



August 25, 2026

Via electronic mail

The Honorable Tan Parker, Chair
Senate Committee on Transportation
Texas Senate
P.O. Box 12068, Capitol Station
Austin, Texas 78711

Re: Interim Charges on Autonomous Vehicle Deployment (SB 2807) and
Commercial Driver License Standards and Oversight

Dear Chairman Parker, Vice-Chair West, and Members of the Committee:

Texas Watch is a nonpartisan citizen advocacy organization working to make Texas roads safer and to preserve the accountability our civil justice system provides to Texans injured on them.

To assist the Committee's work, we respectfully submit the following recommendations regarding the above-referenced interim charges:

1. AUTONOMOUS VEHICLES

We believe Texas does not currently collect adequate data on autonomous vehicles (AV) and traffic-related collisions. SB 2807 requires an automated vehicle involved in a collision to comply with Chapter 550, but it imposes no AV-specific crash, mileage, or performance reporting to the State.¹ Chapter 550's reporting duty runs through the investigating officer's report, which is required only where a collision causes injury, death, or property damage of \$1,000 or more.² When the City of Dallas asked TxDMV to require crash history at authorization, the Department declined, explaining that "Transportation Code, §545.453 and §545.456 do not allow the department to require authorization holders to submit crash history or proof of community stakeholder coordination."³

Federal data does not effectively fill the gap: NHTSA's Standing General Order collects crash counts but states that reporting entities "are not required to submit information regarding ... the distances traveled by those vehicles,"⁴ and in May 2026 NHTSA declined to add vehicle-miles-

¹S.B. 2807, 89th Leg., R.S. (2025) (enrolled); see Tex. Transp. Code §545.457, <https://capitol.texas.gov/tlodocs/89R/billtext/html/SB02807F.HTM>.

²Tex. Transp. Code §550.062 (officer's collision report required where a collision results in injury, death, or property damage to any one person of \$1,000 or more; filed electronically not later than the 10th day after the collision), <https://statutes.capitol.texas.gov/?tab=1&code=TN&chapter=TN.550&artSec=550.062>.

³TxDMV, Adopted Rules, 43 Tex. Admin. Code ch. 220 (eff. Feb. 27, 2026), Summary of Comments, at 11 of 24, https://www.txdmv.gov/sites/default/files/body-files/Chap_220_Final_-_Adopt.pdf.

⁴NHTSA, Standing General Order on Crash Reporting, "Data" tab, under the heading "Summary Incident Report Data Are Not Normalized," <https://www.nhtsa.gov/laws-regulations/standing-general-order-crash-reporting#data>.

traveled to that collection, explaining that doing so “would alter the focus and burdens of the reporting requirements.”⁵

To remedy this, we recommend that state lawmakers amend Transportation Code §545.456 to require each authorization holder to report to TxDMV, quarterly and publicly, vehicle miles traveled by county, fleet size, and every collision reportable under Chapter 550. We further recommend directing TxDOT to publish annual counts drawn from the “Autonomous Unit” and “Autonomous Level Engaged” fields already on the CR-3 crash report.⁶

In addition, state enforcement authority is narrower than the statute appears to promise. TxDMV “shall approve” a facially complete application, and the authorization never expires unless it is suspended, revoked, or cancelled.⁷ Afterward, Transportation Code §545.459 permits action only when a vehicle is unsafe and its operation “has resulted in or is likely to result in serious bodily injury” — and §545.459(m) makes that the exclusive means.⁸ Below that threshold, repeated traffic violations, blocked emergency responders, and stalls in live intersections carry no state remedy. And where an authorization holder requests review, if the State Office of Administrative Hearings does not hold the expedited hearing within 60 days of the Department’s final determination, the authorization is “automatically reinstated.”⁹ Administrative backlog reinstates a vehicle the State found dangerous.

We suggest the Legislature lower the §545.459(b) trigger from “serious bodily injury” to a documented pattern of unsafe operation; extend the restriction authority the Legislature has already granted the Department in §545.459(a)(2) so that it reaches an authorization holder’s fleet rather than a single vehicle;¹⁰ and strike the automatic-reinstatement default in §545.459(k).

Further recommendations include closing two coverage gaps. First, Section 545.458(b) exempts commercial motor vehicle rules that “by [their] nature reasonably appl[y] only to a human driver” — an undefined carve-out for an 80,000-pound truck that, to our knowledge, no agency has been directed to interpret.¹¹

Second, Texas statutes do not appear to address the remote operation of automated motor vehicles. Section 545.451(7) defines “human driver” as “a natural person in an automated motor

⁵Incident Reporting for Automated Driving Systems (ADS) and Level 2 Advanced Driver Assistance Systems (ADAS), 91 Fed. Reg. 30789 (May 26, 2026), <https://www.federalregister.gov/documents/2026/05/26/2026-10363/agency-information-collection-activities-submission-to-the-office-of-management-and-budget-for>.

⁶TxDOT, CR-100 Instructions to Police for Reporting Crashes (v29), fields 3.3.14 and 3.3.15. <https://www.txdot.gov/content/dam/docs/division/trf/crash-records/cr100-v29.pdf>.

⁷Tex. Transp. Code §545.456(c) & (d), <https://statutes.capitol.texas.gov/?tab=1&code=TN&chapter=TN.545&artSec=545.456>.

⁸Tex. Transp. Code §545.459(a), (b) & (m), <https://statutes.capitol.texas.gov/?tab=1&code=TN&chapter=TN.545&artSec=545.459>.

⁹Id. at §545.459(k).

¹⁰Id. at §545.459(a)(2) (authorizing the department to “impose restrictions on the operation of the vehicle”).

¹¹Tex. Transp. Code §545.458(b), <https://statutes.capitol.texas.gov/?tab=1&code=TN&chapter=TN.545&artSec=545.458>.

vehicle who controls all or part of the dynamic driving task,”¹² and when the City of Austin asked TxDMV to confirm that its rules reach teleoperated vehicles, the Department answered that “a remote operator who is not in the vehicle does not fit within the statutory definition of ‘human driver.’”¹³ Which rules do apply is unsettled. A person remotely steering a vehicle may be an “operator” who “drives” it under §541.001(1-a), and so must be licensed under §521.021 — or may not, because §545.454(c) waives the license requirement whenever the automated driving system is engaged.¹⁴ In May 2026 a remote operator recovering a stalled Tesla robotaxi from a Houston dead-end street struck a hidden tree stump; Tesla reported to NHTSA that the automated driving system “was being supported remotely” at the time.¹⁵ We recommend that the Legislature resolve this by amending §545.451 to expressly address remote operation, and direct the Public Safety Commission to set rigorous qualification and safe conduct standards for remote operators by rule.

The Legislature should also assess AV liability insurance coverage to ensure it is adequate to protect the motoring public and pedestrians. Furthermore, our state should require preservation of, and injured-party access to, the data from recording devices required by §545.455(b)(2).¹⁶

2. COMMERCIAL DRIVER LICENSES

Regarding commercial driver licensing, the covert-audit tools this charge contemplates already exist; what is missing is required frequency and public reporting. Texas’s third-party testing agreement requires providers to allow “announced and unannounced audits without prior notice” and to allow “State employees to covertly take the tests administered by the third-party.”¹⁷ Federal law, however, sets the floor for unannounced inspections and covert monitoring of testing at “at least once every 2 years.”¹⁸ Meanwhile Texas’s third-party provider count grew from 168 in January 2025 to 251 in June 2026 — roughly 50 percent — according to DPS’s own published data,¹⁹ with no corresponding published increase in oversight. DPS does not publish audit counts, decertifications, or invalidated tests.

¹² Tex. Transp. Code §545.451(7), <https://statutes.capitol.texas.gov/?tab=1&code=TN&chapter=TN.545&artSec=545.451>.

¹³ TxDMV, Adopted Rules, 43 Tex. Admin. Code ch. 220, Summary of Comments, at 14 of 24, https://www.txdmv.gov/sites/default/files/body-files/Chap_220_Final_-_Adopt.pdf.

¹⁴ Tex. Transp. Code §541.001(1-a) (“‘Operator’ means, as used in reference to a vehicle, a person who drives or has physical control of a vehicle.”); §521.021 (license required of a person who operates a motor vehicle on a highway); §545.454(c) (waiving the license requirement “if the automated driving system installed on the vehicle is engaged”) (hyperlinks omitted).

¹⁵ Electrek, Tesla remote operator crashed a “Robotaxi” in Houston, NHTSA data shows (July 20, 2026) (NHTSA report no. 13781-15395; vehicle traveling 2 mph; no injuries reported), <https://electrek.co/2026/07/20/tesla-robotaxi-remote-operator-crash-houston/>.

¹⁶ Tex. Transp. Code §545.455(b)(2), <https://statutes.capitol.texas.gov/?tab=1&code=TN&chapter=TN.545&artSec=545.455>.

¹⁷ Texas Department of Public Safety, Commercial Driver License Third-Party Testing Provider Agreement (Form CDL-21), <https://www.dps.texas.gov/internetforms/Forms/CDL-21.docx>.

¹⁸ 49 C.F.R. §384.229(b), <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-384/subpart-B/section-384.229>.

¹⁹ Texas Department of Public Safety, CDL Program TPST Providers (Texas Open Data Portal), <https://data.texas.gov/dataset/CDL-Program-TPST-Providers/bqjw-m46a>.

We recommend state lawmakers require annual, rather than biennial, covert monitoring of every certified CDL examiner; fund the DPS positions to perform it; and require DPS to report to this Committee each year the number of audits conducted, examiners decertified, and tests invalidated. Texas exceeded the federal floor once already this year by moving CDL knowledge testing to English only, effective June 1, 2026.²⁰ To protect lives on our roads, the same willingness should extend to audit frequency and transparency.

Please consider us a resource, and do not hesitate to call upon us if we can be of additional assistance to the Committee. We thank you for undertaking this important work; it could not be more important because lives are at stake.

Respectfully submitted,

A handwritten signature in blue ink, reading "Ware Wendell". The signature is fluid and cursive, with the first name "Ware" and last name "Wendell" clearly distinguishable.

Ware Wendell
Executive Director
Texas Watch

²⁰Texas Department of Public Safety, DPS Announces Changes to CDL Knowledge Testing (eff. June 1, 2026), <https://www.dps.texas.gov/news/dps-announces-changes-cdl-knowledge-testing>.