

## Proposed Oregon Model AV Legislation

### 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**.

Allows automated motor vehicles to operate in this state. Establishes requirements for such operation. Amends motor vehicle laws that by their nature regulate human drivers.

### A BILL FOR AN ACT

Relating to automated motor vehicles.

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

**SECTION 1.** Sections 2 to 6 of this 2017 Act are added to and made a part of the Oregon Vehicle Code.

**SECTION 2. Definitions.** As used in sections 2 to 10 of this 2017 Act:

(1) **“Automated Driving System”** means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether it is limited to a specific operational design domain.

(2) **“Dynamic Driving Task”** means all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic, excluding the strategic functions such as trip scheduling and selection of destinations and waypoints.

(3) **“Fully Autonomous Vehicle”** means a vehicle equipped with an automated driving system designed to perform all aspects of the dynamic driving task within its operational design domain, including achieving a minimal risk condition, without any intervention or supervision by a human driver.

(4) **“Minimal Risk Condition”** means a low-risk operating mode in which a fully autonomous vehicle operating without a human driver achieves a reasonably safe state, such as bringing the vehicle to a complete stop, upon experiencing a failure of the vehicle's automated driving system that renders the vehicle unable to perform the entire dynamic driving task.

(5) **“On-Demand Autonomous Vehicle Network”** means a passenger transportation network that uses a software application or other digital means to connect passengers to fully autonomous vehicles for transportation, including for-hire transportation and transportation for compensation.

(6) “**Operational Design Domain**” means a description of the specific operating domain(s) in which an automated driving system is designed to properly operate, including but not limited to roadway types, speed range, environmental conditions (weather, daytime/nighttime, etc.), and other domain constraints.

(7) “**Human Driver**” means a natural person in the vehicle with immediate access to controls for steering, braking and acceleration.

### **SECTION 3. Operation of Fully Autonomous Vehicles Without a Human Driver**

A fully autonomous vehicle may drive or operate on the public roads of this state without a human driver provided that the vehicle meets the following conditions:

(1) If a failure of the automated driving system occurs that renders that system unable to perform the entire dynamic driving task relevant to its intended operational design domain, the vehicle will achieve a minimal risk condition;

(2) The fully autonomous vehicle is capable of operating in compliance with the applicable traffic and motor vehicle safety laws and regulations of this state, unless an exemption has been granted by Department of Transportation; and

(3) The vehicle bears the required manufacturer's certification label indicating that at the time of its manufacture it has been certified to be in compliance with all applicable Federal Motor Vehicle Safety Standards, unless an exemption has been granted under applicable federal law.

### **SECTION 4. On-demand autonomous vehicle network.**

Notwithstanding any other provision of state or local law, a person may operate an on-demand autonomous vehicle network. Such a network may provide transportation for multiple passengers who agree to share the ride in whole or in part. An on-demand autonomous vehicle network may connect passengers to fully autonomous 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 fully autonomous.

### **SECTION 5. Controlling Authority.**

(1) Unless otherwise provided in this chapter and notwithstanding any other provision of law, fully autonomous vehicles and automated driving systems are governed exclusively by this Act. The Department of Transportation is the sole and exclusive state agency that may implement the provisions of this Act.

(2) No state or local entity may impose requirements, including performance standards, specific to the operation of fully autonomous vehicles, automated driving systems, or on-demand autonomous vehicle network in addition to the requirements this Act.

(3) No municipality or other local or state entity may impose a tax on, or impose requirements on, a fully autonomous vehicle, automated driving system, or on-demand autonomous vehicle

network, where such tax or other requirement relates specifically to the operation of fully autonomous vehicles.

**SECTION 6. Motor Vehicle, Traffic, and Other Laws.**

(1) When engaged on a fully autonomous vehicle, the automated driving system:

(a) Shall be considered the driver or operator of a fully autonomous vehicle for purposes of assessing conformance to applicable traffic or motor vehicle laws;

(b) Shall have the same privileges and is subject to the same restrictions as a human driver operating a motor vehicle under the authority of a Class C driver license;

(c) Has the same rights and duties as a human driver concerning the rules of the road, insurance requirements, equipment requirements and abandoned vehicles, except:

(A) When otherwise provided in the vehicle code; or

(B) When those provisions by their very nature can have no application.

(2) Subject to section 3, no motor vehicle laws of this state shall require a human driver to operate a fully autonomous vehicle that is being operated by an automated driving system, and the automated driving system of such fully autonomous vehicle, when engaged, shall be deemed to fulfill any physical acts required of a human driver.