
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 427 Session of
2017

INTRODUCED BY VULAKOVICH, FONTANA, COSTA, RAFFERTY, SABATINA,
BLAKE, BREWSTER, BROWNE, LEACH AND TARTAGLIONE,
FEBRUARY 24, 2017

REFERRED TO TRANSPORTATION, FEBRUARY 24, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in operation of vehicles, providing for highly
3 automated vehicles and platooning testing.

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

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

8 CHAPTER 36

9 HIGHLY AUTOMATED VEHICLES AND PLATOONING TESTING

10 Subchapter

11 A. Preliminary Provisions

12 B. Testing Authorization

13 C. Testing

14 D. Inspections

15 E. Registration and Titles

16 F. Liability

17 G. Platooning

18 H. Statement of Policy

- 1 I. Penalties
- 2 J. Confidentiality
- 3 K. Highly Automated Vehicle Safety Advisory Committee
- 4 L. Preemption of Local Ordinances
- 5 M. Reporting
- 6 N. Reciprocity

7 SUBCHAPTER A

8 PRELIMINARY PROVISIONS

9 Sec.

10 3601. Definitions.

11 § 3601. Definitions.

12 The following words and phrases when used in this chapter
13 shall have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Automated vehicle tester." A manufacturer, educational or
16 research institution, automotive equipment or technology
17 provider, fleet operator or owner, natural person, firm,
18 copartnership, association or corporation that tests a highly
19 automated vehicle or platooning on a trafficway.

20 "Commission." The Pennsylvania Turnpike Commission.

21 "Committee." The Highly Automated Vehicle Safety Advisory
22 Committee established under section 3691.11(a) (relating to
23 Highly Automated Vehicle Safety Advisory Committee).

24 "Dynamic-driving task." All of the real-time functions
25 required to test a highly automated vehicle or platooning on
26 trafficways, excluding the selection of destinations and way
27 points. This term may include, but not be limited to:

28 (1) object and event detection, recognition and
29 classification;

30 (2) object and event response;

- 1 (3) maneuver planning;
- 2 (4) steering, turning, lane keeping and lane changing;
- 3 (5) acceleration and deceleration;
- 4 (6) recognizing individuals, features and objects on the
5 trafficway, including, but not limited to, lighting,
6 signaling, gesturing, pedestrians and bicyclists, emergency
7 service responders and traffic-control devices;
- 8 (7) interstate highways and freeway driving;
- 9 (8) automated ride servicing or transportation network
10 servicing; and
- 11 (9) self-parking.

12 "Highly automated vehicle." A motor vehicle that contains a
13 highly automated vehicle system.

14 "Highly automated vehicle system." A combination of hardware
15 and software that performs the dynamic-driving task. This term
16 falls under the Society of Automotive Engineers' Level 3, 4 or 5
17 as specified under Standard J3016 and accepted by the National
18 Highway Traffic Safety Administration.

19 "Manufacturer." An individual or company that produces
20 highly automated vehicles, highly automated vehicle systems or
21 platooning for testing on trafficways. This term includes:

- 22 (1) original equipment manufacturers, multiple-stage and
23 final-stage manufacturers;
- 24 (2) an individual or company that alters a completed
25 motor vehicle prior to testing;
- 26 (3) an individual or company that modifies existing
27 motor vehicles for testing; and
- 28 (4) an individual or company involved with designing,
29 supplying, testing, selling, operating or assisting to
30 produce a highly automated vehicle, a highly automated

1 vehicle system or platooning.

2 "Platooning." A series of motor vehicles that are:

3 (1) equipped with at least one highly automated vehicle
4 system;

5 (2) traveling in a unified manner; and

6 (3) connected by wireless communication or other
7 technology allowing for coordinated movement on the
8 trafficway.

9 "Test operator." An individual authorized by, employed by or
10 affiliated with an automated vehicle tester who is:

11 (1) in receipt of training and instruction by the
12 automated vehicle tester regarding the capabilities and
13 limitations of the highly automated vehicle or platooning;

14 (2) not primarily responsible for the dynamic-driving
15 task, but may be responsible for certain aspects of the
16 highly automated vehicle system or testing on trafficways,
17 including, but not limited to, the selection of destinations
18 and way points for the highly automated vehicle or
19 platooning;

20 (3) capable of the following:

21 (i) testing, monitoring the testing and being
22 immediately available to perform a dynamic-driving task;

23 (ii) being liable for testing and being physically
24 seated in the driver's position of the highly automated
25 vehicle that meets the Society of Automotive Engineers'
26 Level 3 and is accepted by the National Highway Traffic
27 Safety Administration;

28 (iii) testing, monitoring the testing and being
29 immediately available to perform a dynamic-driving task
30 if not physically seated in the driver's position in the

1 highly automated vehicle that meets the Society of
2 Automotive Engineers' Level 4 or 5 and is accepted by the
3 National Highway Traffic Safety Administration;

4 (iv) testing, monitoring the testing and being
5 immediately available to perform a dynamic-driving task
6 if not physically seated in the driver's position in the
7 highly automated vehicle and the highly automated vehicle
8 is controlled remotely by wireless communication or other
9 technology, meets the Society of Automotive Engineers'
10 Level 4 or 5 and is accepted by the National Highway
11 Traffic Safety Administration;

12 (v) testing, monitoring the testing and being
13 immediately available to perform a dynamic-driving task
14 if physically seated in the driver's position in the
15 highly automated vehicle and the highly automated vehicle
16 is controlled remotely by wireless communication or other
17 technology, meets the Society of Automotive Engineers'
18 Level 4 or 5 and is accepted by the National Highway
19 Traffic Safety Administration; or

20 (vi) testing, monitoring the testing, being
21 immediately available to perform a dynamic-driving task
22 if being physically seated in the driver's position in
23 the lead motor vehicle in platooning.

24 (4) in receipt of a valid class of a driver's license
25 acceptable by the department for the type of highly automated
26 vehicle or platooning being tested; and

27 (5) acceptable to the automated vehicle tester upon the
28 receipt of a background check, including a driving history
29 check and a criminal history background check to be conducted
30 and self-certified by the automated vehicle tester.

1 "Test passenger." An individual authorized by, employed by
2 or affiliated with an automated vehicle tester who:

3 (1) is advised of the capabilities and limitations of
4 the highly automated vehicle or platooning and seated in the
5 highly automated vehicle or platooning, excluding the
6 driver's position; and

7 (2) may provide the selection of destinations and way
8 points, but who is not responsible for the testing of the
9 highly automated vehicle or platooning.

10 SUBCHAPTER B

11 TESTING AUTHORIZATION

12 Sec.

13 3611. Application for testing authorization.

14 § 3611. Application for testing authorization.

15 (a) Application.--An automated vehicle tester shall submit
16 an application to the department for authorization to test
17 highly automated vehicles or platooning on trafficways. The
18 department may charge a reasonable application fee not to exceed
19 \$200.

20 (b) Application requirements.--The following shall apply:

21 (1) The department shall collect information from an
22 automated vehicle tester that submits an application under
23 subsection (a) in a manner consistent with applicable Federal
24 laws, regulations and guidelines to determine the safe
25 testing and management of highly automated vehicles or
26 platooning on trafficways. The information may include, but
27 not be limited to, evidence of an automated vehicle tester's
28 ability to satisfy a judgment for damages for personal
29 injury, death or property damage.

30 (2) The department may periodically identify and approve

1 the information collected under paragraph (1) during or after
2 the application process under subsection (a). This paragraph
3 shall apply to all automated vehicle testers.

4 (3) Members of the public shall be provided a reasonable
5 opportunity to comment in writing regarding the application
6 process. In a timely manner, the department shall respond in
7 writing to each potential or current automated vehicle tester
8 prior to identifying and approving the information collected
9 under this subsection and may respond to other persons in
10 writing at the discretion of the department regarding the
11 information.

12 (c) Application approval.--The following shall apply:

13 (1) The department shall immediately review and approve
14 or deny and return an application under subsection (a) within
15 15 business days of receipt.

16 (2) If the application is approved, the department shall
17 issue a permit to the automated vehicle tester and a highly
18 automated vehicle sticker for each highly automated vehicle
19 or platooning being tested on a trafficway in accordance with
20 subsection (d).

21 (3) If the application is denied, the department shall
22 provide the automated vehicle tester with a description of
23 the necessary additional information. The automated vehicle
24 tester shall have 30 days to respond to the department with
25 the additional information. Upon receipt of the additional
26 information, the department shall have five business days to
27 approve, deny and return or request further clarification on
28 the updated application.

29 (4) Denial, suspension or cancellation of an application
30 shall be made in accordance with 2 Pa.C.S. Ch. 5 Subch. A

1 (relating to practice and procedure of Commonwealth agencies)
2 by the submission of a written request to the department for
3 a hearing within 30 days after service of the document
4 containing the denial, suspension or cancellation and payment
5 of applicable filing fees.

6 (5) The department may establish the number of
7 applications to approve within the first two years after the
8 effective date of this subchapter.

9 (d) Identification.--The following shall apply:

10 (1) Except as provided under paragraph (2), a sticker
11 issued by the department under subsection (c)(2) shall be
12 affixed to the registration plate of a highly automated
13 vehicle or platooning at all times. A highly automated
14 vehicle or platooning shall be marked on both sides of the
15 highly automated vehicle or platooning with the automated
16 vehicle tester's name or trade name, the highly automated
17 vehicle's identification number or platooning's
18 identification number as assigned by the department and
19 preceded by a PennDOT insignia.

20 (2) The identification under paragraph (1) may not be
21 required on a highly automated vehicle or platooning unless
22 the National Highway Traffic Safety Administration approves a
23 different means to identify highly automated vehicles or
24 platooning.

25 (e) Temporary application waiver.--The following shall
26 apply:

27 (1) A potential automated vehicle tester who is legally
28 testing a highly automated vehicle or platooning before the
29 effective date of this subchapter shall submit an application
30 under subsection (a) within one year of the effective date of

1 this subchapter.

2 (2) A person who is a potential automated vehicle tester
3 before the effective date of this subchapter shall
4 immediately notify the department that the person is a
5 potential automated vehicle tester.

6 (f) Notice of approved testers.--The department shall
7 publish a list of the approved automated vehicle testers on the
8 department's publicly accessible Internet website and in the
9 Pennsylvania Bulletin. The department may elect to provide
10 public notice of the approved automated vehicle testers through
11 other communication means at the department's discretion.

12 SUBCHAPTER C

13 TESTING

14 Sec.

15 3621. Highly automated vehicles or platooning testing.

16 3622. Audit of permit compliance.

17 § 3621. Highly automated vehicles or platooning testing.

18 (a) Requirements.--The following shall apply:

19 (1) An automated vehicle tester shall possess a permit
20 and the required identification under section 3611 (relating
21 to application for testing authorization) and a statement of
22 policy issued under section 3671 (relating to issuance of
23 statement of policy) from the department before testing of
24 highly automated vehicles or platooning occurs on
25 trafficways.

26 (2) An automated vehicle tester and a test operator
27 shall comply with applicable Federal and State laws and
28 regulations when testing highly automated vehicles or
29 platooning on trafficways.

30 (b) Recommendations.--Notwithstanding any other obligation

1 to limit or restrict motor vehicles, including obligations to
2 limit or restrict highly automated vehicles or platooning under
3 this chapter, the department, in conjunction with the commission
4 and the Pennsylvania State Police, may provide recommendations
5 to automated vehicle testers on limiting or restricting the
6 testing of highly automated vehicles or platooning on
7 trafficways.

8 (c) Control.--The following shall apply:

9 (1) A highly automated vehicle meeting the Society of
10 Automotive Engineers' Level 3 accepted by the National
11 Highway Traffic Safety Administration shall be occupied or
12 controlled remotely by wireless communication or other
13 technology by one or more test operators.

14 (2) A highly automated vehicle meeting the Society of
15 Automotive Engineers' Level 4 or 5 accepted by the National
16 Highway Traffic Safety Administration may be occupied or
17 controlled remotely by wireless communication or other
18 technology by one or more test operators.

19 (3) A highly automated vehicle may be occupied by one or
20 more test passengers.

21 (d) Compliance.--The following shall apply:

22 (1) The testing of a highly automated vehicle or
23 platooning on trafficways shall comply with applicable State
24 and local traffic laws, State motor vehicle laws and State
25 and local traffic-control devices.

26 (2) The department may notify an automated vehicle
27 tester of changes to applicable State and local traffic laws,
28 State motor vehicle laws and State and local traffic-control
29 devices that may impact the testing of highly automated
30 vehicles or platooning on trafficways.

1 (e) Accident report.--The following shall apply:

2 (1) Notwithstanding any other obligation to report an
3 accident under this title, an automated vehicle tester shall
4 comply with section 3746 (relating to immediate notice of
5 accident to police department).

6 (2) An automated vehicle tester shall submit a self-
7 certification to the department on how the automated vehicle
8 tester will reinstate a highly automated vehicle or
9 platooning into service after being involved in a reportable
10 accident under section 3746.

11 (f) Cybersecurity intrusions.--The following shall apply:

12 (1) If a cybersecurity intrusion attempts to obtain
13 access to connected infrastructure on or along a trafficway
14 owned or operated by the department, the commission, a
15 tolling entity, mass transit authority or municipality in
16 this Commonwealth, the automated vehicle tester shall
17 immediately notify the department if the highly automated
18 vehicle or platooning is connected to the infrastructure.
19 Upon notice of a cybersecurity intrusion under this
20 paragraph, the department shall immediately notify the
21 commission, tolling entity, mass transit authority or
22 municipality affected by the intrusion.

23 (2) If a cybersecurity intrusion attempts to obtain
24 access to a connected highly automated vehicle or platooning,
25 the department shall immediately notify the automated vehicle
26 tester of the intrusion of the infrastructure on or along the
27 trafficway owned or operated by the department, the
28 commission, a tolling entity, mass transit authority or
29 municipality in this Commonwealth that may be connected to a
30 highly automated vehicle or platooning.

1 § 3622. Audit of permit compliance.

2 Once every two years, the department shall perform an audit
3 procedure to monitor the compliance of permits issued under
4 section 3611(c) (2) (relating to application for testing
5 authorization), including the demonstration of highly automated
6 vehicles or platooning being tested on trafficways, to ensure
7 the safe testing and management of highly automated vehicles or
8 platooning on trafficways.

9 SUBCHAPTER D

10 INSPECTIONS

11 Sec.

12 3631. Safety and emission inspections.

13 § 3631. Safety and emission inspections.

14 (a) Compliance.--A highly automated vehicle or platooning
15 shall comply with applicable Federal and State laws and
16 regulations.

17 (b) Safety requirements.--A highly automated vehicle or
18 platooning shall:

19 (1) comply with the safety and emission inspection
20 requirements required by the department, including, but not
21 limited to, 67 Pa. Code Ch. 175 (relating to vehicle
22 equipment and inspection); and

23 (2) have a valid safety inspection.

24 SUBCHAPTER E

25 REGISTRATION AND TITLES

26 Sec.

27 3641. Registration.

28 3642. Titles.

29 § 3641. Registration.

30 The following shall apply:

1 (1) A highly automated vehicle or platooning used for
2 testing shall be properly registered in accordance with
3 section 1301 (relating to registration and certificate of
4 title required).

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

11 § 3642. Titles.

12 The following shall apply:

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

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

23 SUBCHAPTER F

24 LIABILITY

25 Sec.

26 3651. Liability for violations.

27 3652. Construction of chapter.

28 § 3651. Liability for violations.

29 For the purpose of determining liability for a violation of
30 this chapter, the following shall apply:

1 (1) The test operator of a highly automated vehicle that
2 meets the Society of Automotive Engineers' Level 3 accepted
3 by the National Highway Traffic Safety Administration or the
4 test operator in the lead motor vehicle in platooning shall
5 be deemed to be the driver.

6 (2) The automated vehicle tester of a highly automated
7 vehicle that meets the Society of Automotive Engineers' Level
8 4 or 5 accepted by the National Highway Traffic Safety
9 Administration shall be deemed to be the driver.

10 § 3652. Construction of chapter.

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

18 SUBCHAPTER G

19 PLATOONING

20 Sec.

21 3661. Platooning on trafficways.

22 § 3661. Platooning on trafficways.

23 (a) Requirements.--An automated vehicle tester shall possess
24 a permit identification issued under section 3611 (relating to
25 application for testing authorization) and a statement of policy
26 issued under section 3671 (relating to issuance of statement of
27 policy) from the department before platooning occurs on a
28 trafficway.

29 (b) Platooning restrictions.--The following shall apply:

30 (1) The department, in coordination with the commission

1 during platooning testing on the Pennsylvania Turnpike and in
2 coordination with the Pennsylvania State Police whenever
3 applicable, shall restrict platooning to select trafficways.
4 The department shall maintain a list of trafficways where
5 platooning is restricted and immediately notify automated
6 vehicle testers of changes to the list.

7 (2) The department, in coordination with the commission
8 and the Pennsylvania State Police, shall establish the number
9 of motor vehicles allowed in platooning for each automated
10 vehicle tester.

11 (c) Access.--When testing platooning on a trafficway, a test
12 operator shall allow reasonable access for other motor vehicles
13 for safe movement among lanes to exit or enter the trafficway
14 and to approach work zones or lane closures.

15 (d) Occupancy.--Each motor vehicle in platooning shall be
16 occupied by at least one test operator and may be occupied by
17 one or more test passengers.

18 SUBCHAPTER H

19 STATEMENT OF POLICY

20 Sec.

21 3671. Issuance of statement of policy.

22 § 3671. Issuance of statement of policy.

23 (a) Issuance.--The department shall issue a statement of
24 policy relating to the provisions of this chapter, which shall
25 take effect upon publication in the Pennsylvania Bulletin and on
26 the department's publicly accessible Internet website. The
27 department may elect to issue a statement of policy through
28 other communication means at the discretion of the department.

29 (b) Development.--The department, in coordination with the
30 commission and the Pennsylvania State Police, may periodically

1 develop and approve a statement of policy, in consultation with
2 the chairperson and minority chairperson of the Transportation
3 Committee of the Senate and the chairperson and minority
4 chairperson of the Transportation Committee of the House of
5 Representatives.

6 (c) Comment period.--Members of the public shall be
7 permitted a reasonable opportunity to comment in writing
8 regarding a statement of policy issued under this section. In a
9 timely manner, the department shall respond in writing to each
10 potential or current automated vehicle tester commenting under
11 this subsection before providing notice under subsection (e) and
12 may respond to other persons in writing at the discretion of the
13 department.

14 (d) Conformance.--The department shall ensure the statement
15 of policy conforms to the duties of the Commonwealth as
16 delegated by the National Highway Traffic Safety Administration.

17 (e) Notice.--The department shall immediately notify all
18 automated vehicle testers of approved changes to the statement
19 of policy.

20 (f) Contents.--The statement of policy shall relate to the
21 provisions of this chapter and may contain other provisions
22 determined to be necessary for the safe testing and management
23 of highly automated vehicles or platooning on trafficways.

SUBCHAPTER I

PENALTIES

24 Sec.

25 3681. Permit suspension or cancellation.

26 3682. Registration suspension or cancellation.

27 3683. License suspension.

28 3684. Miscellaneous penalties.

1 3685. Regulations.

2 § 3681. Permit suspension or cancellation.

3 (a) Suspension or cancellation.--For violations relating to
4 the testing of highly automated vehicles or platooning on
5 trafficways, the department may suspend or cancel a permit
6 issued under section 3611(c)(2) (relating to application for
7 testing authorization) to test highly automated vehicles or
8 platooning due to any of the following:

9 (1) Three or more violations of the provisions of
10 Chapter 31 (relating to general provisions), 33 (relating to
11 rules of the road in general), 37 (relating to miscellaneous
12 provisions) or 38 (relating to driving after imbibing alcohol
13 or utilizing drugs). One violation under this paragraph shall
14 be removed from the permit record of the automated vehicle
15 tester for each 12 consecutive months when no violation under
16 this paragraph has occurred.

17 (2) One or more violations of the provisions of this
18 title involving serious bodily injury or death.

19 (b) Notice.--The department shall immediately notify the
20 automated vehicle tester of a violation under subsection (a),
21 including each reason for the suspension or cancellation, and
22 describing the process by which the automated vehicle tester may
23 appeal the suspension or cancellation.

24 (c) Appeals.--The following shall apply:

25 (1) An appeal of a suspension or cancellation under
26 subsection (a) shall be made pursuant to 2 Pa.C.S. Ch. 5
27 Subch. A (relating to practice and procedure of Commonwealth
28 agencies) by submitting a written request to the department
29 for a hearing within 30 days after service of the document
30 containing the suspension or cancellation and payment of

1 applicable filing fees.

2 (2) The automated vehicle tester shall cease all testing
3 until a determination of the appeal under paragraph (1) is
4 authorized.

5 (d) Permit noncompliance.--A person that conducts automated
6 vehicle testing without a permit issued under section 3611(c)(2)
7 (relating to application for testing authorization) commits a
8 misdemeanor of the third degree.

9 § 3682. Registration suspension or cancellation.

10 (a) Suspension.--The department may suspend or cancel the
11 registration of a highly automated vehicle or platooning if
12 there is evidence of unsafe or unfit conditions for testing on a
13 trafficway due to any of the following:

14 (1) Three or more violations of the provisions of
15 Chapter 31 (relating to general provisions), 33 (relating to
16 rules of the road in general) or 37 (relating to
17 miscellaneous provisions). One violation under this paragraph
18 shall be removed from the record of the highly automated
19 vehicle or platooning for each 12 consecutive months when no
20 violation under this paragraph has occurred.

21 (2) One or more violations of this title involving
22 serious bodily injury or death.

23 (b) Notice.--The department shall immediately notify the
24 automated vehicle tester of a violation under subsection (a),
25 including each reason for the suspension or cancellation, and
26 describing the process by which the automated vehicle tester may
27 appeal the suspension or cancellation.

28 (c) Appeals.--The following shall apply:

29 (1) The automated vehicle tester shall have the
30 opportunity to appeal the suspension or cancellation from the

1 department under 2 Pa.C.S. Ch. 5 Subch. A (relating to
2 practice and procedure of Commonwealth agencies) by
3 submitting a written request to the department for a hearing
4 within 30 days after service of the document containing the
5 suspension or cancellation and payment of applicable filing
6 fees.

7 (2) The automated vehicle tester shall cease all testing
8 of the highly automated vehicle or platooning until a
9 determination of an appeal is made under paragraph (1).

10 § 3683. License suspension.

11 The test operator of a highly automated vehicle shall be
12 subject to section 1535 (relating to schedule of convictions and
13 points).

14 § 3684. Miscellaneous penalties.

15 An automated vehicle tester who violates a provision of this
16 chapter for which a penalty is not otherwise prescribed commits
17 a summary offense and shall, upon conviction, be sentenced to
18 pay a fine of up to \$1,000,000.

19 § 3685. Regulations.

20 The department shall promulgate regulations to suspend or
21 cancel a permit under section 3681 (relating to permit
22 suspension or cancellation) and to suspend or cancel
23 registration under section 3682 (relating to registration
24 suspension or cancellation).

25 SUBCHAPTER J

26 CONFIDENTIALITY

27 Sec.

28 3691. Confidential information.

29 § 3691. Confidential information.

30 Notwithstanding any other obligation to report information

1 for accident reports under this title, the following information
2 shall be proprietary and may not be disclosed to a third party:

3 (1) automated vehicle tester data, information or
4 reports submitted to the department under this chapter; and

5 (2) other information regarding an automated vehicle
6 tester, test operator, highly automated vehicle, highly
7 automated vehicle system or platooning that would reveal
8 proprietary trade secrets or personally identifiable
9 information about an individual, including information
10 provided by the automated vehicle tester in the context of
11 obtaining and maintaining a permit under this chapter.

12 SUBCHAPTER K

13 HIGHLY AUTOMATED VEHICLE SAFETY ADVISORY COMMITTEE

14 Sec.

15 3691.11. Highly Automated Vehicle Safety Advisory Committee.

16 § 3691.11. Highly Automated Vehicle Safety Advisory Committee.

17 (a) Establishment.--The Highly Automated Vehicle Safety
18 Advisory Committee is established within the department.

19 (b) Composition.--The committee shall consist of the
20 following members:

21 (1) The Secretary of Transportation to be appointed as
22 the chairperson of the committee.

23 (2) The Secretary of Policy and Planning.

24 (3) The Secretary of Aging.

25 (4) The Secretary of Community and Economic Development.

26 (5) The Secretary of Human Services.

27 (6) The Commissioner of the Pennsylvania State Police.

28 (7) The chairman of the Pennsylvania Turnpike
29 Commission.

30 (8) The chairperson and minority chairperson of the

1 Transportation Committee of the Senate.

2 (9) The chairperson and minority chairperson of the
3 Transportation Committee of the House of Representatives.

4 (10) The following members shall be appointed by the
5 Governor:

6 (i) One member representing an urban or rural
7 transit authority in this Commonwealth. An appointment
8 under this subparagraph shall rotate from an urban
9 transit authority to a rural transit authority or vice
10 versa for each successive appointment.

11 (ii) One member representing a transportation
12 educational or research institution in this Commonwealth.

13 (iii) Two members who are automated vehicle testers.

14 (iv) One member representing bicyclists or
15 pedestrians from this Commonwealth.

16 (v) One member representing drivers or consumers
17 from this Commonwealth.

18 (vi) One member representing a municipality from
19 this Commonwealth.

20 (vii) One member representing an insurance company,
21 association or exchange who is authorized to transact the
22 business of motor vehicle insurance from this
23 Commonwealth.

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

29 (d) Alternates.--A committee member under subsection (b)(1),
30 (2), (3), (4), (5), (6), (7), (8) or (9) may designate an

1 alternate to serve in the committee member's stead and the
2 committee member shall notify the chairperson in writing of the
3 designation.

4 (e) Terms.--A committee member may be reappointed for
5 additional terms. The terms of committee members appointed by
6 the Governor under subsection (b)(10) shall be for three years.
7 An individual appointed to fill a vacancy on the committee under
8 subsection (b) shall serve for the unexpired term and shall be
9 eligible for reappointment.

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

11 (1) The committee shall meet at least annually.

12 (2) A committee member appointed by the Governor under
13 subsection (b)(10) who misses three consecutive meetings
14 without good cause acceptable to the chairperson may be
15 replaced by the Governor.

16 (3) A committee member may not receive per diem
17 expenses.

18 (4) The department shall provide appropriate staff
19 support to enable the committee to properly carry out the
20 committee's functions.

21 (g) Powers and duties.--The powers and duties of the
22 committee shall be to advise and comment on all phases of highly
23 automated vehicle testing, platooning, highly automated vehicle
24 highway safety programs, public education and training relating
25 to highly automated vehicles and platooning testing for
26 emergency service responders and law enforcement and similar
27 subjects.

28 SUBCHAPTER L

29 PREEMPTION OF LOCAL ORDINANCES

30 Sec.

1 3691.21. Preemption of local ordinances.

2 § 3691.21. Preemption of local ordinances.

3 In accordance with section 6101 (relating to applicability
4 and uniformity of title), this chapter supersedes and preempts
5 all ordinances of a municipality regarding the testing of highly
6 automated vehicles or platooning on trafficways.

7 SUBCHAPTER M

8 REPORTING

9 Sec.

10 3691.31. Reports on highly automated vehicles and platooning.

11 § 3691.31. Reports on highly automated vehicles and platooning.

12 (a) Transition report.--No later than January 1, 2020, the
13 department shall produce a report on potential discrepancies in
14 State law and regulations in order to make the transition from
15 human-driven vehicles to fully deployed highly automated
16 vehicles and platooning with respect to all of the following
17 areas that include, but are not limited to:

18 (1) Law enforcement and emergency response.

19 (2) Occupant safety.

20 (3) Motor vehicle insurance.

21 (4) Accident investigations and reporting.

22 (5) Civil and criminal liability.

23 (6) Motor vehicle inspections.

24 (7) Education and training.

25 (8) Vehicle modifications and maintenance.

26 (9) Environmental impacts.

27 (b) Overcoming barriers report.--No later than January 1,
28 2020, the department shall produce a report on State law and
29 regulations that pose barriers or obstacles to the continued
30 safe testing, deployment and operation of highly automated

1 vehicles and platooning with respect to all of the following
2 areas that include, but are not limited to:

3 (1) Licensing and registration.

4 (2) Driver education and training.

5 (3) Insurance and liability.

6 (4) Enforcement of traffic laws and regulations.

7 (5) Administration of motor vehicle inspections.

8 (6) Legal issues that need to be addressed to facilitate
9 the deployment and operation of highly automated vehicles and
10 platooning.

11 (c) Financial needs report.--No later than January 1, 2025,
12 the department shall conduct a report on the financial needs of
13 the existing and planned infrastructure and assets of
14 trafficways in this Commonwealth to upgrade roads, bridges,
15 traffic signals, traffic-control devices, work zones and other
16 infrastructure to operate deployed highly automated vehicles and
17 platooning safely and provide vehicle-to-infrastructure
18 connectivity, vehicle-to-vehicle connectivity and vehicle-to-x
19 connectivity on trafficways.

20 (d) Copies.--The department shall provide copies of the
21 reports under subsections (a), (b) and (c) to the chairperson
22 and minority chairperson of the Transportation Committee of the
23 Senate and the chairperson and minority chairperson of the
24 Transportation Committee of the House of Representatives. The
25 department shall publish copies of the reports under subsections
26 (a), (b) and (c) on the department's publicly accessible
27 Internet website. The department may elect to publish copies of
28 the reports through other communication means at the
29 department's discretion.

30 SUBCHAPTER N

RECIPROCITY

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Sec.

3691.41. Reciprocal agreements, arrangements and declarations.

3691.42. Form, publication and distribution of documents.

3694.43. Suspension of reciprocity benefits.

§ 3691.41. Reciprocal agreements, arrangements and
 declarations.

It is the policy of this Commonwealth to promote and
encourage the fullest possible use of its trafficways by
authorizing the creation and execution of reciprocal agreements,
arrangements and declarations with other states, provinces,
territories and countries with respect to highly automated
vehicles and platooning testing and the provisions of this
chapter for the purpose of contributing to the safety and
economic development of highly automated vehicles and platooning
testing in this Commonwealth.

§ 3691.42. Form, publication and distribution of documents.

Reciprocal agreements, arrangements and declarations under
section 3691.41 (relating to reciprocal agreements, arrangements
and declarations) shall be in writing and shall be published in
compliance with 45 Pa.C.S. Pt. II (relating to publication and
effectiveness of Commonwealth documents). The department shall
provide copies of agreements, arrangements and declarations
under this chapter for public distribution upon request and
within reason.

§ 3691.43. Suspension of reciprocity benefits.

Reciprocal agreements, arrangements or declarations made
under section 3691.41 (relating to reciprocal agreements,
arrangements and declarations) may include provisions
authorizing the department to suspend or cancel the exemptions,

1 benefits or privileges granted to a person who violates the
2 conditions or terms of the reciprocal agreements, arrangements
3 or declarations or who violates the laws or regulations of this
4 Commonwealth relating to highly automated vehicles or platooning
5 testing under this chapter.

6 Section 2. This act shall take effect as follows:

7 (1) This section shall take effect immediately.

8 (2) The provisions of 75 Pa.C.S. § 3611(b)(3) and Subch.
9 H shall take effect in 45 days.

10 (3) The remainder of this act shall take effect in 90
11 days.