



THE UNIFORM AUTOMATED OPERATION OF VEHICLES ACT (2019)

- A Summary -

The Uniform Automated Operation of Vehicles Act addresses a narrow but foundational set of the many legal and policy issues raised by automated driving. The act covers the deployment of automated vehicles (colloquially referred to as autonomous, driverless, or self-driving) on roads held open to the public. This act does not cover automated vehicle testing, remote driving, or vehicles with features that merely assist a human driver.

The Society of Automotive Engineers (SAE) International published a report titled “J3016 Levels of Driving Automation” in 2016 to define six levels of driving automation and establish international engineering standards. The six levels of driving automation defined in J3016 have become the industry standard, and can be summarized as follows:

- **Level 0** – No Driving Automation
- **Level 1** – Driver Assistance (adaptive cruise control OR lane centering)
- **Level 2** – Partial Driving Automation (adaptive cruise control AND lane centering)
- **Level 3** – Conditional Driving Automation (traffic jam chauffeur – automated driving system can drive vehicle with the expectation that the human driver will be ready to respond to a request to intervene when issued by the automated driving system)
- **Level 4** – High Driving Automation (local driverless taxi, pedals/steering wheel may or may not be installed)
- **Level 5** – Full Automation (automated driving system can drive the vehicle everywhere in all conditions)

The Uniform Automated Operation of Vehicles Act only applies to vehicles that fall within SAE Levels 3 to 5 and leaves vehicles that fall within SAE Levels 0 to 2 to existing law. Despite the limited application, what the act does cover is still vast because automated driving encompasses a wide range of technologies, applications of those technologies, business models for those applications, and participants in those business models. In other words, because there are so many forms of automated driving, picturing and attempting to legislate for the singular “driverless car” can be both impractical and counterproductive.

This act attempts to reconcile automated driving with a typical state motor vehicle code. Many of the sections—including definitions, driver licensing, vehicle registration, equipment, and rules of the road—correspond to, refer to, and can be incorporated into existing sections of a typical vehicle code. However, because existing codes vary widely in both substance and structure, the work of carefully codifying this act is left to each state that adopts it.

This act also answers a foundational question about the deployment of automated vehicles – who is considered the “driver” when an automated vehicle is under automated operation? Under the Uniform Automated Operation of Vehicles Act, the “driver” in these situations is the automated driving provider (ADP).

Under this act, an automated driving provider declares itself to the state and designates the automated vehicles for which it will act as the legal driver. The ADP is not defined by a specific role in the stream of commerce but, rather, by a willingness to self-identify and an ability to meet the technical and legal requirements specified in the act. To encourage participation, the act requires an automated vehicle to be associated with an ADP before the vehicle can be registered in the state. In this way, the act uses the motor vehicle registration framework that already exists in states—and that applies to both conventional and automated vehicles—to incentivize self-identification by automated driving providers.

Fundamentally, this act is about the safe and responsible deployment of a revolutionary new technology. Automated vehicles have the potential to drastically reduce traffic fatalities while making motor vehicle travel more accessible to many different populations. Enacting the Uniform Automated Operation of Vehicles Act is the first step to ensuring that your state will be at the forefront of this technological revolution.

For further information about the UAOVA, please contact ULC Legislative Counsel Libby Snyder at lsnyder@uniformlaws.org or (312) 450-6619.