
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1637 Session of
2017

INTRODUCED BY MARSHALL, JUNE 28, 2017

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 28, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in operation of vehicles, providing for autonomous
3 vehicles; and establishing the Fully Autonomous Vehicle
4 Advisory Committee.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 75 of the Pennsylvania Consolidated
8 Statutes is amended by adding a chapter to read:

9 CHAPTER 36

10 AUTONOMOUS VEHICLES

11 Subchapter

12 A. Preliminary Provisions

13 B. Operation of Fully Autonomous Vehicles

14 C. Registration and Titles

15 D. On-Demand Autonomous Vehicle Network

16 E. Liability

17 F. Fully Autonomous Vehicle Advisory Committee

18 G. Controlling Authority

19 SUBCHAPTER A

1 digital means to connect passengers to fully autonomous vehicles
2 for transportation, including for-hire transportation and
3 transportation for compensation.

4 "Operational design domain." A description of the specific
5 operating domains in which an automated driving system is
6 designed to properly operate, including roadway types, speed
7 range, environmental conditions and other domain constraints.

8 "SAE J3016." The Taxonomy and Definitions for Terms Related
9 to Driving Automation Systems for On-Road Motor Vehicles
10 published by SAE International in September 2016.

11 SUBCHAPTER B

12 OPERATION OF FULLY AUTONOMOUS VEHICLES

13 Sec.

14 3611. Operating requirements.

15 3612. Vehicle insurance.

16 3613. Reporting of accidents.

17 3614. Construction with other laws.

18 § 3611. Operating requirements.

19 A person may operate a fully autonomous vehicle on the public
20 highways of this Commonwealth without a human driver if the
21 vehicle meets all of the following conditions:

22 (1) If a failure of the automated driving system occurs
23 that renders that system unable to perform the entire dynamic
24 driving task relevant to its intended operational design
25 domain, the vehicle achieves a minimal risk condition.

26 (2) The vehicle is capable of operating in compliance
27 with the applicable traffic and motor vehicle safety laws and
28 regulations of this Commonwealth when reasonable to do so,
29 unless an exemption has been granted by department.

30 (3) The vehicle bears the required manufacturer's

1 certification label indicating that, at the time of vehicle
2 manufacture, the vehicle is certified as in compliance with
3 all applicable Federal motor vehicle safety standards.

4 § 3612. Vehicle insurance.

5 Before operating a fully autonomous vehicle on public
6 highways in this Commonwealth without a human driver, a person
7 shall submit proof of financial responsibility satisfactory to
8 the department that the fully autonomous vehicle is covered by
9 insurance or proof of self-insurance that satisfies the
10 requirements of Subchapter H of Chapter 17 (relating to proof of
11 financial responsibility).

12 § 3613. Reporting of accidents.

13 A person that operates a fully autonomous vehicle without a
14 human driver on public highways in this Commonwealth shall
15 report any accidents or collisions in accordance with Subchapter
16 C of Chapter 37 (relating to accidents and accident reports).

17 § 3614. Construction with other laws.

18 Subject to the requirements of this chapter, no motor vehicle
19 laws of this Commonwealth shall be construed as requiring a
20 human driver to operate a fully autonomous vehicle that is being
21 operated by an automated driving system, and the automated
22 driving system of the fully autonomous vehicle, when engaged,
23 shall be deemed to fulfill any physical acts required of a human
24 driver.

25 SUBCHAPTER C

26 REGISTRATION AND TITLES

27 Sec.

28 3631. Registration.

29 3632. Titles.

30 § 3631. Registration.

1 The following shall apply:

2 (1) A fully autonomous vehicle shall be properly
3 registered in accordance with section 1301 (relating to
4 registration and certificate of title required).

5 (2) If a fully autonomous vehicle is registered by the
6 Commonwealth, the fully autonomous vehicle shall be
7 registered by the department using the code "FAV" in a new
8 data field unless the National Highway Traffic Safety
9 Administration approves a different means to code fully
10 autonomous vehicles.

11 § 3632. Titles.

12 The following shall apply:

13 (1) A fully autonomous vehicle shall be properly titled
14 in accordance with section 1101 (relating to certificate of
15 title required).

16 (2) If a fully autonomous vehicle is registered by the
17 Commonwealth, the fully autonomous vehicle shall be
18 identified on the title by the department using the code
19 "FAV" in a new data field unless the National Highway Traffic
20 Safety Administration approves a different means to code
21 fully autonomous vehicles.

22 SUBCHAPTER D

23 ON-DEMAND AUTONOMOUS VEHICLE NETWORK

24 Sec.

25 3641. On-demand autonomous vehicle network.

26 § 3641. On-demand autonomous vehicle network.

27 Notwithstanding any other State or local law, a person may
28 operate an on-demand autonomous vehicle network. An on-demand
29 autonomous vehicle network may provide transportation for
30 individual or multiple passengers who agree to share the ride in

1 whole or in part. An on-demand autonomous vehicle network may
2 connect passengers to fully autonomous vehicles either:
3 (1) exclusively; or
4 (2) as part of a digital network that also connects
5 passengers to human drivers who provide transportation
6 services, consistent with applicable law, in vehicles that
7 are not fully autonomous vehicles.

8 SUBCHAPTER E

9 LIABILITY

10 Sec.

11 3651. Liability for violations.

12 § 3651. Liability for violations.

13 Nothing in this chapter shall be construed as affecting or
14 modifying an existing legal basis for determining liability, or
15 defense to liability, for a cause of action not specifically
16 referenced in this chapter. Legal responsibility of motor
17 vehicle drivers, owners, manufacturers, dealers and other
18 persons for harm or injury caused shall not be affected by this
19 section.

20 SUBCHAPTER F

21 FULLY AUTONOMOUS VEHICLE ADVISORY COMMITTEE

22 Sec.

23 3661. Fully Autonomous Vehicle Advisory Committee.

24 § 3661. Fully Autonomous Vehicle Advisory Committee.

25 (a) Establishment.--The Fully Autonomous Vehicle Advisory
26 Committee is established within the department.

27 (b) Composition.--The advisory committee shall consist of
28 the following members:

29 (1) The secretary, who shall serve as the chairperson of
30 the advisory committee.

1 (2) The Secretary of Policy and Planning.
2 (3) The Secretary of Aging.
3 (4) The Secretary of Community and Economic Development.
4 (5) The Secretary of Human Services.
5 (6) The Commissioner of the Pennsylvania State Police.
6 (7) The Chairman of the Pennsylvania Turnpike
7 Commission.

8 (8) The chairperson and minority chairperson of the
9 Transportation Committee of the Senate.

10 (9) The chairperson and minority chairperson of the
11 Transportation Committee of the House of Representatives.

12 (10) The following members shall be appointed by the
13 Governor:

14 (i) One member representing an urban or rural
15 transit authority in this Commonwealth. An appointment
16 under this subparagraph shall rotate from an urban
17 transit authority to a rural transit authority or vice
18 versa for each successive appointment.

19 (ii) One member representing a transportation,
20 educational or research institution in this Commonwealth.

21 (iii) One member representing a technology company
22 engaged in fully autonomous vehicle research.

23 (iv) One member representing an automaker engaged in
24 fully autonomous vehicle research.

25 (v) One member representing bicyclists or
26 pedestrians in this Commonwealth.

27 (vi) One member representing drivers or consumers in
28 this Commonwealth.

29 (vii) One member representing a municipality of this
30 Commonwealth.

1 (viii) One member representing an insurance company,
2 association or exchange who is authorized to transact the
3 business of motor vehicle insurance in this Commonwealth.

4 (c) Appointments.--If a position under subsection (b)(10)
5 has been vacant for 120 days, an appointment shall be made on a
6 rotating basis by the President pro tempore of the Senate and
7 the Speaker of the House of Representatives to fill the
8 position.

9 (d) Alternates.--An advisory committee member under
10 subsection (b)(1), (2), (3), (4), (5), (6), (7), (8) or (9) may
11 designate an alternate to serve in the member's stead. The
12 advisory committee member shall notify the chairperson of the
13 advisory committee in writing of the designation.

14 (e) Terms.--An advisory committee member may be reappointed
15 for additional terms. The terms of advisory committee members
16 appointed by the Governor under subsection (b)(10) shall be
17 three years. An individual appointed to fill a vacancy on the
18 advisory committee under subsection (b) shall serve for the
19 unexpired term and shall be eligible for reappointment.

20 (f) Meetings and expenses.--The following shall apply:

21 (1) The advisory committee shall meet at least annually.

22 (2) An advisory committee member appointed by the
23 Governor under subsection (b)(10) who misses three
24 consecutive meetings without good cause acceptable to the
25 chairperson of the advisory committee may be replaced by the
26 Governor.

27 (3) An advisory committee member may not receive per
28 diem expenses.

29 (4) The department shall provide appropriate staff
30 support to enable the advisory committee to properly carry

1 out the advisory committee's functions.

2 (g) Duties.--The advisory committee shall study and make
3 recommendations to the General Assembly relating to fully
4 autonomous vehicles.

5 (h) Sunset.--The advisory committee shall terminate on
6 December 31, 2020.

7 SUBCHAPTER G

8 CONTROLLING AUTHORITY

9 Sec.

10 3671. Preemption of local requirements.

11 § 3671. Preemption of local requirements.

12 The following shall apply:

13 (1) Unless otherwise provided in this chapter and
14 notwithstanding any other provision of law, fully autonomous
15 vehicles and automated driving systems are governed
16 exclusively by this chapter. The department is the sole and
17 exclusive Commonwealth agency that may implement the
18 provisions of this chapter.

19 (2) No State agency or other Commonwealth entity may
20 impose requirements, including performance standards,
21 specific to the operation of fully autonomous vehicles,
22 automated driving systems or on-demand autonomous vehicle
23 networks in addition to the requirements of this chapter.

24 (3) In accordance with section 6101 (relating to
25 applicability and uniformity of title), this chapter
26 supersedes and preempts all ordinances of a municipality
27 regarding fully autonomous vehicles, automated driving system
28 or on-demand vehicle network on trafficways.

29 Section 2. This act shall take effect in 90 days.