

# House Bill 4063

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Transportation Policy)

## 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**.

Permits operation of autonomous vehicles on highways in this state under certain circumstances. Directs owners of commercial autonomous vehicles to obtain additional motor vehicle liability insurance policies. Directs Department of Transportation to adopt rules for operation of autonomous vehicles on highways in this state.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1 Relating to autonomous vehicles; creating new provisions; amending ORS 806.060 and 806.080; and  
2 prescribing an effective date.

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

5 **SECTION 1. Sections 2 to 6 of this 2018 Act are added to and made a part of the Oregon**  
6 **Vehicle Code.**

7 **SECTION 2. As used in sections 2 to 6 of this 2018 Act:**

8 (1) "Autonomous technology" means technology installed on a motor vehicle that enables  
9 the operation of the motor vehicle at level 3, 4 or 5 of the Society of Automotive Engineers'  
10 "Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road  
11 Motor Vehicles, Standard J3016," September 2016 Edition.

12 (2)(a) "Autonomous vehicle" means a motor vehicle equipped with autonomous technol-  
13 ogy.

14 (b) "Autonomous vehicle" does not include a motor vehicle if the only autonomous tech-  
15 nology the motor vehicle is equipped with is one or more of the following collision avoidance  
16 systems:

17 (A) Electronic blind spot assistance;

18 (B) Automated emergency braking;

19 (C) Parking assistance;

20 (D) Adaptive cruise control;

21 (E) Lane keeping assistance;

22 (F) Lane departure warning;

23 (G) Traffic jam and queuing assistance; or

24 (H) Any other collision avoidance system identified by the Department of Transportation  
25 by rule.

26 **SECTION 3. (1) A person operates an autonomous vehicle when the person causes the**  
27 **autonomous vehicle's autonomous technology to engage.**

28 (2) A person operating an autonomous vehicle is subject to the provisions applicable to,  
29 and has the same rights and duties as the operator of, any other vehicle operating on high-

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 ways except:

2 (a) Those provisions that by their very nature can have no application.

3 (b) When otherwise specifically provided under the vehicle code.

4 **SECTION 4. An operator may operate an autonomous vehicle on any highway if:**

5 (1) The operator is a natural person;

6 (2) The operator is seated in the driver's seat of the autonomous vehicle and is actively  
7 monitoring the driving environment;

8 (3) The autonomous vehicle is under the active physical control of the operator or, if the  
9 autonomous vehicle's autonomous technology is engaged, the operator is prepared to take  
10 over active physical control of the autonomous vehicle;

11 (4) Subject to ORS 807.010 and 807.020, the operator possesses the proper class of driver  
12 license for the type of motor vehicle being operated; and

13 (5) The owner of the autonomous vehicle complies with the motor vehicle financial re-  
14 sponsibility requirements under ORS chapter 806 and section 5 of this 2018 Act.

15 **SECTION 5. If an autonomous vehicle is a commercial vehicle, the owner of the auton-  
16 omous vehicle shall:**

17 (1) Maintain a registered agent in this state, if the owner is not a natural person; and

18 (2) In addition to any other financial responsibility requirements of this state and  
19 notwithstanding ORS 742.454, obtain a general liability insurance policy that specifically  
20 covers the operation of an autonomous vehicle in an amount of no less than \$5 million for  
21 death or bodily injury for each person covered under the policy and for property damage.

22 **SECTION 6. The Department of Transportation shall adopt rules for the operation of  
23 autonomous vehicles. The rules shall specify the minimum standards that the department  
24 concludes are necessary to ensure the safe operation of autonomous vehicles on highways  
25 in compliance with the laws of the State of Oregon, and may include rules for revocation,  
26 suspension or denial of any license, autonomous vehicle registration or approval required for  
27 the operation of autonomous vehicles on highways in this state.**

28 **SECTION 7. ORS 806.060 is amended to read:**

29 806.060. (1) A person who is required to comply with the financial responsibility requirements  
30 of this state must be able to respond in damages, in amounts required under this section, for liability  
31 on account of accidents arising out of the ownership, operation, maintenance or use of motor vehi-  
32 cles and must establish that ability by one of the methods required by this section. All of the fol-  
33 lowing apply to the financial responsibility requirements of this state:

34 [(1)] (a) To meet the financial responsibility requirements, a person must be able to respond in  
35 damages in amounts not less than those established under the payment schedule under ORS 806.070.

36 [(2)] (b) A person may only comply with the financial responsibility requirements of this state  
37 by establishing the required ability to respond in damages in one of the following ways:

38 [(a)] (A) Obtaining a motor vehicle liability policy meeting the requirements under ORS 806.080  
39 that will provide at least minimum limits necessary to pay amounts established under the payment  
40 schedule under ORS 806.070.

41 [(b)] (B) Becoming self-insured as provided under ORS 806.130.

42 (2) Notwithstanding subsection (1)(b) of this section, the owner of an autonomous vehicle,  
43 as defined in section 2 of this 2018 Act, may not comply with the financial responsibility re-  
44 quirements of this state by becoming self-insured as provided under ORS 806.130.

45 **SECTION 8. ORS 806.080 is amended to read:**

1       806.080. (1) A motor vehicle liability insurance policy used to comply with financial responsi-  
2 bility requirements under ORS 806.060 must meet all of the following requirements:

3       (a) It must be a policy or part of a policy designating, by explicit description or by appropriate  
4 reference, all motor vehicles for which coverage is provided by the policy.

5       (b) It must insure the named insured and all other persons insured under the terms of the policy  
6 against loss from the liabilities imposed by law for damages arising out of the ownership, operation,  
7 use or maintenance of those motor vehicles by persons insured under the policy. The policy must  
8 include in its coverage all persons who, with the consent of the named insured, use the motor ve-  
9 hicles insured under the policy, except for any person specifically excluded from coverage under  
10 ORS 742.450.

11       (c) It must provide the minimum limits of coverage required under ORS 806.070.

12       **(2) If the motor vehicle liability insurance policy provides insurance for an autonomous**  
13 **vehicle, as defined in section 2 of this 2018 Act, the policy must expressly provide coverage**  
14 **for the operation of an autonomous vehicle, as described in section 3 of this 2018 Act.**

15       [(2)] **(3)** The requirements for the insurance may be fulfilled by the policies of one or more in-  
16 surance carriers which policies together meet such requirements.

17       **SECTION 9.** **This 2018 Act takes effect on the 91st day after the date on which the 2018**  
18 **regular session of the Seventy-ninth Legislative Assembly adjourns sine die.**

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