

House Bill 2461

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

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.

A BILL FOR AN ACT

1 Relating to autonomous vehicles.

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

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

5 **SECTION 2. Definitions. As used in sections 2 to 6 of this 2017 Act:**

6 (1) **“Autonomous system” means a system that enables the operation of a motor vehicle**
7 **without active physical control or monitoring by a human operator.**

8 (2) **“Autonomous vehicle” means a commercial motor vehicle equipped with an auton-**
9 **omous system.**

10 (3) **“Manufacturer” means any person that builds autonomous vehicles or installs au-**
11 **tonomous systems in commercial motor vehicles that were not originally built as auton-**
12 **omous vehicles.**

13 **SECTION 3. Certificate of approval. (1) A manufacturer may test autonomous vehicles**
14 **on the highways of this state only if the manufacturer has been issued a certificate of ap-**
15 **proval by the Department of Transportation.**

16 (2) **A manufacturer may apply to the Department of Transportation for certification un-**
17 **der this section. The application must be in the form specified by the department. The ap-**
18 **plication must establish that:**

19 (a) **The autonomous vehicle and the autonomous system meet all requirements of section**
20 **4 of this 2017 Act; and**

21 (b) **The autonomous vehicle will be operated only in the manner prescribed by section 5**
22 **of this 2017 Act.**

23 (3) **The department shall adopt rules for the testing of autonomous vehicles under**
24 **sections 2 to 6 of this 2017 Act. The rules must establish requirements for applications under**
25 **this section. The rules must establish standards for equipment and for the performance of**
26 **autonomous vehicles that the department determines are necessary to ensure the safe op-**
27 **eration of autonomous vehicles on the highways of this state. The rules may limit the num-**
28 **ber of autonomous vehicles on the highways of this state, impose special license**
29 **requirements for operators of autonomous vehicles and provide for renewal, revocation,**
30 **suspension or denial of certification under this section.**
31

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

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

6 (6) The department by rule shall establish fees for applications under this section. The
7 fees must be in an amount adequate to pay all administrative costs incurred by the depart-
8 ment in administering sections 2 to 6 of this 2017 Act.

9 **SECTION 4. Vehicle requirements.** (1) An autonomous vehicle may be operated on the
10 highways of this state only if:

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

13 (b) The autonomous vehicle has a visual indicator inside the vehicle to indicate when the
14 autonomous system is engaged;

15 (c)(A) The autonomous vehicle has a failure alert system to notify the operator if a sys-
16 tem failure is detected;

17 (B) The failure alert system allows the operator to take immediate manual control of the
18 autonomous vehicle when a failure of the autonomous system or other emergency is de-
19 tected;

20 (C) The failure alert system stops the autonomous vehicle if the operator does not take
21 immediate manual control of the vehicle when a failure of the autonomous system or other
22 emergency is detected; and

23 (D) The failure alert system clearly indicates when the autonomous system is disengaged;
24 and

25 (d) The operator may take manual control of the autonomous vehicle in more than one
26 manner including, but not limited to, using the brake, the accelerator or the steering wheel.

27 (2) An autonomous vehicle may be operated on the highways of this state only if the
28 autonomous vehicle and its autonomous system meet Federal Motor Vehicle Safety Stan-
29 dards for its model year and meet all other applicable safety standards and performance re-
30 quirements established by state and federal law.

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

36 **SECTION 5. Operating requirements.** A manufacturer that has been issued a certificate
37 of approval under section 3 of this 2017 Act may operate an autonomous vehicle on the
38 highways of this state only if:

39 (1) The onboard operator possesses the proper class of license for the type of autonomous
40 vehicle being tested; and

41 (2) The onboard operator is in the driver's seat of the autonomous vehicle, is monitoring
42 the operation of the vehicle and is capable of taking immediate manual control of the vehicle
43 in the event of a failure of the autonomous system or other emergency.

44 **SECTION 6. Applicability.** Sections 2 to 6 of this 2017 Act do not apply to a motor vehicle
45 solely by reason that the motor vehicle has systems for collision avoidance, electronic blind

1 spot assistance, automated emergency braking, park assist, adaptive cruise control, lane
2 keep assist, lane departure warning or other similar systems that enhance safety or provide
3 driver assistance but that are not capable of operating the motor vehicle without the active
4 physical control or monitoring of a driver.

5 **SECTION 7. Captions.** The section captions used in this 2017 Act are provided only for
6 the convenience of the reader and do not become part of the statutory law of this state or
7 express any legislative intent in the enactment of this 2017 Act.

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