On page 1 of the printed bill, line 2, after “192.355,” insert “366.505,”.
In line 9, delete “13” and insert “13a”.
Delete lines 11 through 24.
Delete pages 2 through 4.
On page 5, delete lines 1 through 38 and insert:

“SECTION 2. Definitions. As used in sections 2 to 13a of this 2019 Act:
“(1) ‘Automated driving system’ means the hardware and software installed on a motor
vehicle that are collectively capable of performing the dynamic driving task on a sustained
basis for at least part of the motor vehicle’s trip.
“(2) ‘Automated mode’ means the status of a highly automated vehicle when it is oper-
ating with the automated driving system engaged.
“(3) ‘Automated vehicle manufacturer’ means any person that builds highly automated
vehicles or installs automated driving systems in motor vehicles that were not originally
built as highly automated vehicles.
“(4) ‘Conventional mode’ means the status of a highly automated vehicle when it is under
the active physical control of a natural person operating the motor vehicle with the auto-
mated driving system disengaged.
“(5)(a) ‘Dynamic driving task’ means the real-time operational and tactical functions re-
quired to operate a motor vehicle on a public highway or on premises open to the public.
“(b) ‘Dynamic driving task’ includes but is not limited to monitoring the driving envi-
ronment and executing appropriate responses to objects and events.
“(c) ‘Dynamic driving task’ does not include trip planning, including decisions regarding
whether, when and where to go or the route to take.
“(6) ‘Highly automated vehicle’ means a motor vehicle equipped with an automated driv-
ing system.
“(7) ‘Minimal risk condition’ means a condition to which an onboard operator, a remote
operator or an automated driving system may bring a highly automated vehicle to reduce the
risk of a collision when a given trip cannot or should not be completed.
“(8)(a) ‘Onboard operator’ means a natural person who is seated in a highly automated
vehicle and is able to assume control of and operate the highly automated vehicle.
“(b) ‘Onboard operator’ includes a remote operator who is seated in the highly automated
vehicle.
“(9) ‘Operational design domain’ means the conditions for which a highly automated ve-
vehicle is specifically designed to function, including but not limited to environmental, ge-
ographic and time-of-day restrictions, and the requisite presence or absence of certain traffic
or roadway characteristics.

“(10) ‘Remote operator’ means a natural person who is not seated in a position to physically engage in-vehicle braking, accelerating, steering and transmission gear selection input devices but is able to assume control of and operate the highly automated vehicle remotely.

“(11) ‘Testing operator’ means an onboard operator or a remote operator of a test vehicle, whether the vehicle is in automated mode or conventional mode.

“(12) ‘Test vehicle’ means a highly automated vehicle that is undergoing testing described in section 4 of this 2019 Act.

“SECTION 3. Levels of driving automation. The Department of Transportation, by rule, taking into consideration the recommendations in the Society of Automotive Engineers’ ‘Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles, Standard J3016,’ June 2018 Edition, shall define the driving automation levels of automated driving systems.

“SECTION 4. Testing highly automated vehicles. An automated vehicle manufacturer tests a highly automated vehicle when the manufacturer’s employees, contractors or designees operate a highly automated vehicle on the highways of this state for the purpose of assessing, demonstrating or validating the capabilities of the highly automated vehicle’s automated driving system.

“SECTION 5. Testing permit. (1) Prior to testing highly automated vehicles, as described in section 4 of this 2019 Act, an automated vehicle manufacturer shall apply to the Department of Transportation for a testing permit.

“(2) An application submitted under this section may apply to the manufacturer’s testing of one or more highly automated vehicles.

“(3) An application submitted under this section must:

“(a) Establish, at a minimum, that:

“(A) Each highly automated vehicle and automated driving system meets all requirements of section 7 of this 2019 Act; and

“(B) Each highly automated vehicle will be operated only in the manner prescribed by sections 2 to 13a of this 2019 Act and any rules adopted by the department under sections 2 to 13a of this 2019 Act; and

“(b) Include, at a minimum, the following:

“(A) Contact information of the automated vehicle manufacturer, any other testing entity, registered agents and facility.

“(B) Vehicle information for each highly automated vehicle, including vehicle identification number, year, make, model, license plate number, vehicle type and driving automation level as defined by the department under section 3 of this 2019 Act.

“(C) A description of the operational design domain of each highly automated vehicle and the conditions under which testing will be conducted, including the geographic testing area.

“(D) Testing operator information, including name, date of birth, driver license number and the name of the state that issued the license.

“(E) Information regarding the automated vehicle manufacturer’s testing in any other jurisdictions.

“(F) Any additional information required by the department by rule.

“(4) An automated vehicle manufacturer must submit each of the following with an application submitted under this section:
“(a) The testing permit fee described in subsection (5) of this section.
“(b) Proof of liability insurance meeting at least the minimum financial responsibility requirements under ORS chapter 806, and an additional umbrella liability insurance policy in an amount of not less than $5 million per event.
“(c) A law enforcement and first responder interaction plan that meets the requirements under section 10 of this 2019 Act.
“(d) The following self-certifications:
“(A) That each automated driving system is engineered to perform in all real-world conditions in which the automated vehicle manufacturer intends to test the highly automated vehicles.
“(B) That each highly automated vehicle complies with all applicable Federal Motor Vehicle Safety Standards for new motor vehicles and new motor vehicle equipment or, if not, that an exemption has been granted by the National Highway Traffic Safety Administration or by provision of federal law.
“(C) That each highly automated vehicle is capable of complying with all state vehicle laws or, if not, that an exemption has been granted by the department.
“(D) That each highly automated vehicle is capable of complying with all state rules of the road within its operational design domain.
“(E) That each highly automated vehicle has a mechanism to engage and disengage the automated driving system that is easily accessible to the testing operator.
“(F) That each highly automated vehicle has an indicator inside the cabin to indicate when the automated driving system is engaged.
“(G) That a testing operator will be ready to assume control or have the highly automated vehicle achieve minimal risk condition at all times.
“(H) That each highly automated vehicle meets all appropriate and applicable current industry standards or policies to defend against, detect and respond to cyberattacks, unauthorized intrusions or false vehicle control commands.
“(I) That each testing operator meets the requirements under section 8 of this 2019 Act.
“(J) That each highly automated vehicle is capable of complying with all local rules of the road within its operational design domain.
“(5)(a) A testing permit fee is $3,600 and is due when an automated vehicle manufacturer submits the testing permit application and when the automated vehicle manufacturer renews the testing permit.
“(b) Each testing permit application or renewal is subject to one testing permit fee, regardless of the number of highly automated vehicles disclosed in the application or renewal.
“(6)(a) The department may approve an application for and issue a testing permit under this section only if the automated vehicle manufacturer has made all of the self-certifications required under subsection (4) of this section.
“(b) The department, at its discretion, may require an automated vehicle manufacturer to provide nonconfidential documents and records supporting the automated vehicle manufacturer’s self-certifications required under subsection (4) of this section.
“(7)(a) The department may deny an application for a testing permit under this section and may suspend, revoke or refuse to renew any testing permit issued under this section upon determining that the applicant for or holder of the testing permit has done any of the following:
“(A) Used fraud or deception in attempting to obtain or in securing the testing permit.
“(B) Failed to notify state police and city and local law enforcement officials as required under section 9 of this 2019 Act.
“(C) Failed to maintain the amounts and types of insurance required under subsection (4) of this section.
“(D) Violated any provision of sections 2 to 13a of this 2019 Act or any rules adopted by the department implementing sections 2 to 13a of this 2019 Act.
“(b) The department's denial of an application for a testing permit or suspension, revocation or refusal to renew a testing permit issued under this section is subject to review in the manner prescribed under ORS chapter 183 for contested cases.
“(8) Prior to making any changes to a highly automated vehicle's driving automation level, adding any testing operators or altering any testing conditions, including the geographic testing area, an automated vehicle manufacturer that has submitted an application for a testing permit under this section shall provide notice of the changes to the department and any local government, as defined in ORS 174.116, in whose jurisdiction the manufacturer will conduct testing.
“(9) A testing permit issued under this section expires two years after the date of issuance.
“(10) A testing permit described in this section is in addition to and not in lieu of any other registration, title or driving privileges required to operate a vehicle on the highways of this state.

**SECTION 6. Rules.**

(1) The Department of Transportation shall adopt rules for testing highly automated vehicles under sections 2 to 13a of this 2019 Act.

“(2) The rules adopted under this section must prescribe the form and requirements for applications under section 5 of this 2019 Act.

“(3) The rules adopted under this section may provide for renewal, suspension, revocation or denial of testing permits issued under section 5 of this 2019 Act.

“(4) The rules adopted under this section may not establish a new class of license or endorsement for testing highly automated vehicles.

**SECTION 7. Test vehicle requirements.** A highly automated vehicle may be tested on the highways of this state only if all of the following requirements are met:

“(1) The automated vehicle manufacturer has a valid testing permit issued under section 5 of this 2019 Act.

“(2) The testing operator:

“(a) Meets all of the requirements under section 8 of this 2019 Act;

“(b) Is monitoring the operation of the highly automated vehicle at all times and, in the event of a failure of the automated driving system or other emergency, is capable of assuming immediate control of the dynamic driving tasks as an onboard operator or as a remote operator; and

“(c) Is seated in the driver's seat of the highly automated vehicle if the highly automated vehicle is equipped with an automated driving system that has a driving automation system that requires a natural person to be in the vehicle and prepared to respond if the vehicle requests that the person intervene.

“(3) The highly automated vehicle is equipped with all of the following:

“(a) A mechanism to engage and disengage the automated driving system that is easily
Section 8. Testing operators. (1) A person may be a testing operator only if the person:

(a) Is a natural person;
(b) Is an employee, contractor or other designee of an automated vehicle manufacturer;
(c) Has passed a criminal background check; and
(d) Meets any other requirements established by the Department of Transportation by rule.

(2)(a) A person may not be a testing operator if the person has been convicted of a traffic crime or violation, or entered into a diversion program for a traffic crime or violation, within a period of time prescribed by the department by rule.

(b) The department, by rule, shall identify the traffic crimes and violations that disqualify a person from becoming a testing operator. Disqualifying traffic crimes or violations under this subsection may not include parking or pedestrian offenses or bicycling offenses, exclusive of a conviction, or entry into a diversion program, for driving under the influence of intoxicants.

(3) A testing operator must possess the proper class of license or endorsement for the type of highly automated vehicle being tested.

(4) A testing operator is subject to the provisions applicable to, and has the same rights and duties as, the operator of any other motor vehicle operating on the highways of this state except:

(a) Those provisions that by their very nature can have no application.
(b) When otherwise specifically provided under the Oregon Vehicle Code.

In line 44, delete “issued” and insert “prescribed”.

On page 6, line 7, after “department” insert “, in consultation with the Department of State Police.”.

In line 28, after “Transportation” insert “, in consultation with the Department of State Police.”.

In line 43, delete “issued” and insert “prescribed by the Department of Transportation”.

After line 45, insert:

“Section 13a. Exemption to state equipment requirements. The Department of Transportation may grant an automated vehicle manufacturer that is or will be testing a highly automated vehicle, as described in section 4 of this 2019 Act, an exemption to any state equipment requirements under ORS chapter 815 or 816.”.

On page 7, delete lines 22 through 25 and insert:

(c) Shall prescribe the requirements for highly automated vehicle testing permit stickers that
distinguish passenger vehicles, as defined by the department by rule, that are test vehicles, as defined in section 2 of this 2019 Act, from other passenger vehicles.”.

On page 8, line 23, delete “13” and insert “13a”.

In line 25, delete “13” and insert “13a”.

On page 9, line 17, delete “Test” and insert “Testing”.

Delete lines 27 through 29 and insert:

“(b) Notwithstanding the exceptions under paragraph (a)(C) of this subsection, a testing operator shall ensure that a highly automated vehicle remains at the scene of an accident described in ORS 811.700 or 811.710 until a police officer has arrived and has received the information required under ORS 811.700 or 811.710 or, if a police officer will not arrive at the scene of the accident, until the information required under ORS 811.700 or 811.710 is conveyed to the other driver or any other person who is entitled to receive the information as a result of the accident.

“(c) As used in this subsection, ‘automated vehicle manufacturer,’ ‘highly automated vehicle,’ ‘onboard operator’ and ‘testing operator’ have the meanings given those terms in section 2 of this 2019 Act.”.

On page 11, delete lines 22 and 23 and insert:

“(19)(a) A person who has a valid testing permit issued under section 5 of this 2019 Act may test a highly automated vehicle, as described in section 4 of this 2019 Act.”.

On page 22, delete lines 36 through 38 and insert:

“(43)(a) Personal information, as defined in ORS 802.175, of highly automated vehicle testing operators reported to the Department of Transportation as part of an application for a testing permit under section 5 of this 2019 Act.

“(b) As used in this subsection, ‘highly automated vehicle’ and ‘testing operator’ have the meanings given those terms in section 2 of this 2019 Act.”.

Delete lines 44 and 45.

On page 23, delete lines 1 through 19 and insert:

“SECTION 26. Notwithstanding ORS 670.335, civil penalties recovered by the Department of Transportation under section 12 of this 2019 Act shall be deposited in the State Highway Fund established under ORS 366.505.

“SECTION 26a. ORS 366.505 is amended to read:

“366.505. (1) The State Highway Fund shall consist of:

“(a) All moneys and revenues derived under and by virtue of the sale of bonds, the sale of which is authorized by law and the proceeds thereof to be dedicated to highway purposes.

“(b) All moneys and revenues accruing from the licensing of motor vehicles, operators and chauffeurs.

“(c) Moneys and revenues derived from any tax levied upon gasoline, distillate, liberty fuel or other volatile and inflammable liquid fuels, except moneys and revenues described in ORS 184.642 (2)(a) that become part of the Department of Transportation Operating Fund.

“(d) Moneys and revenues derived from the road usage charges imposed under ORS 319.885.

“(e) Moneys and revenues derived from the use tax imposed under ORS 320.410.

“(f) Moneys and revenues derived from the civil penalties recovered by the Department of Transportation under section 12 of this 2019 Act.

“(g) Moneys and revenues derived from or made available by the federal government for road construction, maintenance or betterment purposes.

“(h) All moneys and revenues received from all other sources which by law are allocated
or dedicated for highway purposes.

“(2) The State Highway Fund shall be deemed and held as a trust fund, separate and distinct from the General Fund, and may be used only for the purposes authorized by law and is continually appropriated for such purposes.

“(3) Moneys in the State Highway Fund may be invested as provided in ORS 293.701 to 293.857. All interest earnings on any of the funds designated in subsection (1) of this section shall be placed to the credit of the highway fund.

“MISCELLANEOUS

“SECTION 27. Applicability. Sections 2 to 13a and 14 of this 2019 Act and the amendments to ORS 192.355, 366.505, 801.026, 805.200, 806.011, 806.012, 806.060, 806.080, 807.020, 807.570 and 811.507 by sections 15 to 24 and 26a of this 2019 Act do not apply to a motor vehicle solely by reason that the motor vehicle has systems for collision avoidance, electronic blind spot detection, automatic emergency braking, parking assist, adaptive cruise control, lane keeping assist, lane departure warning or other similar systems that enhance safety or assist drivers but that are not capable of operating the motor vehicle without the active control or monitoring of a human operator.


“(2) The Department of Transportation may take any action before the operative date specified in subsection (1) of this section that is necessary for the department to exercise, on and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the department by sections 2 to 13a, 14, 25 and 26 of this 2019 Act and the amendments to ORS 192.355, 366.505, 801.026, 805.200, 806.011, 806.012, 806.060, 806.080, 807.020, 807.570 and 811.507 by sections 15 to 24 and 26a of this 2019 Act.”