

House Bill 2428

Sponsored by Representative GELSER; Representatives BAILEY, FREDERICK (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes process for issuance of certificate of approval for operating autonomous vehicles on highways of state. Prescribes vehicle and operator requirements for autonomous vehicles.

A BILL FOR AN ACT

1 Relating to autonomous vehicles.

2 Whereas development of new technology is being actively pursued that, through the use of
3 computers, sensors and other systems, permits a motor vehicle to operate without the active control
4 and continuous monitoring of a human operator; and

5 Whereas motor vehicles with this technology, referred to as autonomous vehicles, offer signif-
6 icant potential safety, mobility and commercial benefits to individuals and businesses in this state
7 and elsewhere; and

8 Whereas autonomous vehicles have been operated safely on public roads in California by entities
9 developing and testing this technology; and

10 Whereas the State of Oregon, which presently does not prohibit or specifically regulate the op-
11 eration of autonomous vehicles, desires to encourage the development, testing and operation of au-
12 tonomous vehicles on the highways of this state; and

13 Whereas the State of Oregon seeks to avoid hindering these activities while at the same time
14 creating appropriate rules to ensure that autonomous vehicles are operated in a safe manner; and

15 Whereas the Legislative Assembly finds it appropriate to authorize the establishment of specific
16 safety requirements for the testing and operation of autonomous vehicles, and to require that future
17 testing and operation of autonomous vehicles in this state comply with these requirements; now,
18 therefore,

19 **Be It Enacted by the People of the State of Oregon:**

20 **SECTION 1. Sections 2 to 8 of this 2013 Act are added to and made a part of the Oregon**
21 **Vehicle Code.**

22 **SECTION 2. Definitions. As used in sections 2 to 8 of this 2013 Act:**

23 (1) "Autonomous system" means a system that enables the operation of a motor vehicle
24 without active physical control or monitoring by a human operator.

25 (2) "Autonomous vehicle" means a motor vehicle equipped with an autonomous system.

26 (3) "Manufacturer" means any person that builds autonomous vehicles or installs au-
27 tonomous systems in motor vehicles that were not originally built as autonomous vehicles.

28 **SECTION 3. Certificate of approval. (1) A manufacturer of autonomous vehicles may test**
29 **the autonomous vehicles on the highways of this state and sell autonomous vehicles for use**
30 **on the highways of this state only if the manufacturer has been issued a certificate of ap-**
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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 **proval by the Department of Transportation.**

2 **(2) A manufacturer of autonomous vehicles may apply to the Department of Transpor-**
 3 **tation for certification under this section. The application shall be in such form as may be**
 4 **specified by the department. The application must establish that:**

5 **(a) The autonomous vehicle and the autonomous system meet all requirements of section**
 6 **4 of this 2013 Act; and**

7 **(b) The autonomous vehicle will be operated only in the manner prescribed by section 5**
 8 **of this 2013 Act.**

9 **(3) The department shall adopt rules for the testing of autonomous vehicles under**
 10 **sections 2 to 8 of this 2013 Act. The rules shall establish requirements for applications under**
 11 **this section. The rules shall establish standards for equipment and for the performance of**
 12 **autonomous vehicles that the department determines are necessary to ensure the safe op-**
 13 **eration of autonomous vehicles on the highways of this state. The rules may limit the num-**
 14 **ber of autonomous vehicles on the highways of this state, impose special license**
 15 **requirements for operators of autonomous vehicles and provide for revocation, suspension**
 16 **or denial of certification under this section.**

17 **(4) A manufacturer of autonomous vehicles must submit proof of liability insurance with**
 18 **an application made under this section. The policy must be in an amount of not less than \$5**
 19 **million.**

20 **(5) The department may approve an application under this section only if the department**
 21 **determines the autonomous vehicles covered by the application are safe to operate on the**
 22 **highways of this state.**

23 **(6) The department by rule shall establish fees for applications under this section. The**
 24 **fees shall be in an amount adequate to pay all administrative costs incurred by the depart-**
 25 **ment in administering sections 2 to 8 of this 2013 Act.**

26 **SECTION 4. Vehicle requirements. (1) An autonomous vehicle may be tested and used**
 27 **on the highways of this state only if:**

28 **(a) The autonomous vehicle has a mechanism to engage and disengage the autonomous**
 29 **system that is easily accessible to the operator;**

30 **(b) The autonomous vehicle has a visual indicator inside the autonomous vehicle to in-**
 31 **dicade when the autonomous system is engaged;**

32 **(c) The autonomous vehicle has a failure alert system to notify the operator if a system**
 33 **failure is detected;**

34 **(d)(A) The failure alert system allows the operator to take immediate manual control of**
 35 **the autonomous vehicle when a failure of the autonomous system or other emergency is**
 36 **detected; or**

37 **(B) The failure alert system stops the autonomous vehicle if the operator does not or is**
 38 **unable to take immediate manual control of the vehicle when a failure of the autonomous**
 39 **system or other emergency is detected;**

40 **(e) The operator may take manual control of the autonomous vehicle in more than one**
 41 **manner, including but not limited to, using the brake, the accelerator or the steering wheel;**
 42 **and**

43 **(f) The failure alert system must clearly indicate when the autonomous system is disen-**
 44 **gaged.**

45 **(2) An autonomous vehicle may be operated on the highways of this state only if the**

1 autonomous vehicle and its autonomous system meet Federal Motor Vehicle Safety Stan-
2 dards for its model year and meet all other applicable safety standards and performance re-
3 quirements established by state and federal law.

4 (3) An autonomous vehicle may be operated on the highways of this state only if the
5 autonomous vehicle has a system that captures and stores the autonomous system sensor
6 data for the vehicle for at least 30 seconds before a collision occurs. The system described
7 in this subsection must store data in a read-only format for a period of not less than three
8 years after the date of the collision.

9 **SECTION 5. Operating requirements.** An autonomous vehicle may be tested and used on
10 the highways of this state only if:

11 (1) The on-board operator possesses the proper class of license for the type of auton-
12 omous vehicle being tested; and

13 (2) The on-board operator is in the driver's seat of the autonomous vehicle, is monitoring
14 the operation of the autonomous vehicle, and is capable of taking over immediate manual
15 control of the autonomous vehicle in the event of a failure of the autonomous system or
16 other emergency.

17 **SECTION 6. Mandatory disclosure by manufacturer of autonomous vehicle.** The man-
18 ufacturer of an autonomous vehicle must provide a written discloser to a retail purchaser
19 of the autonomous vehicle that describes the information that will be collected by the au-
20 tonomous system installed in the vehicle and any use of that information that may be made
21 by the manufacturer or other persons.

22 **SECTION 7. Liability of manufacturer.** If an autonomous system is installed in a motor
23 vehicle by a person other than the person that originally manufactured the motor vehicle,
24 the person that manufactured the motor vehicle is not liable to any person for injury or
25 death resulting from a failure of the autonomous system.

26 **SECTION 8. Applicability.** Sections 2 to 8 of this 2013 Act do not apply to a motor vehicle
27 solely by reason that the motor vehicle has systems for collision avoidance, electronic blind
28 spot assistance, automated emergency braking, park assist, adaptive cruise control, lane
29 keep assist, lane departure warning or other similar systems that enhance safety or provide
30 driver assistance but that are not capable of operating the motor vehicle without the active
31 control or monitoring of a driver.

32 **SECTION 9. Captions.** The section captions used in this 2013 Act are provided only for
33 the convenience of the reader and do not become part of the statutory law of this state or
34 express any legislative intent in the enactment of this 2013 Act.

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