



HOUSE BILL 469: Regulation of Fully Autonomous Vehicles.

2017-2018 General Assembly

Committee: Senate Rules and Operations of the Senate	Date: June 22, 2017
Introduced by: Reps. Shepard, Torbett	Prepared by: Howard Marsilio
Analysis of: Fourth Edition	Staff Attorney

OVERVIEW: *House Bill 469 would create a new Article 18 in Chapter 20, which would regulate fully autonomous vehicles and make various changes to the motor vehicle laws to account for the operation of fully 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:

Current State law does not specifically regulate the operation of vehicles with automated driving systems.

BILL ANALYSIS:

Section 1 would create a new Article 18 within Chapter 20 of the General Statutes, regulating fully autonomous vehicles by creating definitions and clarifying the applicability of, and modifying, existing motor vehicles laws to account for the operation of fully autonomous vehicles by:

- Creating G.S. 20-400 which would contain key definitions applicable to fully autonomous vehicles such as "automatic driving system" and "fully autonomous vehicle".
- Creating G.S. 20-401 which would clarify the applicability of, and modify, current motor vehicle laws as they relate to the operation of fully autonomous vehicles as follows:
 - The operator of a fully autonomous vehicle with the automated driving system engaged would not be required to be licensed to operate a motor vehicle.
 - Vehicle registration card requirements would be satisfied if the vehicle registration card is in the vehicle, and readily available to be inspected by an officer or inspector.
 - The parent or legal guardian of a minor would be responsible for a violations of the prohibition on children in an open bed of a pickup or the child restraint law, if the violation occurs in a fully autonomous vehicle.
 - It would be unlawful for a parent or legal guardian to knowingly permit a person less than 12 years old to ride in a fully autonomous without supervision by someone 18 or older.
 - The registered owner a fully autonomous vehicle would be responsible for moving violations, if the violation involves a fully autonomous vehicle.
 - A vehicle would not be considered unattended merely because it is a fully autonomous vehicle with the automated driving system engaged for the purposes of potential violations located within Chapter 20.

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- In the event of a motor vehicle crash, if all of the following conditions are met, then various provisions in G.S. 20-166 and G.S. 20-166.1, would be satisfied, and no violation of those provisions shall be charged, if the following conditions are met:
 - The vehicle or the operator of the vehicle promptly contacts the appropriate law enforcement agency to report the crash.
 - The vehicle or operator of the vehicle promptly calls for medical assistance, if appropriate.
 - For a reportable crash, the vehicle remains at the scene of the crash until vehicle registration and insurance information is provided to the parties affected by the crash, and a law enforcement officer authorizes the vehicle to be removed.
 - For a non-reportable crash, the vehicle remains at the scene or in the immediate vicinity of the crash until vehicle registration and insurance information is provided to the parties affected by the crash.
- Creating subsection (g) within G.S. 20-401 which would allow a person to operate a fully autonomous vehicle if the vehicle meets all of the following requirements:
 - The vehicle is all of the following:
 - Capable of being operated in compliance with The Motor Vehicle Act of 1937 (Articles 3), Safety Emissions Inspection Program (Article 3A), Miscellaneous Provisions Relating to Motor Vehicles (Article 7), Liability Insurance Required of Persons Engaged in Renting Motor Vehicles (Article 11), and The Vehicle Financial Responsibility Act of 1957 (Article 13) of Chapter 20.
 - Has been, at the time of its manufacture, certified by the manufacturer as being in compliance with applicable federal motor vehicle safety standards.
 - Has been certified as being in compliance with applicable federal motor vehicle safety standards by either of the following:
 - The vehicle manufacturer at the time of manufacture.
 - The manufacturer of an automated vehicle system prior to the introduction of an automated driving system equipped vehicle.
 - An after-market installer of the automated driving system.
 - The vehicle has the capability to meet the requirements of subsection (f) in G.S. 20-401 when a fully autonomous vehicle is involved in a crash.
 - The vehicle can achieve a minimal risk condition, which requires the fully autonomous vehicle to initiate a safe stop in case of a system failure.
 - The vehicle is covered by a motor vehicle liability policy meeting the applicable requirements of G.S. 20-279.21.
 - The vehicle is registered in accordance with Part 3 of Article 3 of this Chapter, and, if registered in this State, the vehicle shall be identified on the registration and registration card as a fully autonomous vehicle.
- Creating subsection (h) within G.S. 20-401 which would prohibit local governments from enacting local laws or ordinances related to the regulation of motor vehicles with an automated

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driving system, other than regulation specifically authorized in Chapter 153A and Chapter 160A of the General Statutes that is not specifically related to those types of motor vehicles.

- Creating G.S. 20-402, which would clarify that the operation of a motor vehicle equipped with an automated driving system that is capable of driving autonomously with the expectation that a human operator would respond appropriately to the vehicle's request to intervene is lawful.
- Creating G.S. 20-403 which would establish the Fully Autonomous Vehicle Committee within the Department of Transportation, to meet at least 4 times a year, to consider matters relevant to fully autonomous vehicle technology, such as issues related to the application of motor vehicle laws to the testing and deployment of that technology in North Carolina, and make recommendations to DOT and the General Assembly.
 - Membership would include: representatives of the Departments of Transportation, Commerce, Insurance, and Justice; representatives of law enforcement; various industry representatives; county and local municipal representatives; and members of the General Assembly.

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