

House Bill 4085

Sponsored by Representatives MCLAIN, BOSHART DAVIS; Representatives DOBSON, PHAM H, Senators GORSEK, MEEK, REYNOLDS, STARR (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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Allows the use of a self-driving vehicle without a license or permit. Allows the use of a self-driving vehicle to transport persons or property for hire. Preempts local laws and rules. (Flesch Readability Score: 62.6).

Allows a person to operate an autonomous vehicle with the automated driving system engaged without a grant of driving privileges if certain conditions are met. Requires an automated driving system to be able to achieve a minimal risk condition or issue a request to intervene. Requires an autonomous vehicle to operate in compliance with state vehicle laws and comply with federal safety standards. Provides for exemptions.

Allows the Department of Transportation to grant an autonomous vehicle that operates exclusively by an automated driving system and without an onboard driver an exemption to any state equipment requirement.

Requires a person operating an autonomous vehicle that is involved in a collision that results in damages to property to perform certain duties. Exempts a person operating an autonomous vehicle from other certain duties of a driver.

Prescribes financial responsibility requirements for a person operating an autonomous vehicle.

Authorizes a person to operate an autonomous vehicle for the purpose of transporting persons or property for hire if the person provides certain information to the department and provides a first responder interaction plan. Prescribes that authorization does not expire unless suspended or revoked.

Exempts autonomous vehicles and on-demand autonomous vehicle networks from provisions related to motor carriers. Prohibits local governments from regulating, imposing a tax or fee on or requiring a license or permit for on-demand autonomous vehicle networks. Prohibits local governments from prohibiting or regulating the operation of autonomous vehicles or on-demand autonomous vehicle networks.

A BILL FOR AN ACT

Relating to autonomous vehicles; creating new provisions; and amending ORS 807.020.

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

SECTION 1. Sections 2 to 13 of this 2026 Act are added to and made a part of the Oregon Vehicle Code.

SECTION 2. Definitions. As used in sections 2 to 13 of this 2026 Act:

(1) **“Automated driving system”** means the hardware and software that are collectively capable of performing the dynamic driving tasks on a sustained basis within one or more operational design domains.

(2) **“Autonomous vehicle”** means a motor vehicle that is equipped with an automated driving system.

(3)(a) **“Dynamic driving task”** means the real-time operational and tactical functions required to operate a motor vehicle on a highway or on premises open to the public.

(b) **“Dynamic driving task”** includes:

(A) Lateral vehicle motion control by steering;

(B) Longitudinal motion control by accelerating or decelerating;

(C) Monitoring the driving environment by detecting, recognizing, classifying and pre-

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 paring a response to objects and events;

2 (D) Executing appropriate responses to objects and events;

3 (E) Planning maneuvers; and

4 (F) Enhancing the motor vehicle's conspicuity through lighting, signaling or gesturing.

5 (c) "Dynamic driving task" does not include trip planning, including decisions regarding
6 whether, when and where to go or the route to take.

7 (4) "Minimal risk condition" means a stable, stopped condition to which an onboard op-
8 erator or automated driving system may bring a motor vehicle in response to a system fail-
9 ure, request to intervene or cessation of an operational design domain to reduce the risk of
10 a collision.

11 (5) "Onboard operator" means a natural person who is seated in a motor vehicle, pos-
12 sseses the proper class of license or endorsement for the motor vehicle in which the person
13 is seated and is able to assume control of and operate the motor vehicle.

14 (6) "On-demand autonomous vehicle network" means a transportation service network
15 that uses a software application or other digital means to dispatch or otherwise enable the
16 prearrangement of transportation with autonomous vehicles for the purpose of transporting
17 passengers or goods, including for-hire transportation and transportation for compensation.

18 (7) "Operational design domain" means the conditions under which an automated driving
19 system is specifically designed to function, including but not limited to environmental, ge-
20 ographic and time-of-day restrictions, and the requisite presence or absence of certain traffic
21 or roadway characteristics.

22 (8) "Request to intervene" means notification by an automated driving system to an
23 onboard operator indicating that the onboard operator should promptly begin or resume
24 performing part or all of the dynamic driving task.

25 **SECTION 3. Levels of driving automation.** The Department of Transportation, taking into
26 consideration the recommendations in the Society of Automotive Engineers' "Taxonomy and
27 Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles,
28 Standard J3016," April 2021 Edition, shall by rule define the driving automation levels of au-
29 tomated driving systems.

30 **SECTION 4. Operation of autonomous vehicles; automated driving systems.** A person
31 may operate an autonomous vehicle on the highways of this state with the automated driving
32 system engaged if the following conditions are met:

33 (1) If the automated driving system becomes unable to perform the dynamic driving task:

34 (a) The automated driving system will achieve a minimal risk condition; or

35 (b) If the automated driving system is unable to achieve a minimal risk condition and
36 relies on an onboard operator, the automated driving system will issue a request to inter-
37 vene;

38 (2) The autonomous vehicle is capable of operating in compliance with all state vehicle
39 laws, except those laws for which the department has granted an exemption; and

40 (3) The autonomous vehicle and its automated driving system comply with all applicable
41 Federal Motor Vehicle Safety Standards for its model year, except those standards for which
42 an exemption has been granted by the National Highway Traffic Safety Administration or by
43 provision of federal law.

44 **SECTION 5. Driver of autonomous vehicle.** (1) When the automated driving system of an
45 autonomous vehicle is engaged, the automated driving system is the driver or operator of

1 the autonomous vehicle for the purposes of the Oregon Vehicle Code and any administrative
 2 rule adopted pursuant to the Oregon Vehicle Code.

3 (2) Notwithstanding subsection (1) of this section, when the automated driving system
 4 of an autonomous vehicle is engaged, the onboard operator or owner of the autonomous ve-
 5 hicle shall be subject to any citation or penalty for violation of an applicable traffic or vehicle
 6 law.

7 **SECTION 6. Exemption to state equipment requirements.** The Department of Transpor-
 8 tation may grant an autonomous vehicle that operates exclusively by an automated driving
 9 system and without an onboard operator an exemption to any state equipment requirements
 10 under ORS chapter 815 or 816.

11 **SECTION 7. Duties of operator.** (1)(a) A person operating an autonomous vehicle that is
 12 involved in a collision that results in damage to property shall perform the duties of a driver
 13 described in ORS 811.700.

14 (b) A person operating an autonomous vehicle is exempt from the duties of a driver as
 15 described in ORS 811.705, 811.710 and 811.715.

16 (2)(a) A person operating an autonomous vehicle shall provide the Department of Trans-
 17 portation a copy of any collision report that the person is required to provide the National
 18 Highway Traffic Safety Administration within 24 hours after the person provides the collision
 19 report to the National Highway Traffic Safety Administration.

20 (b) A person is exempt from the requirement under paragraph (a) of this subsection if
 21 the report is made available to the department under federal law.

22 **SECTION 8. Insurance.** (1) A person operating an autonomous vehicle shall:

23 (a) Comply with the financial responsibility requirements under ORS 806.060; and
 24 (b) Maintain a motor vehicle liability policy that meets the requirements under ORS
 25 742.502 and 742.520.

26 (2) In addition to the requirements under subsection (1) of this section, a person oper-
 27 ating an autonomous vehicle with the automated driving system engaged shall maintain a
 28 motor vehicle liability policy that provides combined single limit per occurrence third-party
 29 liability coverage of at least \$1 million.

30 (3) A person may satisfy the requirements under this section by maintaining an insur-
 31 ance policy issued by:

32 (a) An insurer licensed in this state; or
 33 (b) A surplus lines licensee under ORS 735.400 to 735.495.

34 **SECTION 9. Operating as commercial vehicle.** A person may operate an autonomous ve-
 35 hicle as a commercial vehicle under ORS chapter 826.

36 **SECTION 10. Transport of persons or property for hire.** (1) As used in this section and
 37 section 11 of this 2026 Act, “for-hire carrier” means a person who operates an autonomous
 38 vehicle for the purpose of transporting persons or property for hire or who publicly purports
 39 to be willing to transport persons or property for hire by autonomous vehicle.

40 (2) A person may not operate an autonomous vehicle without an onboard operator as a
 41 for-hire carrier in this state unless the person receives authorization from the Department
 42 of Transportation under this section.

43 (3) The department shall authorize a person to operate an autonomous vehicle without
 44 an onboard operator as a for-hire carrier in this state if the person:

45 (a) Submits an application that includes the information listed under subsection (4) of

1 **this section; and**

2 (b) Provides the department with a first responder interaction plan described under
3 subsection (5) of this section.

4 (4) An application submitted under subsection (3) of this section must include the fol-
5 lowing information:

6 (a) The person's name, address and contact information;

7 (b) For each autonomous vehicle included in the application, the vehicle tag number and
8 state of issuance, vehicle information number, make, model and year and proof of current
9 vehicle registration; and

10 (c) A written statement certifying that each autonomous vehicle included in the appli-
11 cation complies with the requirements listed under section 4 of this 2026 Act.

12 (5) A first responder interaction plan provided under subsection (3) of this section must
13 include the following:

14 (a) Documentation that the person operating the autonomous vehicle has employed a
15 fleet support specialist who will be available during any period of time that the autonomous
16 vehicle is operating;

17 (b) How to contact and communicate with the fleet support specialist;

18 (c) How to safely remove the autonomous vehicle from the roadway;

19 (d) How to safely tow the autonomous vehicle;

20 (e) How to recognize whether the autonomous vehicle has the automated driving system
21 engaged or not; and

22 (f) Any other information regarding hazardous conditions or public safety risks associ-
23 ated with the operation of the autonomous vehicle.

24 (6) Authorization granted to a person to operate an autonomous vehicle without an
25 onboard operator as a for-hire carrier under this section shall not expire unless suspended
26 or revoked pursuant to section 12 of this 2026 Act.

27 (7) A person who is granted authorization under this section shall provide the department
28 with any updated information described under subsection (3) of this section within 30 days
29 after the change in information.

30 (8) The provisions of ORS chapter 825 do not apply to a person or autonomous vehicle
31 authorized to operate as a for-hire carrier under this section.

32 **SECTION 11. On-demand autonomous vehicle network.** (1) An on-demand autonomous
33 vehicle network that receives authorization to operate as a for-hire carrier under section 10
34 of this 2026 Act shall:

35 (a) Disclose to a customer the fare or fare calculator method on the network's website
36 or mobile application prior to arranging a ride; and

37 (b) Within a reasonable period of time after a ride is complete, transmit an electric re-
38 ceipt, which must include the origin and destination of the ride, the total time and distance
39 of the ride and the total amount charged for the ride, to the customer.

40 (2)(a) It is the intent of the Legislative Assembly to provide for a uniform state law to
41 govern exclusively on-demand autonomous vehicle networks.

42 (b) With respect to on-demand autonomous vehicle networks, a local government may
43 not:

44 (A) Regulate;

45 (B) Impose a tax or fee; or

1 (C) **Require a license or permit.**
2 (c) **Notwithstanding paragraph (b) of this subsection, an airport may:**
3 (A) Charge an on-demand autonomous vehicle network a fee that is consistent with any
4 fee the airport charges persons providing similar services; or
5 (B) Designating locations for staging, picking up customers or dropping off customers
6 that are reasonably equivalent to locations the airport designates for use by other persons
7 providing similar services.

8 (3)(a) **An on-demand autonomous vehicle network:**
9 (A) **Is exempt from the provisions of ORS chapter 825;**
10 (B) **Is not a common carrier; and**
11 (C) **May not provide taxicab or street hail services.**

12 (b) **As used in this subsection, “street hail” means an immediate arrangement on a street**
13 **with a driver by a person using any method other than a digital network to seek immediate**
14 **transportation.**

15 **SECTION 12. Suspension or revocation of authorization.** (1) **As used in this section,**
16 **“authorization holder” means a person who the Department of Transportation authorizes to**
17 **operate an autonomous vehicle without an onboard operator as a for-hire carrier under**
18 **section 10 of this 2026 Act.**

19 (2) **The Department of Transportation shall follow the procedures under this section if**
20 **the department determines that:**

21 (a) **An autonomous vehicle operating with authorization granted under section 10 of this**
22 **2026 Act is not in safe operational condition; and**

23 (b) **Operation of the autonomous vehicle on the public highways of this state endangers**
24 **the public by creating a substantial risk of death or has caused death, serious permanent**
25 **disfigurement or protracted loss or impairment of the function of any bodily member or or-**
26 **gan.**

27 (3)(a) **The department shall provide the authorization holder notice of intent to:**
28 (A) **Suspend or revoke the authorization; or**
29 (B) **Impose restrictions on the operation of the autonomous vehicle.**

30 (b) **The notice must:**

31 (A) **Include a summary of the department’s determination and supporting evidence;**
32 (B) **Specify the enforcement action the department will take if the authorization holder**
33 **fails to provide a certification as described in subsection (4) of this section; and**

34 (C) **Provide the authorization holder a reasonable period of time to:**

35 (i) **Correct the issues identified by the department; and**

36 (ii) **Provide the department a certification as described in subsection (4) of this section.**

37 (4) **Within the period of time provided in the notice, the authorization holder shall:**

38 (a) **Ensure that the issues identified by the department in the notice are corrected; and**

39 (b) **Provide the department a certification that:**

40 (A) **Acknowledges that the issues have been corrected;**

41 (B) **Explains how the issues have been corrected; and**

42 (C) **Identifies any operational measures implemented.**

43 (5) **Upon written request by the authorization holder, the department may give the au-**
44 **thorization holder additional time to respond under subsection (4) of this section.**

45 (6) **If the authorization holder fails to comply with subsection (4) of this section, the de-**

1 **partment shall issue a decision that carries out the enforcement action specified in the no-**
2 **tice.**

3 **(7) Within 10 days of receiving a decision, the authorization holder may submit a written**
4 **request to the department to review the decision. Within 10 days of receiving a written re-**
5 **quest to review the decision, the department shall review the decision and issue a final de-**
6 **termination that upholds or rescinds the decision.**

7 **(8) A final determination by the department under this section is subject to review in the**
8 **manner prescribed under ORS chapter 183 for contested cases.**

9 **(9) Notwithstanding the period of time that is provided in a notice under subsection (3)**
10 **of this section, the department shall rescind a suspension, revocation or restriction on the**
11 **operation of the autonomous vehicle if, at any time, the authorization holder complies with**
12 **subsection (4) of this section.**

13 **SECTION 13. Controlling authority; rules.** **(1) Except as provided under sections 2 to 13**
14 **of this 2026 Act, autonomous vehicles and automated driving systems are governed exclu-**
15 **sively by state law.**

16 **(2) A local government or local service district, as those terms are defined in ORS**
17 **174.116, may not:**

18 **(a) Prohibit the operation of an autonomous vehicle or on-demand autonomous vehicle**
19 **network;**

20 **(b) Impose a tax, fee, performance standard or other requirement specific only to the**
21 **operation of an autonomous vehicle or on-demand autonomous vehicle network.**

22 **(3) The Department of Transportation shall adopt rules necessary to carry out the pro-**
23 **visions of sections 2 to 13 of this 2026 Act.**

24 **SECTION 14.** ORS 807.020 is amended to read:

25 **807.020. A person who is granted a driving privilege by this section may exercise the driving**
26 **privilege described without violation of the requirements under ORS 807.010. A grant of driving**
27 **privileges to operate a motor vehicle under this section is subject to suspension and revocation the**
28 **same as other driving privileges granted under the vehicle code. This section is in addition to any**
29 **exemptions from the vehicle code under ORS 801.026. The following persons are granted the de-**
30 **scribed driving privileges:**

31 **(1) A person who is not a resident of this state or who has been a resident of this state for less**
32 **than 30 days may operate a motor vehicle without an Oregon license or driver permit if the person**
33 **holds a current out-of-state license issued to the person. For the purpose of this subsection, a person**
34 **is a resident of this state if the person meets the residency requirements described in ORS 807.062.**

35 **To qualify under this subsection, the person must have the out-of-state license or driver permit in**
36 **the person's possession. A person is not granted driving privileges under this subsection:**

37 **(a) If the person is under the minimum age required to be eligible for driving privileges under**
38 **ORS 807.060;**

39 **(b) During a period of suspension or revocation by this state or any other jurisdiction of driving**
40 **privileges or of the right to apply for a license or driver permit issued by this state or any other**
41 **jurisdiction; or**

42 **(c) That exceed the driving privileges granted to the person by the out-of-state license or driver**
43 **permit.**

44 **(2) A person who is a member of the Armed Forces of the United States or a member of the**
45 **commissioned corps of the National Oceanic and Atmospheric Administration may operate a motor**

1 vehicle without an Oregon license or driver permit if the person is operating a motor vehicle in the
2 course of the person's duties in the Armed Forces or the National Oceanic and Atmospheric Ad-
3 ministration.

4 (3) A person without a license or driver permit may operate a road roller or road machinery
5 that is not required to be registered under the laws of this state.

6 (4) A person without a license or driver permit may temporarily operate, draw, move or propel
7 a farm tractor or implement of husbandry.

8 (5) A person without a license or driver permit may operate a motor vehicle to demonstrate
9 driving ability during the course of an examination administered under ORS 807.070 for the purpose
10 of qualifying for a license or driver permit. This subsection only applies when an authorized exam-
11 iner is in a seat beside the driver of the motor vehicle.

12 (6) Driving privileges for snowmobiles are exclusively as provided in ORS 821.150.

13 (7) Driving privileges for Class I all-terrain vehicles are exclusively as provided in ORS 821.170,
14 unless a person is operating a Class I all-terrain vehicle on an all-terrain vehicle highway access
15 route that is designated by the Oregon Transportation Commission as open to all-terrain vehicles.

16 (8) Driving privileges for Class III all-terrain vehicles are exclusively as provided in ORS
17 821.172, unless a person is operating a Class III all-terrain vehicle on an all-terrain vehicle highway
18 access route that is designated by the commission as open to all-terrain vehicles.

19 (9) Driving privileges for Class IV all-terrain vehicles are exclusively as provided in ORS
20 821.176, unless a person is operating a Class IV all-terrain vehicle on an all-terrain vehicle highway
21 access route that is designated by the commission as open to all-terrain vehicles.

22 (10) A person without a license or driver permit may operate a golf cart in accordance with an
23 ordinance adopted under ORS 810.070.

24 (11) The spouse of a member of the Armed Forces of the United States on active duty or the
25 spouse of a member of the commissioned corps of the National Oceanic and Atmospheric Adminis-
26 tration who is accompanying the member on assignment in this state may operate a motor vehicle
27 if the spouse has a current out-of-state license or driver permit issued to the spouse by another state
28 in the spouse's possession.

29 (12) A person who is a member of the Armed Forces of the United States on active duty or a
30 member of the commissioned corps of the National Oceanic and Atmospheric Administration may
31 operate a motor vehicle if the person has a current out-of-state license or driver permit in the
32 person's possession that is issued to the person by the person's state of domicile or by the Armed
33 Forces of the United States in a foreign country. Driving privileges described under this subsection
34 that are granted by the Armed Forces apply only for a period of 45 days from the time the person
35 returns to the United States.

36 (13) A person who does not hold a motorcycle endorsement may operate a motorcycle if the
37 person is:

38 (a) Within an enclosed cab;

39 (b) Operating a vehicle designed to travel with three wheels in contact with the ground at
40 speeds of less than 15 miles per hour; or

41 (c) Operating an autocycle.

42 (14) Except as provided in subsection (15) of this section, a person may operate a bicycle without
43 any grant of driving privileges.

44 (15) A person may operate the following without any grant of driving privileges if the person is
45 16 years of age or older:

1 (a) A Class 1 electric assisted bicycle;
2 (b) A Class 2 electric assisted bicycle; or
3 (c) A Class 3 electric assisted bicycle.

4 (16) A person may operate a motor assisted scooter without a driver license or driver permit if
5 the person is 16 years of age or older.

6 (17) A person who is not a resident of this state or who has been a resident of this state for less
7 than 30 days may operate a motor vehicle without an Oregon license or driver permit if the person
8 is at least 15 years of age and has in the person's possession a current out-of-state equivalent of a
9 Class C instruction driver permit issued to the person. For the purpose of this subsection, a person
10 is a resident of this state if the person meets the residency requirements described in ORS 807.062.
11 A person operating a motor vehicle under authority of this subsection has the same privileges and
12 is subject to the same restrictions as a person operating under the authority of a Class C instruction
13 driver permit issued as provided in ORS 807.280.

14 (18) A person may operate an electric personal assistive mobility device without any grant of
15 driving privileges if the person is 16 years of age or older.

16 **(19)(a) A person may operate an autonomous vehicle with the automated driving system
17 engaged without any grant of driving privileges if the conditions listed under section 4 of this
18 2026 Act are met.**

19 **(b) As used in this subsection, "autonomous vehicle" and "automated driving system"
20 have the meanings given those terms in section 2 of this 2026 Act.**

21 **SECTION 15. Captions.** The section captions used in this 2026 Act are provided only for
22 the convenience of the reader and do not become part of the statutory law of this state or
23 express any legislative intent in the enactment of this 2026 Act.

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