DiCristofaro of DVFA, and Len McCartney of Teamsters.

Members of the public who voiced opposition to the bill included Chris DiPietro of AVIA, Renee Gibson of AVIA, Liz Fishback of Stack AV, Margaret Durkin, Joshua Berkow, Tyler Micik, and Ruth Whittaker.

A motion was made by Rep. Osienski and seconded by Rep. Heffernan to release SB 46 from committee; motion carried. Yes = 6 (Burns, Morrison, Osienski, Ortega, Smith, Heffernan); No = 2 (Collins, Morris); Absent = 2 (Shelby, Giltner). The bill was released from the committee with a F=1, M=5, U=0 vote.

Chair Morrison introduced **SB 88, AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.** *Time Stamp 10:54 a.m.*

SB 88, sponsored by Sen. Hansen and Rep. Morrison, will improve customer service by extending the due date on toll violations from the thirty-first day to the sixty-first day after the date the violation is transmitted.

Rep. Heffernan inquired about the breakdown of the invoice for a toll violation. Chair Morrison invited the Director of the Division of Motor Vehicles, Ms. Amy Anthony, to answer the question. Ms. Anthony affirmed that the first invoice following a violation will be the toll fee, and other fees will be added if the amount due is not paid within the given time.

Chair Morrison opened the floor for public comments.

A motion was made by Vice Chair Osienski and seconded by Rep. Burns to release SB 88 from committee; motion carried. Yes = 8 (Burns, Morrison, Osienski, Ortega, Smith, Heffernan, Collins, Morris); No = 0; Absent = 2 (Shelby, Giltner). The bill was released from the committee with a F=1, M=6, U=0 vote.

Chair Morrison adjourned the meeting at 11:00 a.m.

Respectfully submitted by:
Milan Katuwal

Attendance List

- Ms. Amy Anthony, Director of the Division of Motor Vehicles (DMV)
- Paul Thornburg, Teamsters Local 326
- Tom DiCristofaro, DVFA
- Len McCartney, Teamsters
- Chris DiPietro, AVIA
- Renee Gibson, AVIA
- Liz Fishback, Stack AV
- Tyler Micik, Delaware State Chamber of Commerce



May 13, 2025

Representative Eric Morrison
Chair, House Transportation Committee
411 Legislative Avenue
Dover, DE 19901

Dear Chairman Morrison,

The Autonomous Vehicle Industry Association (“AVIA”) writes to express our significant concerns with and strong opposition to SB 46, which would effectively ban autonomous truck deployments by requiring a human observer to be physically present in all heavy-duty autonomous vehicles (“AV”).

As background, AVIA is comprised of the world’s leading technology, ridesharing, trucking, and automotive companies. Our mission is to realize the benefits of autonomous vehicles (i.e., SAE Levels 4- and 5-capable vehicles equipped with automated driving systems that are capable of driving the vehicle without human intervention) and support the safe and expeditious deployment of these technologies. With its broad array of technical expertise and experience in the technology, automobile, and transportation network sectors, AVIA welcomes the opportunity to engage with the Committee to develop the right solutions that will promote the deployment of AVs on Delaware roads.

A regulatory framework that supports the deployment of all AVs will better equip Delaware’s transportation system and workforce to take advantage of the benefits presented by this technology. Unfortunately, SB 46 jeopardizes this future by requiring a human observer in all AVs weighing over 10,000 pounds, which would effectively ban autonomous trucks in Delaware. Further, no state that authorizes AV deployment requires a human observer to remain in the vehicle. If Delaware were to move forward with this bill, it would become a national outlier and would create a chilling effect on investment, development, and operations in the state.

Instead, we encourage the legislature to support AV operations, which offer many benefits. Chief among them is that autonomous trucks will make Delaware’s roads safer. Early estimates from the National Highway Traffic Safety Administration indicate that over 40,000 traffic deaths occurred in 2023—over 100 fatalities per day. These deaths are overwhelmingly caused by human error.

Rather than increase barriers to the deployment of AVs, Delaware should support AV operation precisely *because it removes* human error from the equation. Unlike human drivers, AVs do not drive impaired, text while driving, fall asleep at the wheel, or recklessly speed. Indeed, for over a dozen years, AV technology has been tested on America’s public roads and



maintains a remarkable safety record. In fact, federal government data demonstrates that there has never been a fatality involving an autonomous truck and shows remarkably few incidents involving the vehicles. Over millions of miles driven, there have been 16 incidents in more than 2 years. The overwhelming majority of incidents were either caused by other human-driven vehicles or damage from debris on the road. Autonomous trucks are safely operating without human drivers across the country, but SB 46 would prevent Delawareans from reaping these safety benefits.

Autonomous trucks will also alleviate supply chain challenges and augment the current truck driver workforce. Federal government data estimates that U.S. freight volume will increase 50% by 2050. At the same time, there is a shortage of truck drivers to move this freight and the problem is set to get worse. According to the American Trucking Associations, there is a nationwide shortage of nearly 80,000 truck drivers and that figure is set to double by 2031. The United States needs truck drivers and autonomous trucks can help augment the workforce to help solve supply chain challenges for Delaware. Autonomous trucks and America's truck drivers will thrive together in the future.

The AV industry is also leveraging the existing workforce to create new roles for different education and skill levels. Many of the jobs created do not require a college degree, such as service technicians, remote assistance operators, mapping data collectors, delivery packers, and more. Workers with experience in the trucking industry specifically, particularly as truck drivers, offer valuable skills to AV trucking employers. In addition, according to a study funded by the U.S. Department of Transportation and Federal Highway Administration, automating long-haul trucking will spur \$111 billion in aggregate investment spending across the U.S. economy, increase total U.S. employment by 26,400 to 35,100 jobs per year on average, and raise annual earnings for all U.S. workers by more than \$200 per worker per year.

Autonomous trucks will usher in a new era of mobility that will make Delaware's transportation system safer, more efficient, and more accessible. We strongly believe Delaware should support safety-enhancing policies without foreclosing a future with autonomous trucks. For the reasons described above, we respectfully strongly oppose SB 46.

Sincerely,

Jeff Farrah
Chief Executive Officer
Autonomous Vehicle Industry Association



May 14, 2025

The Honorable Eric Morrison
Chair, House Committee on Transportation
Legislative Hall
411 Legislative Avenue
Dover, DE 19901

Re: Oppose SB 46 - AV Trucking Driver-In Requirement

Dear Chair Morrison and members of the committee:

On behalf of Chamber of Progress – a tech industry association supporting public policies to build a more inclusive society in which all people benefit from technological advancements – I write in **opposition to SB 46**, which would effectively ban the use of autonomous trucks in Delaware.

We are strong supporters of autonomous trucking as an important solution to the growing demand for timely shipping of agricultural goods and products.

Across the country, the trucking industry has experienced extreme turnover and widespread job vacancies, resulting in significant delays to product shipments and rising prices for basic necessities. Though exacerbated by the Covid-19 pandemic, retention has been an issue in trucking for decades. The American Trucking Association reports an annual turnover rate of 90 percent and projects that the nationwide shortage of truckers will double to over 160,000 job vacancies by 2030.¹ Autonomous vehicles offer a solution to help fill the gap left by a strained labor market and high demand for timely shipping.

The crisis facing the trucking industry hasn't just resulted in delayed shipments, but also in higher prices for consumers. To attract and retain drivers, trucking companies have raced to offer increased pay and larger bonuses.² The combination of growing labor expenses and rising fuel costs has resulted in a spike in the cost of shipping and a

¹ Michelle Fleury, *How will the US deal with a shortage of 80,000 truckers?*, BBC News (Dec. 2021).

<https://www.bbc.com/news/business-59136957>

² Don Lee, *Facing record labor shortages, trucking firms battle fiercely for drivers*, LA Times, (Dec. 2021)

<https://www.latimes.com/politics/story/2021-12-07/facing-record-labor-shortages-trucking-firms-battle-fiercely-for-drivers>

corresponding rise in the price of consumer goods.³ Those price increases hit low-income families the hardest, with the cost of some everyday groceries increasing by as much as 50 percent.⁴

Autonomous, driverless trucks can mitigate these costs by filling driver vacancies, and eliminating the need for excessive recruitment, retention, and other overhead costs ultimately bringing down the price of shipping and consumer goods. Banning the use of this technology would exacerbate existing supply chain struggles and unnecessarily eliminate a tool to bring costs down for families.

Recent polling shows **overwhelming support for autonomous vehicle (AV) testing and deployment among Democratic voters and union members.**⁵ A survey conducted by Morning Consult found that a majority of adults support AVs being tested in their state. For Democrats and union members, support was even higher; 60 percent of Democratic voters and 75 percent of labor union members support AV testing in their state.

Autonomous trucks can also reduce long-term environmental costs from pollution.

While trucks represent only 6% of vehicles on the road, they produce over 35% of transportation-generated nitrous oxide and 25% of on-road greenhouse gas emissions.⁶ Since autonomous vehicles can be programmed to optimize their routes and follow traffic rules and speeds, autonomous trucks will ultimately use energy more efficiently. This technology could be instrumental in achieving Delaware's goal for a 50% reduction of net-zero emissions by 2050.⁷

Two dozen other states have already approved the use of autonomous trucks, including Nevada, Arizona, and Texas.⁸ Testing has already begun across the Sunbelt, giving the region a head start at unlocking the economic and environmental benefits.⁹ The proposed bill would cut off Delaware from this emerging trader route. As a result, residents would lose out on faster access to goods, and businesses would face less stable supply chains

³ Alex Longley, Catherine Bosley, and Deirdre Hipwell, *Out-of-Control Shipping Costs Fire Up Prices From Coffee to Toys*, Bloomberg Business (Dec. 2021). <https://www.bloomberg.com/news/articles/2021-06-12/out-of-control-shipping-costs-fire-up-prices-from-coffee-to-toys>

⁴ Nelson D. Schwartz and Coral Murphy Marcos, *Higher Food Prices Hit the Poor and Those Who Help Them*, NY Times (Dec. 2021). <https://www.nytimes.com/2021/10/27/business/economy/food-prices-us.html>

⁵ *Morning Consult Survey*, Chamber of Progress (Sept. 2021). <http://progresschamber.org/wp-content/uploads/2021/10/Morning-Consult-AV-survey.pdf>

⁶ California moves to phase-out diesel-powered trucks, cut locomotive pollution, Reuters (2023) <https://www.reuters.com/business/sustainable-business/california-moves-phase-out-diesel-powered-trucks-cut-locomotive-pollution-2023-04-28/>

⁷ Petrowich, Sarah. *Delaware releases first comprehensive State Energy Plan in nearly 15 years*. Delaware Public Media (Dec. 19, 2024). <https://www.delawarepublic.org/politics-government/2024-12-19/delaware-releases-first-comprehensive-state-energy-plan-in-nearly-15-years>

⁸ Trisha Thadani, *Ready or not, self-driving trucks are coming to America's highways*, Washington Post (Mar. 2024). <https://www.washingtonpost.com/technology/2024/03/31/autonomous-semi-truck-jobs-regulation/>

⁹ Seth Clevenger, *Autonomous Trucks Reshaping the Freight Industry*, Transport Topics News (Jan. 2024). <https://www.ttnews.com/articles/autonomous-trucks-reshaping-freight-industry>

compared to those in neighboring states. Banning the use of autonomous trucks at this stage risks cutting Delaware off from future economic development.

Mandating a human driver for autonomous trucking is a step backward, hindering the progress of a technology that has the potential to revolutionize transportation. **Requiring a human driver undermines the efficiency and safety advantages of AVs, while increasing operational costs and limiting their widespread deployment.** SB 46 would effectively stall the deployment of a technology designed to improve fuel efficiency, reduce greenhouse gas emissions, and strengthen supply chain resiliency, causing Delaware to miss out on its full benefits.

For these reasons, **we urge you to oppose SB 46.**

Sincerely,

A handwritten signature in black ink, appearing to read "Brianna January". The signature is fluid and cursive, with the first name being more prominent.

Brianna January
Director of State & Local Government Relations, Northeast US



May 14, 2025

Testimony in Opposition of Senate Bill 46: An Act Relating to Autonomous Vehicles

Good Morning Chair Morrison and other distinguished members of the committee. My name is Matt Walsh and I lead Waymo's policy and government affairs work for the eastern US.

Waymo is a fully autonomous driving technology company with a mission to be the world's most trusted driver. Today, our fully autonomous ride-hailing service, Waymo One, provides 250,000 paid trips each week in Phoenix, San Francisco, Los Angeles and Austin. We will launch in Atlanta this year, and we will be ready to serve the public Miami and Washington, D.C. in 2026.

Today, the U.S. is leading the world in the development and deployment of autonomous driving technology. In fact, more than two dozen states across the country currently have laws that authorize the commercial use of fully autonomous vehicles, including heavy duty commercial vehicles.

And while many states, including New York, Massachusetts, and Delaware, do not yet have laws that allow for the commercial deployment of AVs, no state in the country has explicitly banned the technology. SB46 would not only keep Delaware stuck behind other states, but put it in a category of its own.

By enacting this bill as written, Delaware risks becoming the first and only state to impose a blanket ban on the technology. Rather than fostering innovation and competition, this bill would restrict consumer choice, drive economic opportunities away from Delaware, and block the state's residents from enjoying the benefits of this safety-enhancing technology.

. At a time when hundreds of thousands of Americans trust AVs to safely bring them to their destination, this legislation would send the message that Delaware is not open to technological advancement. The state has long been a leader in business and innovation, and SB 46 would undermine that reputation, discouraging AV companies from investing in Delaware and creating unnecessary barriers to development of AV technologies in the bordering state of Pennsylvania.

By restricting AV deployment, SB 46 denies Delaware residents access to cleaner, safer, and more efficient transportation options. Delaware must embrace innovation, not legislate against



it. Delaware should be embracing the future of transportation and logistics, not banning it outright. I urge members of the committee to vote no on SB46.

Thank you for the opportunity to testify today.

Getting the Facts Straight about AV Trucks

CLAIM

Autonomous trucks are unsafe

FACT

Autonomous trucks have operated safely and successfully on the roads in states like Arizona, New Mexico, and Texas for years. Data reporting shows that AV trucks are safe.

CLAIM

The supply chain will be fine without AV trucks.

FACT

According to the American Trucking Associations, the current driver shortage is expected to double by 2031. There simply are not enough drivers to support the supply chain.

CLAIM

Trucks driven by humans are safer than AV trucks.

FACT

NHTSA and FMCSA's Large Truck Crash Causation Study found that driver behavior was the critical reason assigned to 87% of fatal injury crashes caused by large trucks. The status quo is not good enough.

CLAIM

AV trucks will cause truckers to lose their jobs and livelihoods.

FACT

AV trucks will fill in the gaps of the current driver shortage. A study from USDOT confirmed that AVs will create thousands of jobs, spur investment spending, and increase US GDP. AV jobs are available for various educational backgrounds and skills, including those that do not require a college degree.

CLAIM

AV trucks will be everywhere overnight.

FACT

25 states do not currently have a framework for AV operations. Even after every state enacts such a framework, it would still take many years of the industry's steady, incremental growth before AV trucks become a common fixture on the roads.

CLAIM

The AV industry will not create new jobs.

FACT

Though AV technology is designed to operate without human drivers, the industry relies on thousands of jobs across all skill levels, including service technicians, vehicle operators, remote assistance operators, mapping data collectors, delivery packers, engineers, software developers, and more.

CLAIM

There's no oversight of AVs.

FACT

Commercial trucking is a heavily regulated industry in the US. Autonomous trucks are subject to multiple layers of federal and state regulation, including by NHTSA and FMCSA. They follow robust interstate trucking rules and additional autonomous vehicle rules enacted by states.



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Free Markets. Real Solutions.
www.rstreet.org

Testimony from:

Robert Melvin, Northeast Region Director, R Street Institute

In OPPOSITION to Senate Bill 46, “An Act to Amend Title 21 of the Delaware Code Relating to Autonomous Vehicles.”

May 14, 2025

House Transportation Committee

Chairman Morrison and members of the committee,

My name is Robert Melvin, and I am the Northeast region director at the R Street Institute (RSI), which is a nonprofit, nonpartisan, public-policy organization. Our mission is to engage in research and outreach to promote free markets and limited, effective government, in a variety of policy areas, including those related to technology and innovation. It is for this reason that SB 46 carries considerable importance for us.

While SB 46 may be well intentioned, the bill is fundamentally flawed on its merits. This measure would preclude large commercial, highly autonomous trucks from driving on public roads unless a human operator is physically present in the vehicle.¹ Imposing a “driver-in” requirement on heavy-duty autonomous vehicles (AVs) will discourage the introduction and utilization of safer trucks in Delaware—effectively subverting efforts to improve road safety.

The United States is facing a dire situation with respect to motor vehicle deaths. We have the highest motor vehicle death rates among high-income countries—11.1 per 100,000 people, over twice the average—mostly due to human error, according to the Centers for Disease Control and National Highway Traffic Safety Administration.² Truck-related crashes are equally alarming: of 963 fatal incidents studied by the National Motor Carrier Safety Administration, truck drivers were at fault in 87 percent of those cases.³ With overall motor vehicle fatalities nearing 42,000 annually and rising in Delaware, we must use every available tool to improve road safety.⁴

Several factors contribute to this issue, but leading causes include human error and negligent behavior like drunk driving, aggressive driving, and driving distracted.⁵ Despite efforts to reduce impaired driving, states like Delaware continue to see rising rates of dangerous behavior behind the wheel.⁶

Self-driving vehicles would help make roadways even safer. A study by Swiss Re, a leading global reinsurer, analyzed 25.3 million autonomous miles driven by autonomous vehicles and found a dramatic reduction in liability claims—88 percent fewer for property damage and 92 percent fewer for bodily

injury—compared to human drivers.⁷ These findings suggest AVs are over ten times safer, with safety performance doubling roughly every five years.⁸ Notably, in the rare cases where autonomous vehicles were involved in crashes, human drivers were most often at fault.⁹

Additional data reinforces this trend: Autonomous vehicles were involved in 62 percent fewer police-reported crashes, 78 percent fewer injury-related incidents, and 81 percent fewer airbag deployments than vehicles operated by people.¹⁰ Given that crashes contribute approximately \$23 billion annually in U.S. medical costs, a 90 percent drop in collision rates could save over \$20 billion each year.¹¹

Public safety is critical, but we shouldn't overlook the demographic challenges facing the trucking industry over the next several years and the logistical benefits these self-driving vehicles could provide. Over the next five years, the growing shortage of truck drivers will pose a serious challenge to the timely delivery of goods, with an estimated shortfall of 160,000 drivers projected by 2030.¹² As this deficit intensifies, freight transportation costs are expected to rise—assuming other factors remain constant.

Autonomous trucking can greatly enhance efficiency by operating without federally mandated rest breaks, allowing for nearly double the daily range of human-driven trucks. In March 2022, a Kodiak Robotics truck, in partnership with U.S. Xpress, completed four round trips between Dallas and Atlanta in five days—covering over 6,300 miles and delivering eight loads, a task that would normally take a human driver 10 days.¹³

While some supporters of the bill may express caution about autonomous vehicle technology, it's important to note that this is no longer unproven or experimental. Autonomous vehicles have already been widely tested and adopted, with 30 states and the District of Columbia authorizing their operation on public roads.¹⁴ Most other states, including Delaware, have chosen not to restrict their use to date.¹⁵ If the highly restrictive SB 46 moves forward, Delaware risks becoming an outlier by rejecting a rapidly advancing and well-established technology.

Overly restrictive state mandates on the autonomous vehicle market—such as in SB 46—could work against broader goals and compromise overall road safety. Rather than imposing rigid mandates, Delaware should aim to position itself as a forward-thinking leader in AV innovation. The state would be better served by adopting legislative models from other jurisdictions that offer more adaptable and supportive legal frameworks for testing and deploying autonomous vehicles—thereby aligning safety with technological progress. For these reasons, we urge your opposition to SB 46.

Thank you,

Robert Melvin
Northeast Region State Government Affairs Director
R Street Institute
rmelvin@rstreet.org

¹ Delaware General Assembly, 2025 Legislative Session, Senate Bill 46, Last accessed May 13, 2025. <https://legis.delaware.gov/json/BillDetail/GenerateHtmlDocument?legislationId=141797&legislationTypeId=1&docTypeId=2&legislationName=SB46>.

² Merissa A. Yellman, et al., "Motor Vehicle Crash Deaths – United States and 28 Other High-Income Countries, 2015-2019," United States Centers for Disease Control, July 1, 2022.

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- Santokh Singh, “Critical Reasons for Crashes Investigated in the National Motor Vehicle Crash Causation Survey,” NHTSA, February 2015. <https://crashstats.nhtsa.dot.gov/Api/Public/Publication/812506>.
- National Highway Traffic Safety Administration, “Motor Vehicle Traffic Fatalities and Fatality Rates, 1899-2022,” <https://cdan.dot.gov/tsftables/Fatalities%20and%20Fatality%20Rates.pdf>.
- ³ Federal Motor Carrier Safety Administration, Office of Research and Analysis, “The Large Truck Crash Causation Study—Analysis Brief,” publication no. FMCSA-RRA-07-017, July 2007. <https://www.fmcsa.dot.gov/safety/research-and-analysis/large-truck-crash-causation-study-analysis-brief>.
- ⁴ National Highway Traffic Safety Administration, State Traffic Safety Information, National Traffic Safety Facts: Delaware 2019-2023, <https://cdan.dot.gov/SASJobExecution>.
- ⁵ CDC, “Global Road Safety,” May 16, 2024. <https://www.cdc.gov/transportation-safety/global/index.html>.
- ⁶ Craig Anderson, “Keeping tabs on Delaware’s DUI arrests,” Daily State News, July 30, 2024. <https://baytobaynews.com/stories/dui-arrests-in-delaware-a-continuing-concern,141187>.
- Scott Calvert, “Drunken-Driving Deaths Are Up. Why Are DUI Arrests Down?” Wall Street Journal, May 2, 2024. <https://www.wsj.com/us-news/drunk-driving-deaths-rise-dui-arrests-down-92d53ea7>.
- ⁷ Luigi Di Lillo, et al., “Do Autonomous Drivers Outperform Latest-Generation Human-Driven Vehicles? A comparison to Waymo’s Auto Liability Insurance Claims at 25 million Miles,” Waymo, 2024. <https://waymo.com/research/do-autonomous-vehicles-outperform-latest-generation-human-driven-vehicles-25-million-miles/>.
- ⁸ Gale Pooley, “Waymo Drivers Are Way Safer (10x) Than Humans,” *Human Progress*, Jan. 7, 2025. <https://humanprogress.org/waymo-drivers-are-way-safer-10x-than-humans>.
- ⁹ Timothy B. Lee, “Human drivers are to blame for most serious Waymo collisions,” *Understanding AI*, Sept. 10, 2024. <https://www.understandingai.org/p/human-drivers-are-to-blame-for-most>.
- ¹⁰ Waymo, “Waymo Safety Impact: Waymo Driver Compared to Human Benchmarks,” Last accessed February 24, 2025. <https://waymo.com/safety/impact/>.
- ¹¹ Kareem Othman, “Exploring the implications of autonomous vehicles: a comprehensive review,” Innovative Infrastructure Solutions, March 1, 2022. <https://pmc.ncbi.nlm.nih.gov/articles/PMC8885781/>.
- ¹² Alex Leslie, Ph.D., “An Analysis of the Operational Costs of Trucking: 2022 Update,” American Transportation Research Institute, August 2022. <https://truckingresearch.org/wp-content/uploads/2022/08/ATRI-Operational-Cost-of-Trucking-2022.pdf>.
- ¹³ Cade Metz, “The Long Road to Driverless Trucks,” New York Times, Sept. 28, 2022. <https://www.nytimes.com/2022/09/28/business/driverless-trucks-highways.html>
- ¹⁴ Ariel Wolf, et al., “State Autonomous Vehicle Laws and Regulations,” Venable LLP, December 2024, <https://books.venable.com/Autonomous-Vehicles/4/>.
- ¹⁵ Ibid.

Written Comment of Reason Foundation on Delaware Senate Bill 46 (2025)

House Transportation Committee

May 14, 2025

Chair Morrison, Vice Chair Osienski, and members of the Committee, I respectfully submit the following written comment to accompany my public comment on Senate Bill 46. My name is Marc Scribner and I am a senior transportation policy analyst at Reason Foundation, a national 501(c)(3) public policy research and education organization with expertise across a range of policy areas, including emerging transportation technology. I am also a member of the Transportation Research Board of the National Academies' Standing Committee on Emerging Technology Law.

My review of Senate Bill 46 is based on my 15 years of research on the law and policy related to driving automation. While I share the goal of ensuring the safe operation of automated driving systems on public roadways, Senate Bill 46 is deficient in several key respects, which I discuss below.

The First State to Outlaw Driverless Trucks?

Senate Bill 46 would prohibit the operation on public roads of heavy-duty tractor-trailers equipped with automated driving systems unless a human driver is physically present within the vehicle (Section 2). Autonomous tractor-trailers are currently operated in commercial service in Texas, with plans to expand the service territory east to the Phoenix metropolitan area later this year.

If enacted, Delaware would become the *first* and *only* state in the country to enshrine in statute a blanket, preemptive ban on driverless trucks. In contrast, three dozen states have explicitly authorized the testing and/or deployment of autonomous trucks if certain safety requirements are met.

Based on Failed California Legislation

Senate Bill 46 is based on legislation first introduced in California in 2023 (Assembly Bill 316). In both 2023 and 2024 (Assembly Bill 2286), California Governor Gavin Newsome vetoed proposed bans on driverless trucks as being unnecessary and harmful to the state's reputation as a global leader in technology innovation.

The California Department of Motor Vehicles, which regulates autonomous vehicle safety in the state, announced proposed regulations in April 2025 that would allow the testing and deployment of autonomous vehicles with gross weight ratings in excess of 10,000 pounds. This was the result of a highly deliberative process that took place over two years. The proposed regulations describe testing requirements, roadway operating limitations, carriage prohibitions, data reporting requirements, first-responder interaction protocols, and enforcement powers.

Autonomous Vehicles Are Already Making Roads Safer

The major advantage of automated driving systems is that they do *not* behave like typical human drivers. Automated driving systems cannot drive drunk, drugged, drowsy, or distracted, and are programmed to follow the rules of the road. According to the National Highway Traffic Safety Administration, human error/misbehavior is a critical factor in more than 90% of motor vehicle crashes.

According to research by leading reinsurance company SwissRe and autonomous vehicle developer Waymo, Waymo's automated driving system is already far safer when compared to a typical human driver. Their 2024 study analyzed 25.3 million fully autonomous miles driven by Waymo alongside 500,000 insurance claims and over 200 billion miles of driving exposure. Waymo/Swiss Re found that, when compared to human drivers, Waymo's automated driving system produced an 88% reduction in property damage claims and a 92% reduction in bodily injury claims.

It is worth highlighting that Delaware's roads are the most dangerous in the region. According to Reason Foundation's *28th Annual Highway Report*, Delaware ranks #38 nationally in its fatality rate for minor arterials, collectors, and local roadways and #36 nationally in its urban highway fatality rate.

No New Authorities Are Needed to Prohibit Unsafe Driverless Trucks

Regulators at the Delaware Department of Transportation already have the authority to refuse, rescind, cancel, or suspend the registration of any motor vehicle that is "unsafe or unfit to be operated" (21 Del. C. §§ 2161, 2162). In addition, the Secretary of Safety and Homeland Security and any Delaware law enforcement officer authorized to make arrests for violating the motor vehicle code may place any commercial motor vehicle out of service for violations of state or federal laws and regulations (21 Del. C. § 4710).

Conclusion

Thank you for the opportunity to provide testimony on Senate Bill 46 on behalf of Reason Foundation and I welcome your questions.

Respectfully submitted,

Marc Scribner
Senior Transportation Policy Analyst
Reason Foundation

WHAT IS AN AUTONOMOUS VEHICLE?



Autonomous Vehicles (AVs) are SAE Level 4 and 5 vehicles that handle the entire driving task. They are not the same as driver-assist technology.

DRIVER ASSIST

Requires a licensed, attentive human driver behind the wheel at all times to monitor and take over driving immediately if needed.

Examples:

- lane-keeping assist
- automatic emergency braking
- adaptive cruise control

AUTONOMOUS VEHICLES

The AV performs the entire driving task. People in the AV are only passengers.

Before driving autonomously on public roads, AVs undergo rigorous development and testing in computer simulation, on test tracks, and with trained safety drivers on public roads.

Equipped with advanced sensors, 360-degree views, and programmed as a model driver, **AVs never drive drowsy, distracted, drunk, or recklessly.**

In 2023, nearly **41,000 people** died in crashes on U.S. roads. **That is more than 100 people every day.** **Over 90% of motor vehicle crashes are caused by human error.**



Speeding and Reckless Driving



Fatigue



Distracted Driving



Alcohol and Drugs

AVs will make roads safer for passengers, cyclists, pedestrians, and other drivers. Other important benefits include:



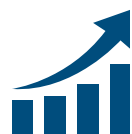
Increased Mobility for Disabled & Seniors



Reduced Emissions



Easier Deliveries



Billions in Economic Growth



Thousands of New Jobs



More Efficient Supply Chains



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