

D R A F T
FOR DISCUSSION ONLY

HIGHLY AUTOMATED VEHICLES ACT

NATIONAL CONFERENCE OF COMMISSIONERS
ON UNIFORM STATE LAWS

February 1-2, 2019 Drafting Committee Meeting

This draft act adopts the formatting conventions of a final act. Footnotes have been removed, and legislative notes have been added throughout. Draft reporter comments have been included from the prefatory note through Section 2 to generate feedback on their substance, structure, and style. Full reporter comments will be added as the Committee nears consensus on the language of the act itself.

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ON UNIFORM STATE LAWS

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February 1-2, 2019

DRAFTING COMMITTEE ON HIGHLY AUTOMATED VEHICLES ACT

The Committee appointed by and representing the National Conference of Commissioners on Uniform State Laws in preparing this act consists of the following individuals:

THOMAS J. BUIREWEG, 3025 Boardwalk St., Suite 120, Ann Arbor, MI 48108, *Chair*

H. CLAYTON WALKER, 1201 Main St., 22nd Floor, Columbia, SC 29201, *Vice Chair*

PAMELA WINSTON BERTANI, 728 Texas St., Suite 4, Fairfield, CA 94533

K. KING BURNETT, 76 Taylor Rd., Stow, MA 01775-1616

DALE G. HIGER, 1302 E. Warm Springs Ave., Boise, ID 83712

MARY GAY JONES, 18 N. Foxhill Rd., North Salt Lake, UT 84054

DONALD E. MIELKE, 6534 S. Chase St., Littleton, CO 80123-6835

MICHELE RADOSEVICH, 1201 3rd Ave., Suite 2200, Seattle, WA 98101-3045

LEONARD J. REESE, 1806 Niles Rd., Austin, TX 78703

JEROD E. TUFTE, State Capitol, 600 E. Boulevard Ave., Bismarck, ND 58505-0530

BRYANT WALKER SMITH, University of South Carolina School of Law, 1525 Senate St.,
Columbia, SC 29201, *Reporter*

DEREK TARVER, 1441 Main St., Suite 1200, Columbia, SC 29201, *Associate Reporter*

EX OFFICIO

ANITA RAMASASTRY, University of Washington School of Law, William H. Gates Hall,
Box 353020, Seattle, WA 98195-3020, *President*

JULIET M. MORINGIELLO, Widener University Commonwealth Law School, 3800 Vartan
Way, Harrisburg, PA 17110-9742, *Division Chair*

AMERICAN BAR ASSOCIATION ADVISOR

KELLY A. DONOHUE, 1800 M St. NW, Suite 800N, Washington, DC 20036-5850, *ABA
Advisor*

EXECUTIVE DIRECTOR

STEVEN L. WILLBORN, Uniform Law Commission, 111 N. Wabash, Suite 1010, Chicago, IL
60602, *Interim Executive Director*

Copies of this Act may be obtained from:

NATIONAL CONFERENCE OF COMMISSIONERS
ON UNIFORM STATE LAWS
111 N. Wabash Ave., Suite 1010
Chicago, IL 60602
312/450-6600
www.uniformlaws.org

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1 **HIGHLY AUTOMATED VEHICLES ACT**

2 **Prefatory Note**

3 The Automated Vehicles Act addresses a narrow but foundational set of the many legal and
4 policy issues raised by automated driving. It is intended to explicitly accommodate and
5 specifically regulate what it refers to as the automated operation of automated vehicles.
6 Colloquially, these vehicles may also be described as autonomous, driverless, or self-driving.
7 Under at least some circumstances, they can steer, brake, and accelerate by themselves while
8 monitoring the road so that a human driver need not do so.

9
10 This act covers the deployment of these automated vehicles on roads held open to the public. It
11 does not cover testing of aspirational automated vehicles for the purposes of research and
12 development. It does not cover remote driving, in which a human drives a vehicle while outside
13 of or far from it. And it does not cover vehicle features that merely assist a human driver; even if
14 these features brake, steer, and accelerate, they are still designed with the expectation that a
15 human driver will monitor the road.

16
17 What the act does cover is still vast, for automated driving encompasses a wide range of
18 technologies, applications of those technologies, business models for those applications, and
19 participants in those business models. See Bryant Walker Smith, How Governments Can
20 Promote Automated Driving, 47 N.M. L. Rev. 99 (2017).

21
22 For example, a vehicle capable of automated operation *may or may not* be designed for all roads,
23 communities, and travel conditions; be capable of automated operation for an entire trip; include
24 a traditional steering wheel, throttle, and brake pedal; need a human who can resume driving
25 when requested to do so; need this human to be physically present in the vehicle; rely on a
26 human located far from the vehicle to provide instructions and information; use specific sensor
27 technologies, including camera, radar, lidar, sonar, and GPS; use highly detailed maps that are
28 created in advance; communicate directly with other vehicles; be originally manufactured as an
29 automated vehicle; be retrofitted by a developer other than the vehicle manufacturer; be modified
30 by third parties without the involvement of that developer; be sold to individual consumers; be
31 deployed only as part of a fleet; carry passengers, deliver goods, provide services, or perform
32 novel functions; and so on.

33
34 In other words, because there could be so many different forms of automated driving, picturing
35 and attempting to legislate for the singular “driverless car” can be both impractical and
36 counterproductive. Instead, it is more helpful to identify and explore assumptions in
37 contemporary legal rules as well as in contemporary discussions of automated driving. This act is
38 a product of this collective exploration.

39
40 The act accordingly attempts to reconcile automated driving with a typical state motor vehicle
41 code. For this reason, in some ways the structure of the draft mirrors such a code: Many of its
42 sections—including definitions, driver licensing, vehicle registration, equipment, rules of the
43 road, and (in an inchoate form) insurance—correspond to, refer to, and can be incorporated into
44 existing sections of a typical vehicle code. However, because existing codes vary widely in both

1 substance and structure, the work of carefully codifying this act is left to each state that adopts it.

2
3 One key section of this act—on automated driving providers—is not part of a traditional vehicle
4 code but has strong parallels in how some states have approached automated vehicle testing, see,
5 e.g., Cal. Veh. Code 38750; Ohio Executive Order 2018-04K, and in how both the National
6 Transport Commission of Australia and the Law Commission of England and Wales envision
7 approaching automated vehicle deployment, see NTC Australia, Changing driving laws to
8 support automated vehicles, [ntc.gov.au/current-projects/changing-driving-laws-to-support-](http://ntc.gov.au/current-projects/changing-driving-laws-to-support-automated-vehicles)
9 [automated-vehicles](http://ntc.gov.au/current-projects/changing-driving-laws-to-support-automated-vehicles) (“automated driving system entity”); Law Commission, Automated
10 Vehicles: a joint preliminary consultation paper, lawcom.gov.uk/project/automated-vehicles
11 (same). As the effective driver of an automated vehicle, the “automated driving provider” is also
12 at the heart of the Automated Vehicles Act. This actor is defined not by a specific role in the
13 stream of commerce but, rather, by a willingness to self-identify and an ability to meet specific
14 technical and legal requirements. This provider might be an automated driving developer, vehicle
15 manufacturer, data provider, fleet operator, insurer, affiliated firm, or another kind of market
16 participant that has yet to emerge.

17
18 The diversity of automated driving compels this flexibility. An automated vehicle’s automated
19 driving systems may be installed by the developer of the system, the manufacturer of the vehicle,
20 or another entity altogether. The vehicle may be owned by sophisticated technology companies,
21 by fleet operators with some familiarity with automation, or by individuals (or their lenders) with
22 no technical knowledge whatsoever. Regardless of ownership, the continued safety of automated
23 operation is likely to require the ongoing involvement of a technically competent entity that
24 facilitates data transfers, software updates, and technical support.

25
26 Fundamentally, this act is about safety—encouraging the responsible deployment of automated
27 vehicles in a way that balances concerns about the current safety of conventional driving with
28 concerns about the potential safety of automated driving. As existing automated driving laws and
29 policies demonstrate, states approach this balancing act in different ways. This act draws from
30 and builds on these approaches.

1 **HIGHLY AUTOMATED VEHICLES ACT**

2 **Legislative Note:** *This act should be codified into the vehicle code or the equivalent law of this*
3 *state according to state practice. This codification could involve amending existing provisions of*
4 *the vehicle code, inserting provisions within existing sections of the vehicle code, or adding new*
5 *sections to the vehicle code. The act should be codified so that, in relation to automated vehicles,*
6 *its provisions supplement, modify, and clarify—but do not wholly displace—generally applicable*
7 *state vehicle law.*

8
9 **Comment**

10
11 As stated in the legislative note, this act is intended to supplement, modify, and clarify—but not
12 wholly displace—generally applicable state motor vehicle law. Vehicle law typically addresses
13 vehicle titling, vehicle registration, driver licensing, rules of the road, and similar topics.

14 However, states are not consistent in the substance of the structure of this law. For example,
15 many states use the term “vehicle code” to refer to motor vehicle law generally (as does this act),
16 but others use the term to refer to only a subset of this law, and others do not use the term at all.

17
18 It is against this backdrop that some states have enacted legislation specific to automated driving.
19 This legislation has been codified in various ways, including as a standalone chapter, see, e.g.,
20 NRS Chapter 482A, as new sections within the vehicle code or its equivalent, see, e.g., Cal. Veh.
21 Code div. 16.6, as new provisions within existing sections of the vehicle code, see, e.g.,
22 M.C.L.A. 257.36, and as amendments to existing provisions of the vehicle code, see, e.g., T.C.A.
23 § 55-8-101. Some states have taken multiple approaches. Compare, e.g., Col. Rev. Stat. Ann. §
24 42-1-102 with § 42-4-110 with § 42-4-242.

25
26 Regardless of how this legislation has been codified, state motor vehicle law still generally
27 applies with respect to automated driving. In some cases, legislation expressly excludes the
28 application of specified provisions of the vehicle code, see, e.g., Fla. Stat. Ann. § 316.305,
29 expressly excludes the application of unspecified inconsistent provisions, see, e.g., Col. Revised
30 Stat. Ann. § 42-4-242, or would seem to implicitly exclude the application of inconsistent
31 provisions, see, e.g., Cal. Vehicle Code § 38755. In no case, however, does legislation wholly or
32 even largely remove automated driving from the vehicle code.

33
34 This act takes a similar approach. Early in the process, the Committee considered whether to (1)
35 create a new legal framework for automated vehicles to wholly supplant existing vehicle codes,
36 (2) adopt a model vehicle code applicable to all motor vehicles and then amend it to explicitly
37 address automated vehicles, or (3) draft a hybrid act to map an existing vehicle code onto
38 automated vehicles. The Committee determined that the first two options were certainly
39 impractical and possibly undesirable and determined that only a hybrid act could effectively
40 address the complexity and diversity of existing motor vehicle law.

1 performing the entire dynamic driving task on a sustained basis.

2 (4) “Automated operation” means the performance of the entire dynamic driving task by
3 an automated driving system. Automated operation begins upon the performance of the entire
4 dynamic driving task by an automated driving system and continues until termination of
5 automated operation.

6 (5) “Automated vehicle” means a motor vehicle with an automated driving system.

7 (6) “Completely automated trip” means travel in an automated vehicle that, from the
8 point of departure until the point of arrival, is under automated operation by means of an
9 automated driving system designed to achieve a minimal risk condition.

10 (7) “Dedicated automated vehicle” means an automated vehicle designed for exclusively
11 automated operation when used for transportation on a [road open to the public].

12 (8) “Drive” means as provided in [this state’s vehicle code], except that an automated
13 driving provider exclusively drives an associated automated vehicle under automated operation.

14 (9) “Driver” means as provided in [this state’s vehicle code], except that an automated
15 driving provider is the exclusive driver of an associated automated vehicle under automated
16 operation.

17 (10) “Dynamic driving task” means the real-time operational and tactical functions
18 required to operate a vehicle in on-road traffic, including controlling lateral and longitudinal
19 vehicle motion, monitoring the driving environment, executing responses to objects and events,
20 planning vehicle maneuvers, and enhancing vehicle conspicuity. The term does not mean the
21 strategic functions of driving, including scheduling trips, selecting destinations, and specifying
22 routes.

23 (11) “Minimal risk condition” means a condition to which a vehicle user or an automated

1 driving system may bring a vehicle to reduce the risk of a crash when a trip cannot or should not
2 be completed.

3 (12) “Operate” means as provided in [this state’s vehicle code], except that an automated
4 driving provider exclusively operates an associated automated vehicle under automated
5 operation.

6 (13) “Operational design domain” means the environmental, geographic, time-of-day,
7 traffic, infrastructure, and other conditions under which an automated driving system is
8 specifically designed to function.

9 (14) “Operator” means as provided in [this state’s vehicle code], except that an automated
10 driving provider is the exclusive operator of an associated automated vehicle under automated
11 operation.

12 (15) “Person” means as provided in [this state’s vehicle code.] [means an individual,
13 estate, business or nonprofit entity, public corporation, government or governmental subdivision,
14 agency, or instrumentality, or other legal entity.]

15 (16) “Termination of automated operation” means an indication by a human driver or
16 operator that the driver or operator is performing part of or the entire dynamic driving task and
17 that the automated driving system should no longer perform the entire dynamic driving task.

18 Intervention by a human to mitigate an imminent crash hazard caused by the automated driving
19 system does not constitute termination of automated operation while the crash hazard is still
20 present.

21 **Legislative Note:** *The “relevant state agency” referred to in paragraph 2 may be a department*
22 *or division of motor vehicles or another state agency responsible for the registration of motor*
23 *vehicles or the licensing of drivers.*

24
25 **Legislative Note:** *States use a variety of terms to describe a “road open to the public” as used in*
26 *paragraph 7, including road, roadway, and highway. This term may also encompass some*

1 *privately or publicly operated parking facilities. If the state consistently uses a term to refer to*
2 *such a road, it should be used here.*

3
4 ***Legislative Note:*** *Paragraphs 8, 9, 12, and 14 provide definitions for terms that may already be*
5 *used in state vehicle law and, if so, may or may not already be defined statutorily. If a term is not*
6 *used in statute or case law, it may be omitted, although a state may wish to retain all four terms*
7 *to reduce future interpretive ambiguity and increase interstate consistency. If a term is already*
8 *defined statutorily, that definition may be amended directly rather than by reference.*

9
10 ***Legislative Note:*** *The phrase “this state’s vehicle code” as used in paragraphs 8, 9, 12, 14, and*
11 *15 refers to a state’s laws on, inter alia, the licensing of drivers and the titling, registration, and*
12 *operation of motor vehicles. These laws are generally statutory but may be regulatory. They*
13 *generally include and are broader than the rules of the road.*

14
15 ***Legislative Note:*** *Paragraph 15 provides a definition for “person” if and only if the term is not*
16 *already defined statutorily for the purpose of state vehicle law or is defined statutorily to include*
17 *only natural persons.*

18 **Comment**

19
20
21 Although the 16 terms defined in this section are best understood in context, some points of
22 introduction and clarification may be helpful.

23
24 First, consistent with the practice of the U.S. National Highway Traffic Safety Administration
25 and several U.S. states, this section adapts some terms and definitions from the leading
26 definitional document for automated driving, SAE J3016 (2018). In particular, paragraphs 3, 7,
27 10, 11, and 13 borrow from SAE J3016 but incorporate changes for legal or functional clarity.
28 These are essential definitions.

29
30 Second, this section references some terms that may already be used in state motor vehicle law,
31 including those in paragraphs 8, 9, 12, and 14. These terms are used inconsistently across and
32 even within states. See generally Bryant Walker Smith, *Automated Vehicles Are Probably Legal*
33 *in the United States*, 1 Tex. A&M L. Rev. 411, 463-74 (2014). Because interpretation of these
34 terms can have dramatic consequences under state vehicle law—even if they are not defined
35 statutorily—these paragraphs clarify the definitions in the context of automated driving without
36 disrupting the more general definitions.

37
38 Third, the “automated driving provider” concept referenced in paragraph 2 is foundational to this
39 act. As explained in section 6 and the accompanying comment, this act permits the ordinary
40 registration of an automated vehicle only if some qualified entity vouches for that vehicle
41 pursuant to section 6. This entity may be the same as or different than the entity that registers the
42 vehicle. For example, the developer of an automated driving system might be the automated
43 driving provider for an automated vehicle that is owned and accordingly registered by an
44 individual consumer.

45
46 Fourth, under paragraphs 4 and 16, “automated operation” can be terminated only by a human

1 driver or operator and is not terminated while that human is intervening in a dangerous situation
2 caused by the automated driving system. This means that, for example, a vehicle with an
3 automated driving system that has unexpectedly malfunctioned is still under automated operation
4 in a legal sense even if it is not under automated operation in a technical sense.

5
6 Fifth, several definitions contain nuances that may not be immediately obvious. A vehicle
7 equipped with an automated driving system is considered an “automated vehicle” under
8 paragraph 5 regardless of whether the vehicle is under automated operation. A vehicle is still a
9 “dedicated automated vehicle” under paragraph 7 even if it can or must be driven by a human in
10 certain terminal situations such as those involving maintenance, storage, inspection, and post-
11 incident removal.

12 13 **SECTION 3. APPLICATION; GOVERNING LAW.**

14 (a) This [act] applies to the ownership, registration, insurance, and operation of an
15 automated vehicle, even if the ownership, registration, insurance, and operation of the vehicle
16 complied with laws other than this [act] before [the effective date of this act].

17 (b) Except as specifically provided, requirements under [this state’s vehicle code] apply
18 to the registration and operation of an automated vehicle.

19 (c) The [relevant state agency or agencies] may make rules, issue interpretations, and take
20 other actions to administer and enforce this [act].

21 *Legislative Note: Paragraph b clarifies that state vehicle law—including, inter alia, rules for*
22 *vehicle registration and operation—still applies with respect to automated vehicles. This act*
23 *should be codified accordingly.*

24
25 *Legislative Note: The agencies in paragraph c may include those responsible for registration of*
26 *motor vehicles, licensing of drivers, enforcement of rules of the road, and regulation of*
27 *automotive insurance, among others. This paragraph may be removed or modified if it is*
28 *unnecessary or inconsistent with state practice.*

29 30 **SECTION 4. DRIVER LICENSING.**

31 (a) An individual is not required to hold a [driving license] to take a completely
32 automated trip.

33 (b) An automated driving provider is not required to hold a [driving license] to drive or
34 operate an automated vehicle under automated operation.

1 **Legislative Note:** *The particular term used by the state should be substituted for “driving*
2 *license” in this section.*

3
4 **SECTION 5. VEHICLE REGISTRATION.**

5 (a) The [owner] of an automated vehicle must comply with [this state’s requirements for
6 the registration of motor vehicles].

7 (b) At registration, the [owner] shall indicate to [the relevant state agency] whether the
8 vehicle is an automated vehicle, but this indication shall not bind the agency to register the
9 vehicle as an automated vehicle.

10 (c) The [relevant state agency] may grant, maintain, or renew the registration of an
11 automated vehicle only if an automated driving provider designates the vehicle as an associated
12 automated vehicle pursuant to Section 6.

13 (d) The [relevant state agency] may treat a notice provided to the owner of the automated
14 vehicle pursuant to Section 6(e)(2) as proof that the automated vehicle is an associated
15 automated vehicle.

16 (e) The [relevant state agency] may decline, suspend, revoke, or decline to renew the
17 registration of an automated vehicle that is not an associated automated vehicle, [not properly
18 maintained, not insured in accordance with applicable law, not compliant with a registration
19 requirement, or otherwise not fit to be operated.]

20 (f) If the [relevant state agency] declines, suspends, revokes, or declines to renew the
21 registration of an automated vehicle, the [relevant state agency] may grant a temporary
22 registration that applies to the vehicle only when it is not under automated operation.

23 (g) Registration of a motor vehicle that is no longer an automated vehicle may be granted,
24 maintained, or renewed only if the registrant represents to the [relevant state agency] that the
25 vehicle cannot and will not be used under automated operation on a [road open to the public].

1 (h) Registration of an automated vehicle does not create a presumption as to the safety of
2 the vehicle or its equipment.

3 **Legislative Note:** *This section applies to all persons that are required to register a vehicle under*
4 *state law. If the state requires or allows a motor vehicle to be registered by a person other than*
5 *the owner of the vehicle, references to “owner” should be modified accordingly. Existing rules*
6 *for determining whether a motor vehicle must be registered in this state also apply to automated*
7 *vehicles.*

8
9 **Legislative Note:** *The state may wish to modify language in this section to be consistent with*
10 *existing usage of the term “registration,” which, depending on the state, could refer either to a*
11 *request by a person to register a vehicle or to the issuance of that registration by the relevant*
12 *state agency.*

13
14 **Legislative Note:** *The state may wish to compare and reconcile the language in paragraph e*
15 *with similar language already used in the vehicle code.*

16
17 **SECTION 6. AUTOMATED DRIVING PROVIDERS AND ASSOCIATED**
18 **AUTOMATED VEHICLES.**

19 (a)

20 **Internal Option 1:** *No qualifications are necessary to be an automated driving provider.*
21 *Just delete this paragraph. Representations may still be required under current paragraph c.*

22 **Internal Option 2:** To qualify as an automated driving provider, a person must:

23 (1) have participated in a substantial manner in the development of an automated
24 driving system;

25 (2) have submitted to the U.S. National Highway Traffic Safety Administration a
26 safety self-assessment or equivalent report for the automated driving system; or

27 (3) be registered as a manufacturer of motor vehicles or motor vehicle equipment
28 pursuant to the requirements of the U.S. National Highway Traffic Safety Administration.

29 **Internal Option 3:** To qualify as an automated driving provider, a person must:

30 (1) have participated in a substantial manner in the development of an automated

1 driving system;

2 (2) have submitted to the U.S. National Highway Traffic Safety Administration a
3 safety self-assessment or equivalent report for the automated driving system;

4 (3) be registered as a manufacturer of motor vehicles or motor vehicle equipment
5 pursuant to the requirements of the U.S. National Highway Traffic Safety Administration; or

6 (4) act as an agent to a principal that satisfies any of the foregoing requirements.

7 (b) A person is an automated driving provider only if the person declares itself to be an
8 automated driving provider.

9 (c) To declare itself to be an automated driving provider, a person must, in a form
10 acceptable to the [relevant state agency]:

11 (1) represent that the person qualifies as an automated driving provider;

12 *[delete for internal option 1 above]*

13 (2) represent that the person is capable of undertaking the responsibilities of an
14 automated driving provider;

15 (3) represent that sufficient evidence demonstrates that the automated driving
16 system of each associated automated vehicle is capable of complying with [this state's rules of
17 the road];

18 (4) irrevocably appoint the [relevant state agency] as a lawful agent upon which
19 process may be served in an action arising from the automated operation of an associated
20 automated vehicle; and

21 (5) pay a fee specified by the [relevant state agency] for processing the automated
22 driving provider declaration.

23 (d) The [relevant state agency] may investigate the qualifications or representations of a

1 person that declares itself to be an automated driving provider and, based on that investigation,
2 may decline to recognize the declaration;

3 (e) An automated vehicle is an associated automated vehicle only if so designated by an
4 automated driving provider.

5 (f) To designate an associated automated vehicle, an automated driving provider must
6 provide notice in a form acceptable to the [relevant state agency].

7 (g) An automated vehicle is an associated automated vehicle unless and until the
8 automated driving provider either dissolves or disassociates the automated vehicle.

9 (h) To disassociate an associated automated vehicle, the automated driving provider must
10 provide notice in a form acceptable to the [relevant state agency].

11 **SECTION 7. EQUIPMENT.**

12 (a) [This state's vehicle code] must be interpreted to facilitate the development and
13 deployment of automated vehicles in a way that improves traffic safety.

14 (b) An automated vehicle must be properly maintained.

15 (c) A provision of [this state's vehicle code] requiring equipment that is necessary only
16 for the performance of the dynamic driving task by a human driver or operator does not apply
17 with respect to a dedicated automated vehicle.

18 (d) A provision of [this state's vehicle code] prohibiting an electronic device in a vehicle,
19 other than a device used to evade law enforcement, does not apply with respect to a dedicated
20 automated vehicle.

21 (e) A provision of [this state's vehicle code] prohibiting an electronic device in a vehicle,
22 other than a device used to evade law enforcement, may not be enforced with respect to an
23 automated vehicle under automated operation.

1 **Legislative Note:** *The state may wish to compare and reconcile the language in paragraph b*
2 *with similar language already used in the vehicle code.*

3
4 **Legislative Note:** *If the state codifies this act by integrating it into the vehicle code, the existing*
5 *vehicle code provisions addressed in paragraphs c, d, and e can be directly amended.*

6
7 **SECTION 8. RULES OF THE ROAD.**

8 (a) [This state’s rules of the road] must be interpreted to facilitate the development and
9 deployment of automated vehicles in a way that improves traffic safety.

10 (b) An automated driving provider must take reasonable steps to comply with [this state’s
11 rules of the road] during automated operation of an associated automated vehicle.

12 (c)

13 **Internal Option 1:** An automated driving provider is responsible for contravention of [this
14 state’s rules of the road] by an associated automated vehicle under automated operation.

15 **Internal Option 2:** An automated driving provider is responsible for contravention of [this
16 state’s rules of the road] by an associated automated vehicle under automated operation as a
17 human driver or operator would be responsible if the vehicle were not under automated
18 operation.

19 **Internal Option 3:** An automated driving provider must satisfy any fine, penalty, or other
20 sanction imposed by law for contravention of [this state’s rules of the road] by an associated
21 automated vehicle under automated operation.

22 (d) An automated vehicle may not be operated on a [road open to the public] if the
23 vehicle is not properly maintained, not insured in accordance with applicable law, not compliant
24 with a registration requirement, or otherwise not fit to be operated.

25 (e) An automated vehicle under automated operation is not considered unattended or
26 abandoned solely because an individual is not in or near the vehicle, unless the vehicle is not

1 lawfully registered, poses a risk to public safety, or unreasonably obstructs other road users.

2 (f) A child, incapacitated person, or pet in an automated vehicle is not considered
3 attended solely because the vehicle is under automated operation.

4 (g) A restriction under [this state’s vehicle code] on the use of an in-vehicle electronic
5 device, other than a device used to evade law enforcement, does not apply during the automated
6 operation of an automated vehicle.

7 (h) A requirement under [this state’s vehicle code] that imposes a minimum following
8 distance other than a reasonable and prudent distance does not apply to the automated operation
9 of an automated vehicle.

10 **Legislative Note:** *The phrase “this state’s rules of the road” refers to state laws on the operation*
11 *of motor vehicles. These laws, which may be statutory or regulatory, are generally only one part*
12 *of the vehicle code.*

13
14 **Legislative Note:** *The state may wish to compare and reconcile the language in paragraph d*
15 *with similar language already used in the vehicle code.*

16
17 **Legislative Note:** *If the state codifies this act by integrating it into the vehicle code, the existing*
18 *vehicle provisions addressed in paragraphs e, f, g, and h can be directly amended. If the state*
19 *does not specify numerical minimums for following distance or following time, paragraph h may*
20 *be omitted.*

21

22 **SECTION 9. INSURANCE.**

23 (a) An insurance policy that satisfies [this state’s financial responsibility law] must cover
24 an event that occurs while an automated vehicle is under automated operation no less favorably
25 than it would cover an equivalent event that occurs while a vehicle is not under automated
26 operation.

27 (b) An automated driving provider is a [permissive driver] under an insurance policy
28 applicable to an associated automated vehicle.

29 (c) The coverage limits applicable to the automated driving provider as a [permissive

1 driver] are the bodily injury and property damage liability limits under the policy unless the
2 policy or an endorsement to the policy specifies different limits applicable to the automated
3 driving provider as a [permissive driver], but the bodily injury and property damage liability
4 limits may not be less than the amounts set forth in [this state’s financial responsibility law].

5 (d) This section does not modify or limit the liability of an automated driving provider
6 under statutory or common law.

7 (e) This [act] does not displace other insurance requirements, and the insurance required
8 under this [act] does not satisfy other insurance requirements.

9 *Legislative Note: This section is largely a placeholder. If it is included, it should be carefully*
10 *reviewed and calibrated for compatibility with state insurance law. If it is excluded, the topic of*
11 *insurance should be separately monitored and addressed as appropriate.*

12
13 **SECTION 10. VIOLATIONS.** A violation of this [act] is a violation of [this state’s
14 vehicle code] and does not preclude liability under other laws.

15 **SECTION 11. UNIFORMITY OF APPLICATION AND CONSTRUCTION.** In
16 applying and construing this uniform act, consideration must be given to the need to promote
17 uniformity of the law with respect to its subject matter among states that enact it.

18 **SECTION 12. SEVERABILITY.** If a provision of this [act] or its application to a
19 person or circumstance is held invalid, the invalidity does not affect other provisions or
20 applications of this [act] which can be given effect without the invalid provision or application,
21 and to this end the provisions of this [act] are severable.

22 *Legislative Note: Include this section only if this state lacks a general severability statute or a*
23 *decision by the highest court of this state stating a general rule of severability.*

24
25 **SECTION 13. EFFECTIVE DATE.** This [act] takes effect [...].