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No driver, no ticket

Denver police look to close Waymo driverless car loophole

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A driverless car can run a stop sign, speed or enter a closed street in Denver without receiving a traffic ticket — a loophole city officials are exploring how to close as autonomous vehicles begin navigating the city's streets.

Not so for motorists behind the wheel of vehicles equipped with automated driving technology, such as Tesla's Full Self-Driving system.

Even if the driver claims the vehicle was operating itself when the violation occurred, police can still issue a citation.

"The driver would still be cited if there was a traffic violation, because they were behind the wheel," Jay Casillas, a Denver Police Department (DPD) spokesperson, said in an email.

"The driver would then have the opportunity to contest the citation in court."

DPD does not track how often motorists blame automated driving systems for traffic violations, Casillas said.

But when there is no driver behind the wheel, police face a different problem.

"If there's no driver in an autonomous vehicle, there currently isn't a mechanism within state law or municipal ordinance for issuing a citation for a traffic infraction," Casillas said.

DPD, the City Attorney's Office and the Denver Department of Transportation & Infrastructure (DOTI) are exploring ways to address the enforcement gap, including legislation that would allow citations to be issued to the registered owners of autonomous vehicles.

"Updates to state law and city ordinance will likely be necessary to allow law enforcement to issue a citation for a traffic infraction involving an autonomous vehicle that does not have a driver behind the wheel," Casillas said.

The issue has taken on new urgency with Waymo's arrival in Denver.

Waymo began offering its robotaxi service in Denver last month.

Since then, the automated fleet has nabbed headlines for driving onto a freshly paved road near Sloan's Lake while construction workers were onsite and passing barricades to enter a farmers' market.

State Rep. Chad Clifford, D- Centennial, told The Denver Gazette he is exploring legislation for the upcoming session. He has also floated on social the idea of putting a ballot initiative before voters that would ban autonomous vehicles.

"I don't plan to get in one anytime soon," Clifford said on social media.

Clifford's concerns come as many Denver voters remain reluctant to try the technology.

A majority of respondents (58%) said they had not ridden and were unlikely to ride in Waymo's self-driving taxis, according to an August poll by the Colorado Polling Institute. Nearly 1 in 3 (32%) said they were likely to try the service.

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The Colorado Polling Institute is a nonpartisan nonprofit organization that has conducted public opinion polling since 2023.

Other states have begun addressing the enforcement issue.

California and Tennessee have passed laws establishing mechanisms for ticketing moving violations involving autonomous vehicles, according to the National Conference of State Legislatures.

Waymo, meanwhile, says its vehicles are designed to recognize and respond to law enforcement.

"Our system is designed to recognize law enforcement vehicles," said Rob Patrick, Waymo's emergency response and outreach manager.

Patrick had spent more than three decades in law enforcement, largely with the California Highway Patrol.

The vehicles are designed to pull over to the right when approached by emergency vehicles. Officers can then communicate with Waymo through a team available around the clock, Patrick said.

The company has been developing its technology for nearly two decades.

Begun in 2009 as Google's self-driving car project, Waymo launched its driverless service in Phoenix in 2020, followed by San Francisco in 2022, Los Angeles in 2023 and Austin in 2024.

Today, the company operates in 15 cities, from San Francisco to Atlanta and Orlando, with plans to expand to 17 more, including Chicago, New York and Tokyo, according to Waymo.

Safety is central to the company's pitch.

"Our mission is to be the world's most trusted driver," the company says on its website.

Earlier this year, the U.S. Transportation Department announced a record-low number of traffic deaths in 2025. Still the U.S. recorded 36,640 traffic fatalities. Colorado alone had 718 traffic fatalities in 2025, including 80 in Denver — roughly one in nine deaths statewide, according to state data.

Independent research suggests Waymo's driverless vehicles may be safer than human drivers, at least in the cities studied.

Waymo vehicles operating without human drivers were involved in 68% fewer police-reportable crashes per mile traveled than human drivers in the same areas and years, according to a study by the Insurance Institute for Highway Safety.

Researchers examined crashes involving Waymo's fully autonomous vehicles in San Francisco, Phoenix, Los Angeles and Austin. The study also found that Waymo vehicles were 91% less likely to rear-end another vehicle and 40% less likely to be rear-ended.

The findings, however, were limited to the vehicles and locations studied and do not establish how the technology will perform on Denver's roads, particularly in winter weather.

"I'm scared of them," Clifford has said. "I think they're going to run into me on the ice."

Since starting its service in Denver, DPD has identified one crash involving a Waymo vehicle with an attached police report. In August, a driver rear-ended another motorist, pushing that vehicle into the back of a Waymo.

The department has not issued any citations or warnings involving Waymo vehicles, Casillas said.

For Denver residents, however, the debate extends beyond traffic enforcement and crash statistics.

Early adopters describe the convenience and novelty of driverless taxis, while critics worry about safety and the potential displacement of Colorado's more than 35,000 licensed rideshare drivers, according to the state Public Utilities Commission.

"Love Waymo — used them all the time when I visited in Phoenix," Sharon Robinson said on social media. "For women it's nice at night."

But what some see as convenience, others see as a threat to jobs.

"One more way to put more people out of work I don't know why Denver would allow this," Matthew Weinberg said on social media.

And then there are those who welcome a change behind the wheel.

"Can't be any worse than my husband's driving," Kelly Elton said on social media.

Whether driverless cars ultimately prove safer than human drivers on Denver's streets remains to be seen. For now, the city's traffic laws have yet to catch up with the technology.