

ADS-Equipped Vehicles

SECTION 1. Definitions.

AUTOMATED DRIVING SYSTEM (ADS). The hardware and software that are collectively capable of performing the entire *Dynamic Driving Task* within its specific *Operational Design Domain*, if any. This term is used specifically to describe a Level 3, Level 4, or Level 5 driving automation system as defined in SAE J3016 as revised periodically.

ADS-EQUIPPED VEHICLE. A vehicle equipped with an ADS as defined by SAE J3016 as revised periodically.

CONVENTIONAL HUMAN DRIVER. A human [natural] person who manually exercises in-vehicle braking, accelerating, steering, and transmission gear selection input devices in order to operate a vehicle. [reference state statute]

DRIVERLESS CAPABLE VEHICLE. A vehicle equipped with an ADS capable of performing all aspects of the dynamic driving task within its operational design domain, if any, including achieving a minimal risk condition, without any intervention or supervision by a *Conventional Human Driver*.

DEPARTMENT. The Department of Motor Vehicles [or RELEVANT AGENCY].

DYNAMIC DRIVING TASK (DDT). All of the real-time operational and tactical functions, as further defined in SAE J3016 as revised periodically, required to operate a vehicle within its specific Operational Design Domain, if any, excluding the strategic functions such as trip scheduling and selection of destinations and waypoints.

MINIMAL RISK CONDITION. A reasonably safe state to which an ADS brings an ADS-Equipped Vehicle upon experiencing a malfunction of the vehicle's ADS that renders the vehicle unable to perform the entire DDT, such as bringing the vehicle to a complete stop and activating the hazard lamps.

ON-DEMAND DRIVERLESS CAPABLE VEHICLE NETWORK. A transportation service network that uses a software application or other digital means to dispatch Driverless Capable Vehicles for purposes of transporting persons or goods, including for-hire transportation, transportation for compensation, and public transportation.

OPERATIONAL DESIGN DOMAIN (ODD). A description of the specific operating domain in which an ADS is designed to properly operate, including but not limited to roadway types, speed range, environmental conditions (weather, daytime/nighttime, etc.), and other domain constraints.

SAE J3016¹. *The Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles* published by SAE International, as revised periodically.

SECTION 2. Driverless Operation of ADS-Equipped Vehicles.

A Driverless Capable Vehicle may operate on the public roads of this state without a Conventional Human Driver physically present in the vehicle, provided that the vehicle meets the following conditions:

- (a) a vehicle is capable of achieving a Minimal Risk Condition if a malfunction of the ADS occurs that renders that system unable to perform the entire dynamic driving task within its intended Operational Design Domain, if any;
- (b) while in driverless operation, the vehicle is capable of operating in compliance with the applicable traffic and motor vehicle safety laws and regulations of this state that govern the performance of the DDT, unless an exemption has been granted by [RELEVANT AGENCY]; *and*
- (c) the vehicle has been certified to be in compliance with all applicable Federal Motor Vehicle Safety Standards, except to the extent an exemption has been granted under applicable federal law.

SECTION 3. Operation of ADS-Equipped Vehicles with a Conventional Human Driver.

- (a) Operation on the public roads of this state of an ADS-Equipped Vehicle capable of performing the entire Dynamic Driving Task within its Operational Design Domain while a Conventional Human Driver is present is lawful under the [state's Vehicle Code], and subject to the provisions of [Vehicle Code], including [requirement that driver be licensed].
- (b) The ADS feature, while engaged, must be designed to operate within its ODD in compliance with the applicable traffic and motor vehicle safety laws and regulations of this state that specifically govern the performance of the DDT, unless an exemption has been granted by [RELEVANT AGENCY].

¹ SAE J3016:SEP2016, SAE International. http://standards.sae.org/j3016_201609/.

SECTION 4. Insurance.

Before an ADS-Equipped Vehicle may operate on public roads in this state, a person shall submit proof of financial responsibility satisfactory to the [RELEVANT AGENCY] that the ADS-Equipped Vehicle is covered by insurance or proof of self-insurance that satisfies the requirements of [INSERT cross-reference to state motor vehicle financial responsibility law].

SECTION 5. Reporting of Accidents.

[INSERT cross-reference to state accident response/reporting provisions] do not apply to a Driverless Capable Vehicle operating without a Conventional Human Driver in the event of a crash involving the vehicle, provided the vehicle owner, or a person on behalf of the vehicle owner, promptly contacts a law enforcement agency to report the crash or if the vehicle has the capability of alerting a law enforcement agency to the crash.

SECTION 6. On-Demand Driverless Capable Vehicle Network.

(a) Notwithstanding any other provision of state or local law, a person may operate an On-Demand Driverless Capable Vehicle Network. Such a network may provide transportation of persons or goods, including:

- (1) for-hire transportation;
- (2) public transportation; and
- (3) transportation for multiple passengers who agree to share the ride in whole or in part.

(b) An On-Demand Driverless Capable Vehicle Network may connect passengers to Driverless Capable Vehicles either (i) exclusively or (ii) as part of a digital network that also connects passengers to human drivers who provide transportation services, consistent with applicable law, in vehicles that are not Driverless Capable Vehicles.

SECTION 7. Controlling Authority.

(a) Unless otherwise provided in this chapter and notwithstanding any other provision of law, ADS-Equipped Vehicles and ADSs are governed exclusively by this [Act]. [RELEVANT AGENCY] is the sole and exclusive state agency that may implement the provisions of this [Act].

(b) No state or local entity may impose requirements, including performance standards, specific to the operation of ADS-Equipped Vehicles, ADSs, or On-Demand Driverless Capable Vehicle Network in addition to the requirements this [Act].

(c) No municipality or other local or state entity may impose a tax on, or impose requirements on an ADS-Equipped Vehicle, ADS, or On-Demand Driverless Capable Vehicle Network, where such tax or other requirement relates specifically to the operation of ADS-Equipped Vehicles.

SECTION 8. Construction.

Subject to section 2, no motor vehicle laws of this State shall be construed as requiring a Conventional Human Driver to operate a Driverless Capable Vehicle that is being operated by an ADS, and the ADS of such vehicle, when engaged, shall be deemed to fulfill any physical acts required of a Conventional Human Driver to perform the Dynamic Driving Task.