



HOUSE BILL 469: Regulation of Fully Autonomous Vehicles.

2017-2018 General Assembly

Committee:		Date:	August 15, 2017
Introduced by:		Prepared by:	Howard Marsilio Staff Attorney
Analysis of:	S.L. 2017-166		

OVERVIEW: *S.L. 2017-166 regulates fully autonomous vehicles and makes various changes to various existing motor vehicle laws to account for the operation of fully autonomous vehicles on the roadways of this State without a human driver.*

This act becomes effective December 1, 2017, and applies to offenses committed on or after that date.

CURRENT LAW:

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

BILL ANALYSIS:

This act creates a regulatory framework for fully autonomous vehicles and vehicles with automated driving systems by creating definitions and clarifying the applicability of, and modifying, existing motor vehicles laws to account for the operation of those vehicles and:

- Defines key terms applicable to fully autonomous vehicles, such as "automatic driving system" and "dynamic driving task."
- Clarifies the applicability of, and modifies, current motor vehicle laws as they relate to the operation of fully autonomous vehicles, by providing the following:
 - The operator of a fully autonomous vehicle with the automated driving system engaged is not required to be licensed to operate a motor vehicle.
 - Vehicle registration card requirements are 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 is responsible for 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 is 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 of a fully autonomous vehicle is responsible for moving violations, if the violation involves a fully autonomous vehicle.
 - A vehicle is not considered unattended merely because it is a fully autonomous vehicle with the automated driving system engaged for the purposes of violations located within Chapter 20, the State's motor vehicle laws.

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- In the event of a motor vehicle crash, various provisions in G.S. 20-166 and G.S. 20-166.1, are 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.
- Authorizes operation of a fully autonomous vehicle if the vehicle meets all of the following:
 - Unless and exception of exemption applies, the fully autonomous 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.
 - Complies with applicable federal law and regulations.
 - Has been certified as complying with applicable federal motor vehicles safety standards and bears the applicable certification labels.
 - The vehicle has the capability to meet the statutory duty requirements 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.
 - 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.
- This act prohibits local governments from enacting local laws or ordinances related to the regulation of motor vehicles with an automated 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 vehicles.
- Clarifies that the operation of a motor vehicle equipped with an automated driving system with the expectation that a human operator would respond appropriately to the vehicle's request to intervene is lawful.
- Establishes the Fully Autonomous Vehicle Committee within the Department of Transportation, to meet at least four times a year, to consider matters relevant to fully autonomous vehicle

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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 includes: 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.