

HB 2770 -5, -7 STAFF MEASURE SUMMARY

Joint Committee On Transportation

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Meeting Dates: 4/29, 5/22

WHAT THE MEASURE DOES:

Defines levels of driving automation. Requires automated vehicle manufacturers to apply to the Department of Transportation for testing permit prior to testing highly automated vehicle. Describes testing permit application requirements. Directs automated vehicle manufacturers to obtain additional umbrella liability insurance prior to testing. Directs Department of Transportation to adopt rules and fees for testing highly automated vehicles on highways. Directs the Department of Transportation to design a highly automated vehicle testing permit sticker. Requires automated vehicle manufacturers to provide law enforcement with a law enforcement and first responder interaction plan. Imposes civil penalty for testing highly automated vehicles without testing permit that is subject to fine. Clarifies liability of manufacturer. Establishes that automated vehicle manufacturers may not be self-insured and must provide coverage for testing vehicles. Permits remote operators testing highly automated vehicles from using mobile electronic devices. Establishes that automated vehicle manufacturers are in violation of driving uninsured, not providing compliance with showing proof of financial responsibility, and not carrying a license if there is failure to file a law enforcement and first responder interaction plan. Exempts persons testing highly automated vehicles from public records. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Work product of the Autonomous Vehicles Task Force
- Whether measure comports with statutes in other states
- National standards versus state standards
- Concerns about impacts of autonomous vehicles on workers
- Testing of autonomous trucks already occurring in Oregon
- Testing phase versus deployment phase
- Liability issues

EFFECT OF AMENDMENT:

-5 Replaces original measure.

-7 Modifies definitions regarding highly automated vehicles. Clarifies testing permit requirements of highly automated vehicles. Authorizes Department of Transportation to grant exemption to state equipment requirements. Requires testing operators to ensure highly automated vehicles remain at the scene of an accident and information is conveyed to a police office or other person entitled to information regarding the accident. Allocates civil penalties recovered by Department of Transportation to be deposited to the State Highway Fund. Effective January 1, 2020.

BACKGROUND:

Autonomous vehicle technology is advancing to create vehicles that can accurately detect and recognize their environment through the use of radar, lidar, GPS, and computer vision. According to the Society of Automotive

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Engineers (SAE), automation levels range from 0 to 5, with 5 being full automation where the vehicle is fully able to perform all driving capabilities. States have been considering legislation on autonomous vehicle regulations since 2011. There are currently 14 states that have not enacted legislation or executive orders. In 2018, the Consolidated Appropriations Act was signed into law, directing the U. S. Department of Transportation to conduct and fund research on autonomous vehicle development. The National Highway and Transportation Safety Administration has released federal guidelines for automated driving systems providing guidance on safe deployment and technical assistance. Vehicles owned by Waymo, Google's self-driving technology company, have driven over 10,000 miles on public roads in several United States locations. Automakers such as General Motors, as well as transportation network companies such as Lyft and Uber, are also developing and testing autonomous vehicle technology.

In Oregon, House Bill 4063 (2018) established the Task Force on Autonomous Vehicles to develop recommendations for legislation on the deployment of autonomous vehicles on highways and clarified that the Oregon Department of Transportation is the responsible for coordinating autonomous vehicle programs and policies. House Bill 2770 is a product of that work group and establishes requirements for testing of highly automated vehicles.