



This Bill Analysis reflects the contents of the bill as it was presented in committee.

# HOUSE BILL 469: Regulation of Fully Autonomous Vehicles.

2017-2018 General Assembly

|                       |   |                     |                   |
|-----------------------|---|---------------------|-------------------|
| <b>Committee:</b>     | House Transportation. If favorable, re-refer to Judiciary I | <b>Date:</b>        | April 24, 2017    |
| <b>Introduced by:</b> | Reps. Shepard, Torbett                                      | <b>Prepared by:</b> | Howard Marsilio   |
| <b>Analysis of:</b>   | PCS to First Edition<br>H469-CSBG-19                        |                     | Committee Counsel |

**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 469 would create a new Article 17 in Chapter 20, which would regulate fully autonomous vehicles, and would make various changes to the motor vehicle laws to account for the operation of fully autonomous vehicles.*

*The PCS, in Section 1, clarifies the definition of "operator" of a motor vehicle. Section 11, modifies the definition of "fully autonomous vehicle," adds a definition for semi-autonomous vehicle, clarifies that the preemption of local government autonomous vehicle regulations would not include regulations specifically authorized pursuant to Chapter 153A (Counties) and Chapter 160A (Municipalities) of the General Statutes, and adds language concerning the applicability of existing laws to semi-autonomous vehicles.*

[As introduced, this bill was identical to S337, as introduced by Sens. Meredith, J. Davis, McInnis, which is currently in Senate Rules and Operations of the Senate.]

**CURRENT LAW:**

G.S. 20-4.01(25) currently defines "operator" as a person in actual physical control the vehicle.

G.S. 20-8 lists persons exempt from the drivers license requirement.

G.S. 20-49 lists the powers and the police authority of DMV inspectors, Highway Patrol, and DPS law enforcement officers as they relate to motor vehicle operation and enforcement of the laws. Subsection (4) of this section provides the limited power to require a driver to exhibit his drivers license and registration card in connection with investigating violations.

G.S. 20-57 relates to the issuance, delivery, and information on certificates of title and registration cards. Subsection (b) describes what specific information a registration card must display. Subsection (c) describes the requirements related to registration cards.

G.S. 20-135.2A relates to the seat belt requirement for occupants of a moving motor vehicle.

G.S. 20-135.2B generally prohibits, and requires the operator of a vehicle to ensure that children less than 16 years of age are not transported in the open bed or the cargo area of a vehicle.

G.S. 20-137.1 requires a driver transporting a child less than 16 years of age to wear seat belt or child restraint system, and sets forth the consequences for a violation of this requirement.

G.S. 20-163 requires unattended vehicles on a public highway or vehicular area to have the engine off with the brakes set, and wheels turned appropriately (if on a grade).

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

# House PCS 469

Page 2

G.S. 20-166 relates to a driver's duty to stop, furnish information, and assist injured persons in the event of a crash, and sets forth the consequences for a violation of these requirements.

G.S. 20-166.1 relates to a driver's duty to report "reportable accidents", and the required investigation and reporting of "reportable accidents".

## **BILL ANALYSIS:**

**Section 1** of this bill would expand the definition of a vehicle operator to include the operation of a fully autonomous driving vehicle to move.

**Section 2** of this bill would exempt a fully autonomous vehicle, or an operator of a fully autonomous vehicle with the automatic driving system engaged, from the driver's license requirement.

**Section 3** of this bill would allow for a fully autonomous vehicle to be in compliance with the requirement to show a registration card to law enforcement when requested, by having the card within the vehicle, or available electronically, and readily available to be inspected by an officer or inspector.

**Section 4** of this bill would require that the registration card of a fully autonomous vehicle indicate that it is a fully autonomous vehicle. It would also add that leaving the registration card within the fully autonomous vehicle, or available electronically, and readily available to be inspected by an officer or inspector would satisfy the requirement that registration cards be carried within the vehicle and available for inspection by law enforcement.

**Section 5** of this bill would exempt an automated driving system from the seat belt requirement of State law.

**Section 6** of this bill would require that a parent or legal guardian be responsible for ensuring that children less than 16 years old are not transported in the bed or cargo area of a fully autonomous vehicle.

**Section 7** of this bill would exempt a parent or legal guardian found responsible for a violation of the child restraint law in a fully autonomous vehicle from the otherwise applicable two driver's license points for the violation.

**Section 8** of this bill would exempt a fully autonomous vehicle from the requirements related to unattended motor vehicles.

**Section 9** of this bill would allow an automated driving system to comply with the duty to stop in the event of a crash, if the fully autonomous vehicle remains at a crash scene and the vehicle, or the operator, promptly contacts the appropriate law enforcement agency with required information. This section would clarify that an owner of the vehicle would be responsible for any violation of this requirement, but the owner would not be subject to loss of their driver's license for a violation.

**Section 10** of this bill would allow an automated driving system to comply with G.S. 20-166.1 if the fully autonomous vehicle remains at the crash scene and the vehicle, or the operator, promptly contacts the appropriate law enforcement agency with required information. This section would also clarify that an owner of the vehicle would be responsible for any violation of G.S. 20-166.1.

**Section 11** of this bill would enact a new Article 17 in Chapter 20, which would regulate fully autonomous vehicles, and include definitions, operation requirements, and a local government preemption provision.

**EFFECTIVE DATE:** This act would become effective December 1, 2017, and would apply to offenses committed on or after that date. Prosecutions for offenses committed before the effective date of this act would not be abated or affected by this act, and the statutes that would be applicable but for this act would remain applicable to those prosecutions.