

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2398 Session of 2022

INTRODUCED BY OBERLANDER, ROTHMAN, MERCURI, MIZGORSKI, HELM, SMITH, ROZZI, ROWE, KAIL, STEPHENS, MAJOR, ORTITAY, GAYDOS, LEWIS DELROSSO, E. NELSON, MUSTELLO, BROOKS, MARSHALL AND MASSER, MARCH 10, 2022

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 15, 2022

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in certificate of title and security interests,
4 further providing for content and effect of certificate of
5 title; in licensing of drivers, further providing for persons
6 ineligible for licensing, license issuance to minors and
7 junior driver's license; in financial responsibility, further
8 providing for proof of financial responsibility following
9 accident; in rules of the road in general, repealing
10 provisions relating to platooning; in miscellaneous
11 provisions relating to accidents and accident reports,
12 further providing for accidents involving death or personal
13 injury, for accidents involving damage to attended vehicle or
14 property, for duty to give information and render aid, for
15 accidents involving damage to unattended vehicle or property,
16 for accident scene clearance, for immediate notice of
17 accident to police department and for written report of
18 accident by driver or owner; in equipment standards, further
19 providing for promulgation of vehicle equipment standards; in
20 inspection of vehicles, further providing for requirement for
21 periodic inspection of vehicles; in size, weight and load,
22 further providing for width of vehicles; in powers of
23 department and local authorities, further providing for
24 specific powers of department and local authorities; and, in
25 highly automated vehicles, further providing for definitions,
26 for highly automated vehicles and for Highly Automated
27 Vehicle Advisory Committee, providing for certificate of
28 compliance required, for powers of department, for self-
29 certification application, for self-certification review, for
30 operation requirements, for commercial operation, for
31 preemption, for enforcement and penalties, for regulations

1 and guidelines, for confidential records, for appeals and for  
2 interstate agreements; adding provisions relating to other  
3 automated vehicles; and making editorial changes.

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

6 Section 1. The definitions of "highly automated work zone  
7 vehicle" and "platoon" in section 102 of Title 75 of the  
8 Pennsylvania Consolidated Statutes are amended and the section  
9 is amended by adding definitions to read:

10 § 102. Definitions.

11 Subject to additional definitions contained in subsequent  
12 provisions of this title which are applicable to specific  
13 provisions of this title, the following words and phrases when  
14 used in this title shall have, unless the context clearly  
15 indicates otherwise, the meanings given to them in this section:

16 \* \* \*

17 "Automated driving system" or "ADS." The hardware and  
18 software collectively capable of performing the entire dynamic  
19 driving task on a sustained basis, regardless of whether limited  
20 within a specific operational design domain and whether a Level  
21 3, 4 or 5 driving automation system under SAE J3016.

22 \* \* \*

23 "Bodily injury." Impairment of physical condition or  
24 substantial pain.

25 \* \* \*

26 "CERTIFICATE HOLDER." A PERSON OR AN EDUCATIONAL INSTITUTION <--  
27 HOLDING A VALID CERTIFICATE OF COMPLIANCE IN ACCORDANCE WITH  
28 SUBCHAPTER B OF CHAPTER 85 (RELATING TO HIGHLY AUTOMATED  
29 VEHICLES).

30 \* \* \*

31 "Highly automated vehicle" or "HAV." A motor vehicle

1 equipped with an automated driving system. The term excludes a  
2 personal delivery device.

3 "Highly automated vehicle driver." An individual who  
4 performs all or part of the dynamic driving task for a highly  
5 automated vehicle and is:

- 6 (1) on board the highly automated vehicle; or  
7 (2) in a remote location within the United States and is  
8 capable of monitoring and controlling the highly automated  
9 vehicle.

10 ["Highly automated work zone vehicle." A motor vehicle used  
11 in an active work zone, as implemented by the department or the  
12 Pennsylvania Turnpike Commission, as applicable, which is:

- 13 (1) equipped with an automated driving system; or  
14 (2) connected by wireless communication or other  
15 technology to another vehicle allowing for coordinated or  
16 controlled movement.]

17 \* \* \*

18 ["Platoon." A group of buses, military vehicles or motor  
19 carrier vehicles traveling in a unified manner at electronically  
20 coordinated speeds at following distances that are closer than  
21 would be reasonable and prudent without the coordination. The  
22 term does not include a school bus or a school vehicle.]

23 \* \* \*

24 "SAE J3016." Surface Vehicle Recommended Practice Taxonomy  
25 and Definitions for Terms Related to Driving Automation Systems  
26 for On-Road Motor Vehicles published by the Society of  
27 Automotive Engineers (SAE) International in April 2021 and as it  
28 existed on the effective date of this definition or such  
29 subsequent date as may be provided by the department through  
30 regulation and consistent with Subch. B of Ch. 85 (relating to

1 highly automated vehicles).

2 \* \* \*

3 Section 2. Section 1106(b)(10) and (11) of Title 75 are  
4 amended and the subsection is amended by adding a paragraph to  
5 read:

6 § 1106. Content and effect of certificate of title.

7 \* \* \*

8 (b) Indication of special use or condition.--No person shall  
9 assign a certificate of title to any vehicle unless the  
10 certificate clearly contains notice of the use or condition if  
11 the vehicle is or has been:

12 \* \* \*

13 (10) bearing a VIN plate differing from its original;

14 [or]

15 (11) a motor vehicle returned to a vehicle dealer or  
16 manufacturer pursuant to the act of March 28, 1984 (P.L.150,  
17 No.28), known as the Automobile Lemon Law[.]; or

18 (12) a highly automated vehicle.

19 Indication of the use or condition shall be deemed part of the  
20 description of the vehicle. Any person violating this subsection  
21 commits a summary offense and shall, upon conviction, be  
22 sentenced to pay a fine of \$200.

23 \* \* \*

24 Section 3. Sections 1503(b) and 1785 of Title 75 are amended  
25 to read:

26 § 1503. Persons ineligible for licensing; license issuance to  
27 minors; junior driver's license.

28 \* \* \*

29 (b) License issuance to minors.--The department shall issue  
30 a driver's license to a person 17 years of age who:

1 (1) has successfully completed a driver's training  
2 course approved by the department; and

3 (2) for a period of 12 months after passing the  
4 examination under section 1505(e) (relating to learners'  
5 permits) and receiving a junior driver's license:

6 (i) has not been involved in an accident reportable  
7 under section 3746(a) (relating to [immediate] notice of  
8 accident to police department) for which they are  
9 partially or fully responsible in the opinion of the  
10 department; or

11 (ii) has not been convicted of any violation of this  
12 title.

13 \* \* \*

14 § 1785. Proof of financial responsibility following accident.

15 If the department determines that the owner of a motor  
16 vehicle involved in an accident requiring notice to a police  
17 department pursuant to section 3746 (relating to [immediate]  
18 notice of accident to police department) did not maintain  
19 financial responsibility on the motor vehicle at the time of the  
20 accident, the department shall suspend the operating privilege  
21 of the owner, where applicable, and the department shall revoke  
22 the registration of the vehicle.

23 Section 4. Section 3317 of Title 75 is repealed:

24 [§ 3317. Platooning.]

25 (a) General rule.--The department shall be the lead  
26 Commonwealth agency on platooning.

27 (b) Exception.--Nonlead vehicles in a platoon shall not be  
28 subject to section 3310 (relating to following too closely).

29 (c) Visual identifier.--Each vehicle in a platoon must be  
30 marked with a visual identifier on the power unit. The

1 department, after consultation with the Pennsylvania State  
2 Police and the Pennsylvania Turnpike Commission, shall establish  
3 the criteria and placement of the visual identifier under  
4 subsection (e).

5 (d) Restrictions.--A platoon shall observe the following  
6 restrictions:

7 (1) A maximum of three vehicles shall be in a platoon.

8 (2) Vehicles in a platoon shall travel only on limited  
9 access highways or interstate highways, unless otherwise  
10 permitted by the department or the Pennsylvania Turnpike  
11 Commission, as applicable.

12 (3) The department or the Pennsylvania Turnpike  
13 Commission, as applicable under paragraph (2), may restrict  
14 vehicle movement under this section for operational or safety  
15 reasons, including, but not limited to, emergency conditions.

16 (4) A driver shall be in each vehicle of a platoon.

17 (e) Plan for general platoon operations.--A person may  
18 operate a platoon on a highway of this Commonwealth if the  
19 person files a plan for general platoon operations with the  
20 department. The department shall review the plan in consultation  
21 with the Pennsylvania State Police and the Pennsylvania Turnpike  
22 Commission, as applicable. If the plan is not rejected by the  
23 department within 30 days after receipt of the plan, the person  
24 may operate the platoon.]

25 Section 5. Sections 3742, 3743, 3744 and 3745 of Title 75  
26 are amended by adding subsections to read:

27 § 3742. Accidents involving death or personal injury.

28 \* \* \*

29 (a.1) Highly automated vehicles.--If a vehicle under  
30 subsection (a) is a highly automated vehicle operating with an

1 ADS engaged or without a highly automated vehicle driver on  
2 board, the requirements of this section are satisfied if the  
3 highly automated vehicle stops at the scene of an accident or as  
4 close to the scene as safely as possible and remains at the  
5 scene until the requirements of section 3744 have been  
6 fulfilled.

7 \* \* \*

8 § 3743. Accidents involving damage to attended vehicle or  
9 property.

10 \* \* \*

11 (a.1) Highly automated vehicles.--

12 (1) If a vehicle under subsection (a) is a highly  
13 automated vehicle operating with an ADS engaged or without a  
14 highly automated vehicle driver on board, the requirements of  
15 this section are satisfied if the highly automated vehicle  
16 stops at the scene of the accident or as close to the scene  
17 as safely as possible and the ~~owner of the~~ CERTIFICATE HOLDER <--  
18 FOR THE highly automated vehicle or a person on behalf of the  
19 ~~owner of~~ CERTIFICATE HOLDER FOR the highly automated vehicle <--  
20 promptly contacts the nearest office of a duly authorized  
21 police department to report the accident.

22 (2) The highly automated vehicle shall remain at the  
23 scene or as close to the scene as safely as possible until  
24 the requirements of section 3744 are fulfilled.

25 \* \* \*

26 § 3744. Duty to give information and render aid.

27 \* \* \*

28 (a.1) Highly automated vehicles.--

29 (1) If a vehicle under subsection (a) is a highly  
30 automated vehicle operating with an ADS engaged or without a

1 highly automated vehicle driver on board, the requirements of  
2 this section are satisfied if the ~~owner of~~ CERTIFICATE HOLDER <--  
3 FOR the highly automated vehicle, a person on behalf of the  
4 ~~owner of~~ CERTIFICATE HOLDER FOR the highly automated vehicle <--  
5 or the highly automated vehicle promptly contacts the nearest  
6 office of a duly authorized police department to report the  
7 accident and communicates the registration and financial  
8 responsibility information for the highly automated vehicle  
9 to the police department.

10 (2) The highly automated vehicle shall remain at the  
11 scene of the accident or as close to the scene as safely as  
12 possible until the requirements of this section are  
13 fulfilled.

14 \* \* \*

15 § 3745. Accidents involving damage to unattended vehicle or  
16 property.

17 \* \* \*

18 (a.1) Highly automated vehicles.--

19 (1) If a vehicle under subsection (a) is a highly  
20 automated vehicle operating with an ADS engaged or without a  
21 highly automated vehicle driver on board, the requirements of  
22 this section are satisfied if the highly automated vehicle  
23 stops at the scene of the accident or as close to the scene  
24 as safely as possible and the ~~owner of~~ CERTIFICATE HOLDER FOR <--  
25 the highly automated vehicle, a person on behalf of the ~~owner~~ <--  
26 ~~of~~ CERTIFICATE HOLDER FOR the highly automated vehicle or the <--  
27 highly automated vehicle promptly contacts the nearest office  
28 of a duly authorized police department to report the accident  
29 and communicates the registration and financial  
30 responsibility information for the highly automated vehicle



1 to the police department.

2 (2) The highly automated vehicle shall remain at the  
3 scene or as close to the scene as safely as possible until  
4 the requirements of section 3744 (relating to duty to give  
5 information and render aid) are fulfilled.

6 \* \* \*

7 Section 6. Section 3745.1(e) of Title 75 is amended to read:  
8 § 3745.1. Accident scene clearance.

9 \* \* \*

10 (e) Other driver duties.--Compliance with this section shall  
11 not affect a driver's duty to comply with section 3742 (relating  
12 to accidents involving death or personal injury), 3743 (relating  
13 to accidents involving damage to attended vehicle or property),  
14 3744 (relating to duty to give information and render aid), 3745  
15 (relating to accidents involving damage to unattended vehicle or  
16 property), 3746 (relating to [immediate] notice of accident to  
17 police department) or 3747 (relating to written report of  
18 accident by driver or owner).

19 \* \* \*

20 Section 7. Section 3746 heading of Title 75 is amended and  
21 the section is amended by adding a subsection to read:

22 § 3746. [Immediate notice] Notice of accident to police  
23 department.

24 \* \* \*

25 (a.1) Highly automated vehicles.--If a vehicle under  
26 subsection (a) is a highly automated vehicle operating with an  
27 ADS engaged or without a highly automated vehicle driver on  
28 board, the requirements of this section are satisfied if the  
29 owner of CERTIFICATE HOLDER FOR the highly automated vehicle, a <--  
30 person on behalf of the owner of CERTIFICATE HOLDER FOR the <--

1 highly automated vehicle or the highly automated vehicle  
2 promptly contacts the nearest office of a duly authorized police  
3 department to report the accident.

4 \* \* \*

5 Section 8. Section 3747(a) of Title 75 is amended to read:

6 § 3747. Written report of accident by driver or owner.

7 (a) General rule.--If a police officer does not investigate  
8 an accident required to be investigated by section 3746  
9 (relating to [immediate] notice of accident to police  
10 department), the driver of a vehicle which is in any manner  
11 involved in the accident shall, within five days of the  
12 accident, forward a written report of the accident to the  
13 department.

14 \* \* \*

15 Section 9. Sections 4103, 4702 and 4921 of Title 75 are  
16 amended by adding subsections to read:

17 § 4103. Promulgation of vehicle equipment standards.

18 \* \* \*

19 (f) Highly automated vehicles.--A highly automated vehicle  
20 that is designed to operate exclusively by the ADS or a highly  
21 automated vehicle driver in a remote location for all trips is  
22 not subject to motor vehicle equipment laws or regulations of  
23 this Commonwealth that:

24 (1) relate to or support motor vehicle operation by a  
25 driver seated in the vehicle; and

26 (2) are not relevant for an ADS.

27 § 4702. Requirement for periodic inspection of vehicles.

28 \* \* \*

29 (c.2) Safety inspection criteria for highly automated  
30 vehicles.--The standards established by the department under

1 subsection (a) shall apply to highly automated vehicles only in  
2 a manner consistent with the provisions of section 4103(f)  
3 (relating to promulgation of vehicle equipment standards).

4 \* \* \*

5 § 4921. Width of vehicles.

6 \* \* \*

7 (e.3) Highly automated vehicles.--If a highly automated  
8 vehicle is operating on highways of this Commonwealth, a rear  
9 visibility system comprised of a set of devices or components,  
10 that together perform the function of producing the rearview  
11 image, shall be considered a mirror or a similar device to a  
12 mirror, and shall be excluded from the measurement of the width  
13 of the highly automated vehicle consistent with applicable  
14 Federal and State laws.

15 \* \* \*

16 Section 10. Section 6109(a)(13) of Title 75 is amended to  
17 read:

18 § 6109. Specific powers of department and local authorities.

19 (a) Enumeration of police powers.--The provisions of this  
20 title shall not be deemed to prevent the department on State-  
21 designated highways and local authorities on streets or highways  
22 within their physical boundaries from the reasonable exercise of  
23 their police powers. The following are presumed to be reasonable  
24 exercises of police power:

25 \* \* \*

26 (13) Prohibiting or regulating the use of designated  
27 streets by any class or kind of traffic, provided that a  
28 prohibition or regulation of a local authority may not be  
29 specific to or discriminate against a highly automated  
30 vehicle.

1 \* \* \*

2 Section 11. Section 8501 of Title 75 is amended by adding  
3 definitions to read:

4 § 8501. Definitions.

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

8 \* \* \*

9 ~~"Certificate holder." A person or an educational institution <--  
10 holding a valid certificate of compliance.~~

11 "Certificate of compliance." A certificate authorizing the  
12 operation of a highly automated vehicle in accordance with  
13 Subch. B (relating to highly automated vehicles).

14 "DDT fallback." A response by a highly automated vehicle  
15 driver or ADS to either perform a DDT or achieve a minimal-risk  
16 condition after occurrence of a DDT performance-relevant system  
17 failure or upon an operational design domain exit.

18 "Dynamic driving task" or "DDT." Real-time operational and  
19 tactical functions required to operate a motor vehicle on a  
20 highway, excluding strategic functions such as trip scheduling  
21 and selection of destinations and waypoints, and including,  
22 without limitation:

23 (1) Lateral vehicle motion control via steering.

24 (2) Longitudinal motion control via acceleration and  
25 deceleration.

26 (3) Monitoring the driving environment via object and  
27 event detection, recognition, classification and response  
28 preparation.

29 (4) Object and event response execution.

30 (5) Maneuver planning.

1           (6) Enhancing conspicuity via lighting, signaling and  
2           gesturing.

3           "Highly automated work zone vehicle." A motor vehicle used  
4           in an active work zone as implemented by the department or the  
5           Pennsylvania Turnpike Commission, as applicable, for purposes  
6           related to the active work zone that is:

7           (1) equipped with an automated driving system; or

8           (2) connected by wireless communication or other  
9           technology to another vehicle allowing for coordinated or  
10           controlled movement.

11           "Minimal risk condition." A stable, stopped condition to  
12           which an individual, a highly automated vehicle driver or ADS  
13           may bring a highly automated vehicle after performing a DDT  
14           fallback in order to reduce the risk of a crash when a given  
15           trip cannot or should not be continued.

16           "Operational design domain" or "ODD." Operating conditions  
17           under which a given ADS is specifically designed to function,  
18           including, but not limited to, environmental, geographical and  
19           time-of-day restrictions and the requisite presence or absence  
20           of certain traffic or highway characteristics.

21           "Platoon." A group of buses, military vehicles or motor  
22           carrier vehicles traveling in a unified manner at electronically  
23           coordinated speeds at following distances that are closer than  
24           would be reasonable and prudent without the coordination. The  
25           term does not include a school bus or a school vehicle.

26           Section 12. Section 8502 of Title 75 is amended to read:

27           § 8502. Highly automated vehicles.

28           [(a) General rule.--]The department shall be the lead  
29           Commonwealth agency on highly automated vehicles.

30           [(b) Highly automated work zone vehicles.--The department or

1 the Pennsylvania Turnpike Commission, as applicable, shall  
2 authorize the locations in Pennsylvania on a periodic basis to  
3 implement the deployment of a highly automated work zone  
4 vehicle. A driver may be required in a highly automated work  
5 zone vehicle when used in an active work zone.]

6 Section 13. Section 8503(b)(9) of Title 75 is amended and  
7 the section is amended by adding a subsection to read:

8 § 8503. Highly Automated Vehicle Advisory Committee.

9 \* \* \*

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

12 \* \* \*

13 (9) The following members to be appointed by the  
14 Governor:

15 (i) One member representing a transit authority  
16 located in this Commonwealth.

17 (ii) One member representing [a transportation,] an  
18 educational or research institution located in this  
19 Commonwealth engaged in developing highly automated  
20 vehicles.

21 (iii) One member representing a technology company  
22 engaged in developing highly automated vehicles.

23 (iv) One member representing a vehicle manufacturer  
24 engaged in developing highly automated vehicles.

25 (v) One member representing bicyclists, pedestrians  
26 or motorcyclists 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 platoon operations.

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

5 (x) Two members representing different labor  
6 organizations in this Commonwealth.

7 \* \* \*

8 (j) Special reports.--Beginning as soon as practicable, but  
9 no later than 18 months after the effective date of this  
10 subsection, the advisory committee shall submit an annual report  
11 that evaluates the impact of highly automated vehicles  
12 authorized by this chapter on this Commonwealth. The report  
13 shall be submitted to the chairperson and minority chairperson  
14 of the Transportation Committee of the Senate and the  
15 chairperson and minority chairperson of the Transportation  
16 Committee of the House of Representatives and posted on the  
17 department's publicly accessible Internet website. The report  
18 shall evaluate the following with respect to highly automated  
19 vehicles authorized by this chapter:

20 (1) Benefits and implications to this Commonwealth's  
21 workforce.

22 (2) Economic benefits and implications to this  
23 Commonwealth.

24 (3) Improvements to accessibility and mobility for  
25 persons with disabilities.

26 (4) Improvements to mobility options for the general  
27 public.

28 (5) Suggested changes to the laws of this Commonwealth.

29 Section 14. Title 75 is amended by adding sections to read:  
30 § 8504. Certificate of compliance required.

1 (a) Prohibition.--Except as provided in subsection (b), no  
2 person may operate on a highway in this Commonwealth a highly  
3 automated vehicle, unless:

4 (1) the person is a certificate holder or is an  
5 automated vehicle driver approved by a certificate holder to  
6 operate a highly automated vehicle on behalf of the  
7 certificate holder; and

8 (2) the highly automated vehicle is operated in  
9 accordance with this subchapter.

10 (b) Applicability.--Subsection (a) shall not apply to:

11 (1) A highly automated work zone vehicle operated in  
12 accordance with section 8531 (relating to highly automated  
13 work zone vehicles).

14 (2) A platoon operated in accordance with section 8532  
15 (relating to platooning).

16 (3) A vehicle that is also a highly automated vehicle  
17 and is approved for noncommercial use on public highways  
18 under Federal law or regulation.

19 (4) A highly automated vehicle registered in another  
20 state operating in this Commonwealth under an interstate  
21 agreement in accordance with section 8510.5 (relating to  
22 interstate agreements).

23 § 8505. Powers of department.

24 (a) General powers.--To ensure the safety of motorists and  
25 the general public, except as permitted under section 8509  
26 (relating to commercial operation), the department has sole  
27 regulatory authority over the operation of highly automated  
28 vehicles on highways within this Commonwealth consistent with  
29 this subchapter TITLE and Federal law or regulation. <--

30 (b) Specific powers and duties.--Except as provided for in



1 subsection (c), the department has the following specific powers  
2 and duties:

3 (1) By order of the secretary, to prohibit the use of a  
4 highly automated vehicle on a highway where the secretary  
5 determines that the operation of the highly automated vehicle  
6 would constitute a hazard.

7 (2) To require a certificate holder to self-report to  
8 the department an accident in this Commonwealth involving the  
9 certificate holder's highly automated vehicle if the accident  
10 resulted in bodily injury, serious bodily injury, death or  
11 damage to property. The department shall establish the time  
12 frame in which to self-report an accident to the department,  
13 provided that the time frame is no less than six hours from  
14 the occurrence of the accident.

15 (3) To display on the department's publicly accessible  
16 Internet website, the following:

17 (i) A list of certificate holders.

18 (ii) Orders issued by the secretary under paragraph

19 (1).

20 (iii) Policies, regulations or guidelines issued by  
21 the department under this subchapter.

22 (4) To establish policies, guidelines and regulations  
23 reasonably necessary to implement this subchapter.

24 (c) Restriction.--Notwithstanding subsection (b), the  
25 department is prohibited from establishing a policy, guideline  
26 or regulation under this subchapter that:

27 (1) requires a highly automated vehicle driver to obtain  
28 another additional license, approval or similar  
29 authorization, other than the appropriate driver's license  
30 and endorsement, according to the type and class of motor

1 vehicle equipped with an automated driving system that the  
2 highly automated vehicle driver operates;

3 (2) is inconsistent with Federal law or regulation  
4 relating to highly automated vehicles;

5 (3) prohibits or restricts a highly automated vehicle  
6 driver from operating a certificate holder's highly automated  
7 vehicle to control all or part of the DDT unless the highly  
8 automated vehicle driver has been convicted of one or more  
9 moving violations within the past 365 days; or

10 (4) prohibits or restricts a certificate holder's highly  
11 automated vehicle from operating without a highly automated  
12 vehicle driver in a manner that is inconsistent with the  
13 provisions of section 8508(b) and (e) (relating to operation  
14 requirements) and section 8510.1(b) (relating to enforcement  
15 and penalties).

16 § 8506. Self-certification.

17 (a) Form.--A self-certification for a certificate of  
18 compliance shall be submitted on a form and in a manner  
19 determined by the department. The form shall be consistent with  
20 this subchapter and may not impose any additional requirements  
21 upon the operation of a highly automated vehicle that are  
22 inconsistent with this ~~subchapter~~ TITLE or Federal law or <--  
23 regulation.

24 (b) Contents of form.--A self-certification form submitted  
25 to the department under subsection (a) shall include information  
26 necessary certifying that the applicant's highly automated  
27 vehicle or the automated driving system installed in the highly  
28 automated vehicle, as applicable, meets the requirements of this  
29 ~~subchapter~~ TITLE. <--

30 § 8507. Self-certification review.

1 (a) Review and issuance.--The department shall review a  
2 self-certification form submitted under section 8506 (relating  
3 to self-certification). If a self-certification form is not  
4 rejected by the department within 30 days of the date of receipt  
5 by the department, the self-certification form shall be  
6 considered complete and a certificate of compliance shall be  
7 issued to the applicant. The department may only reject a self-  
8 certification form for any of the following reasons:

9 (1) The form is incomplete.

10 (2) The information contained in the form does not  
11 certify that that the applicant's highly automated vehicle or  
12 the automated driving system installed in the highly  
13 automated vehicle, as applicable, meets the requirements of  
14 this subchapter TITLE. <--

15 (3) The form contains materially inaccurate information  
16 and the applicant is not responsive to clarifying questions.

17 (b) Effective period.--

18 (1) The department may not require renewal of a  
19 certificate of compliance issued under this subchapter.

20 (2) An applicant for a certificate of compliance who,  
21 prior to the effective date of this section, operated a  
22 highly automated vehicle in accordance with automated vehicle  
23 testing guidance established by the department prior to the  
24 effective date of this section, may continue to operate the  
25 highly automated vehicle without a certificate of compliance  
26 on highways pending the review of a self-certification form  
27 if the following criteria are met:

28 (i) The applicant has submitted a self-certification  
29 form for a certificate of compliance to the department.

30 (ii) The department has not denied the self-

1           certification form.

2           (iii) The department has not issued a notice, in  
3           writing, to the applicant prohibiting continued HAV  
4           operation while the department reviews the self-  
5           certification form.

6           (iv) The highly automated vehicle is operated in  
7           accordance with this subchapter.

8           (c) Duty of certificate holders.--A certificate holder shall  
9           continue to provide information or records that may be required  
10          by the department and reasonably necessary for the  
11          administration and enforcement of this subchapter.

12          § 8508. Operation requirements.--

13          (a) General rule.--A certificate holder may operate, subject  
14          to the operation requirements of this section, a highly  
15          automated vehicle with or without a highly automated vehicle  
16          driver on a highway in this Commonwealth.

17          (b) Driverless operation.--A highly automated vehicle may  
18          operate on a highway without a highly automated vehicle driver,  
19          subject to the following:

20                  (1) The ADS must be engaged.

21                  (2) The HAV must be capable of operating in compliance  
22          with applicable traffic and motor vehicle safety provisions  
23          of this title, unless the exemption has been granted by the  
24          department.

25                  (3) If a failure of an ADS occurs which renders the ADS  
26          unable to perform the entire DDT within the intended ODD, the  
27          highly automated vehicle must achieve a minimal risk  
28          condition.

29          (c) Operation with driver.--A highly automated vehicle may  
30          operate on highway with a highly automated vehicle driver,

1 subject to the following:

2 (1) A highly automated vehicle driver may control all or  
3 part of a highly automated vehicle's DDT.

4 (2) If a failure of an ADS renders the ADS unable to  
5 perform the entire DDT within the intended ODD, the highly  
6 automated vehicle or the highly automated vehicle driver must  
7 achieve a minimal risk condition.

8 (d) Vehicle markings.--When required under Federal law or  
9 regulation, a highly automated vehicle shall bear any required  
10 manufacturer's certification labels indicating that the highly  
11 automated vehicle has been certified to be in compliance with  
12 all applicable Federal motor vehicle safety standards, including  
13 reference to any exemption granted by the National Highway  
14 Traffic Safety Administration.

15 (e) HAV drivers.--A highly automated vehicle driver shall be  
16 properly licensed under this title to operate the appropriate  
17 type and class of motor vehicle.

18 (f) Insurance required.--A highly automated vehicle with an  
19 ADS engaged with or without a highly automated vehicle driver  
20 may not operate on a highway in this Commonwealth unless the  
21 vehicle is covered by insurance or self-insurance in the minimum  
22 amount of \$1,000,000 PER INCIDENT for death, bodily injury or <--  
23 property damage, which shall satisfy the financial  
24 responsibility requirements of this title.

25 (g) Low-speed HAVs.--

26 (1) A low-speed HAV may not be operated on a highway  
27 with a posted speed limit greater than 35 miles-per-hour,  
28 except when:

29 (i) the low-speed HAV is engaged in a legal crossing  
30 of the highway; or

1           (ii) the low-speed HAV is permitted, by order of the  
2           secretary, to be operated on the highway.

3           (2) A low-speed HAV may not be operated on a freeway.

4           (3) As used in this subsection, the term "low-speed HAV"  
5           shall mean a highly automated vehicle that is in compliance  
6           with the Federal safety standards established in 49 CFR  
7           571.500 (relating to standard number 500; low-speed  
8           vehicles), including any exemptions by the National Highway  
9           Traffic Safety Administration, and designed to be operated  
10           without an occupant and used to transport goods. The term  
11           does not include a neighborhood electric vehicle and shall be  
12           considered by the department as a passenger car or truck for  
13           the purposes of title and registration, in accordance with  
14           section ~~1106(b)(12)~~ 1106 (relating to content and effect of <--  
15           certificate of title).

16           (h) HAV title required.--A highly automated vehicle may not  
17           operate on a highway in this Commonwealth unless the vehicle is  
18           titled as a highly automated vehicle in accordance with section  
19           ~~1106(b)(12)~~ 1106 or under the laws or regulations of another <--  
20           jurisdiction of the United States.

21           § 8509. Commercial operation.

22           (a) Motor carriers.--A highly automated vehicle that is also  
23           a motor carrier vehicle that requires a commercial driver's  
24           license under section 1606 (relating to requirement for  
25           commercial driver's license) may operate on highways as a motor  
26           carrier with or without a highly automated vehicle driver. A  
27           highly automated vehicle operated without a highly automated  
28           vehicle driver shall operate under Federal and State law or  
29           regulation governing the operation of commercial vehicles and  
30           drivers, except provisions that by their nature reasonably apply

1 only to a driver shall not apply to a highly automated vehicle.

2 (b) Applicability of Public Utility Code.--

3 (1) The provisions 66 Pa.C.S. (relating to public  
4 utilities) shall apply to a certificate holder and the  
5 certificate holder's highly automated vehicles, except for  
6 provisions that by their nature reasonably apply only to a  
7 driver shall not apply to a highly automated vehicle.

8 (2) Except as provided for in paragraph (3), nothing  
9 contained in this subchapter shall be construed to prohibit  
10 the Pennsylvania Public Utility Commission from requiring an  
11 authorization, license or approval from a certificate holder  
12 for the operation of a highly automated vehicle if the  
13 authorization, license or approval requirement is consistent  
14 with 66 Pa.C.S. and does not discriminate against a highly  
15 automated vehicle.

16 (3) Notwithstanding paragraph (2), the Pennsylvania  
17 Public utility Commission may not require an authorization,  
18 license or approval from a certificate holder if the  
19 certificate holder:

20 (i) is not directly providing a commercial service  
21 regulated by the Pennsylvania Public Utility Commission;  
22 and

23 (ii) is only providing a highly automated vehicle to  
24 another person that holds an authorization, license or  
25 approval from the Pennsylvania Public Utility Commission  
26 for use in a commercial service regulated by the  
27 Pennsylvania Utility Commission.

28 (4) Except as provided for in subsection (c), a  
29 transportation network company licensed by the Pennsylvania  
30 Public Utility Commission may utilize a certificate holder's

1 highly automated vehicle to provide transportation network  
2 services under 66 Pa.C.S. Ch. 26 (relating to transportation  
3 network service).

4 (c) Cities of the first class.--

5 (1) A transportation network company licensed by a  
6 parking authority of a city of the first class may utilize a  
7 certificate holder's highly automated vehicle to provide  
8 transportation network services under 53 Pa.C.S. Ch. 57A  
9 (relating to transportation network companies).

10 (2) The provisions of 53 Pa.C.S. Ch. 57A shall apply to  
11 a highly automated vehicle as described in paragraph (1),  
12 except for provisions that by their nature do not apply to a  
13 driver of a highly automated vehicle when the highly  
14 automated vehicle is operated without a highly automated  
15 vehicle driver.

16 (d) Limitation.--The Pennsylvania Public Utility Commission  
17 under subsection (b) and a parking authority of a city of the  
18 first class under subsection (c) may not require, including as a  
19 requirement of an authorization, license or approval:

20 (1) A highly automated vehicle to be operated with a  
21 highly automated vehicle driver.

22 (2) Additional testing requirements for a highly  
23 automated vehicle.

24 (3) Operational standards for a highly automated vehicle  
25 that are substantially dissimilar to operational standards  
26 for a motor vehicle operating without an automated driving  
27 system.

28 (4) Compliance with additional standards related to a  
29 highly automated vehicle's automated driving system, ODD, DDT  
30 or DDT fallback.



1 (e) Commercial restrictions.--A highly automated vehicle may  
2 not:  
3 (1) be operated as a school bus or school vehicle; or  
4 (2) carry hazardous materials as defined in section 102  
5 (relating to definitions) provided, however, that this  
6 prohibition does not apply to transporting articles and  
7 substances prepared in accordance with 49 C.F.R. 172.315  
8 (relating to limited quantities) or that otherwise do not  
9 require placarding pursuant to the Federal Hazardous  
10 Materials Regulations (49 C.F.R. Part 100 et seq.).

11 § 8510. Preemption.

12 (a) Local preemption.--

13 (1) This subchapter preempts and supersedes all  
14 ordinances relating to highly automated vehicles. A local  
15 authority may not adopt or enforce a policy, rule or  
16 ordinance that sets standards or otherwise burdens,  
17 prohibits, limits or regulates the operation of a highly  
18 automated vehicle.

19 (2) Except as provided for in subsection (b), a local  
20 authority that enforces or enacts an ordinance in violation  
21 of this subsection shall be considered to be in violation of  
22 section 6101 (relating to applicability and uniformity of  
23 title).

24 (b) Construction.--

25 (1) Nothing in subsection (a) shall be construed to  
26 prohibit local authorities on streets or highways within  
27 their physical boundaries from the reasonable exercise of  
28 their police powers specified in section 6109 (relating to  
29 specific powers of department and local authorities),  
30 provided that the exercise of the police powers does not

1 specifically target or discriminate against highly automated  
2 vehicles.

3 (2) A policy, rule or ordinance that affects the  
4 operation of the highly automated vehicle as a member of a  
5 type or class of vehicle, motor vehicle or traffic shall not  
6 be a violation of subsection (a).

7 § 8510.1. Enforcement and penalties.

8 (a) Enforcement of title.--

9 (1) The ADS is considered the driver of a highly  
10 automated vehicle when the ADS is engaged and no highly  
11 automated vehicle driver is on board or in a remote location  
12 for the purpose of assessing compliance under any provision  
13 of this title relating to a driver of a vehicle or motor  
14 vehicle, subject to the following:

15 (i) The ADS is considered to be a driver licensed to  
16 operate the motor vehicle under this title.

17 (ii) If a police officer issues a citation, the  
18 police officer shall cite the certificate holder.

19 (iii) The requirements of this title relating to  
20 exhibiting a driver's license and registration card are  
21 satisfied if a vehicle registration card is in the highly  
22 automated vehicle and physically or electronically  
23 available for inspection by a police officer.

24 (2) The highly automated vehicle driver is considered  
25 the driver of a highly automated vehicle when on board the  
26 HAV or in a remote location for the purpose of assessing  
27 compliance under this title, subject to the following:

28 (i) If a police officer issues a citation for a  
29 violation of this title by a highly automated vehicle  
30 with a highly automated vehicle driver, the police

1 officer shall cite the highly automated vehicle driver.

2 (ii) The requirements of this title relating to  
3 exhibiting a registration card are satisfied if a vehicle  
4 registration card is in the highly automated vehicle and  
5 physically or electronically available for inspection by  
6 a police officer.

7 (iii) A highly automated vehicle driver operating an  
8 HAV from a remote location shall electronically or  
9 physically exhibit a driver's license to a police officer  
10 upon request if a physical copy or electronic copy of the  
11 driver's license is not located within the highly  
12 automated vehicle.

13 (b) Enforcement by department.--

14 (1) The department may only suspend or limit a  
15 certificate of compliance for the following reasons:

16 (i) The certificate holder's highly automated  
17 vehicle or automated driving system does not meet the  
18 applicable requirements of this subchapter.

19 (ii) The certificate holder submitted materially  
20 false information on the self-certification form  
21 submitted to the department under section 8506 (relating  
22 to self-certification).

23 (2) The department may only revoke a certificate of  
24 compliance for the following reasons:

25 (i) The certificate holder knowingly operated a  
26 highly automated vehicle during a time period when the  
27 certificate holder's certificate of compliance was  
28 suspended under paragraph (1).

29 (ii) The certificate holder knowingly operated a  
30 highly automated vehicle in a manner that violated a

1 certificate of compliance limitation established by the  
2 department under paragraph (1).

3 (iii) The certificate holder was convicted of any of  
4 the following violations with respect to a violation of  
5 this title by the certificate holder's highly automated  
6 vehicle when the ADS was engaged and no highly automated  
7 vehicle driver was on board or in a remote location:

8 (A) Section 3732 (relating to homicide by  
9 vehicle).

10 (B) Section 3732.1 (relating to aggravated  
11 assault by vehicle).

12 (3) Nothing contained in this subchapter shall be  
13 construed to allow the department to suspend, limit or revoke  
14 a certificate of compliance except for the instances  
15 specifically authorized in paragraphs (1) and (2).

16 (4) The department shall provide a notice and an  
17 opportunity for an administrative hearing to a certificate  
18 holder whose certificate of compliance is suspended, limited  
19 or revoked under paragraphs (1) and (2).

20 (c) Penalties.--

21 (1) Except as provided for in paragraphs (2) and (3), a  
22 certificate holder that violates a provision of this  
23 subchapter shall be guilty of a summary offense and shall,  
24 upon conviction, be sentenced to pay a fine of not less than  
25 \$25 and not more than \$1,000.

26 (2) Except as provided for in paragraph (3), a person  
27 that violates section 8504 (relating to certificate of  
28 compliance required) shall be guilty of a summary offense and  
29 shall, upon conviction, be sentenced to pay a fine of not  
30 less than \$500.

1           (3) A person that knowingly violates section 8504 and  
2 whose certificate of compliance was suspended or revoked by  
3 the department shall be guilty of a summary offense and  
4 shall, upon conviction, be sentenced to pay a fine of not  
5 less than \$1,000.

6 § 8510.2. Regulations and guidelines.

7           (a) General rule.--In order to facilitate the prompt  
8 implementation of this subchapter, the department may promulgate  
9 regulations and publish guidelines that are consistent with:

10           (1) this subchapter; and

11           (2) Federal law or regulations relating to highly  
12 automated vehicles.

13           (b) Temporary regulations.--Notwithstanding any other  
14 provision of law, regulations promulgated by the department  
15 under this subchapter during the two years following the  
16 effective date of this section shall be deemed temporary  
17 regulations, which shall expire no later than three years  
18 following the effective date of this section or upon  
19 promulgation of final regulations. The temporary regulations  
20 shall not be subject to:

21           (1) Section 612 of the act of April 9, 1929 (P.L.177,  
22 No.175), known as The Administrative Code of 1929.

23           (2) Sections 201, 202, 203, 204 and 205 of the act of  
24 July 31, 1968 (P.L.769, No.240), referred to as the  
25 Commonwealth Documents Law.

26           (3) Sections 204(b) and 301(10) of the act of October  
27 15, 1980 (P.L.950, No.164), known as the Commonwealth  
28 Attorneys Act.

29           (4) The act of June 25, 1982 (P.L.633, No.181), known as  
30 the Regulatory Review Act.

1 (c) Publication.--The department shall transmit temporary  
2 regulations promulgated under subsection (b) to the Legislative  
3 Reference Bureau for publication in the Pennsylvania Bulletin.

4 (d) Consultation required.--Prior to promulgating  
5 regulations or publishing guidelines and policies under this  
6 subchapter, the department shall consult with the advisory  
7 committee.

8 § 8510.3. Confidential records.

9 Information, data or records obtained by the department under  
10 this chapter shall not be subject to the act of February 14,  
11 2008 (P.L.6, No.3), known as the Right-to-Know Law, if:

12 (1) The information, data or records constitute or  
13 reveal a trade secret or confidential proprietary  
14 information.

15 (2) Disclosure of the information, data or records could  
16 affect the safe operation of highly automated vehicles.

17 § 8510.4. Appeals.

18 A certificate holder may appeal an action taken by the  
19 department under this subchapter in accordance with 2 Pa.C.S.  
20 Chs. 5 Subch. A (relating to practice and procedure of  
21 Commonwealth agencies) and 7 Subch. A (relating to judicial  
22 review of Commonwealth agency action).

23 § 8510.5. Interstate agreements.

24 (a) Agreements authorized.--The department may negotiate one  
25 or more interstate agreements on behalf of the Commonwealth with  
26 regulatory agencies of other states for the interstate operation  
27 of highly automated vehicles and platoons approved for operation  
28 in the Commonwealth under this chapter and for highly automated  
29 vehicles and platoons approved for operation in states that are  
30 parties to the agreement.

1 (b) Approval required.--An interstate agreement negotiated  
2 by the department under subsection (a) shall become effective  
3 upon approval by the Governor.

4 (c) Regulations.--The department may promulgate regulations  
5 governing the interstate operation of highly automated vehicles  
6 and platoons consistent with this chapter and the interstate  
7 agreement.

8 (d) Limitation.--An interstate agreement shall only be  
9 approved by the Governor if permitted under Federal law or  
10 regulation and shall be consistent with Federal law or  
11 regulation.

12 Section 15. Chapter 85 of Title 75 is amended by adding a  
13 subchapter to read:

14 SUBCHAPTER D

15 OTHER AUTOMATED VEHICLES

16 Sec.

17 8531. Highly automated work zone vehicles.

18 8532. Platooning.

19 § 8531. Highly automated work zone vehicles.

20 The department or the Pennsylvania Turnpike Commission, as  
21 applicable, shall authorize locations in this Commonwealth on a  
22 periodic basis where a highly automated work zone vehicle may be  
23 deployed. A driver may be required in a highly automated work  
24 zone vehicle when used in an active work zone.

25 § 8532. Platooning.

26 (a) General rule.--The department shall be the lead  
27 Commonwealth agency on platooning.

28 (b) Exception.--Nonlead vehicles in a platoon shall not be  
29 subject to section 3310 (relating to following too closely).

30 (c) Visual identifier.--Each vehicle in a platoon shall be

1 marked with a visual identifier on the power unit. The  
2 department, after consultation with the Pennsylvania State  
3 Police and the Pennsylvania Turnpike Commission, shall establish  
4 the criteria and placement of the visual identifier.

5 (d) Restrictions.--A platoon shall observe the following  
6 restrictions:

7 (1) A maximum of three vehicles shall be in a platoon.

8 (2) Vehicles in a platoon shall travel only on limited-  
9 access highways or interstate highways, unless otherwise  
10 permitted by the department or the Pennsylvania Turnpike  
11 Commission, as applicable.

12 (3) The department or the Pennsylvania Turnpike  
13 Commission, as applicable under paragraph (2), may restrict  
14 vehicle movement under this section for operational or safety  
15 reasons, including emergency conditions.

16 (4) Except as provided under paragraph (5), a driver  
17 shall be in each vehicle of a platoon.

18 (5) Consistent with applicable Federal or State law and  
19 regulations, the lead vehicle may operate with a driver and  
20 one nonlead vehicle may operate with an ADS engaged with or  
21 without a driver.

22 (e) Plan for general platoon operations.--

23 (1) A person may operate a platoon on a highway of this  
24 Commonwealth if the person files a plan for general platoon  
25 operations with the department, in consultation with the  
26 Pennsylvania State Police and the Pennsylvania Turnpike  
27 Commission, as applicable.

28 (2) If the plan is not approved, rejected or additional  
29 information requested by the department within 30 days after  
30 receipt of the plan, the plan shall be deemed approved and



1 the person may operate the platoon.

2 Section 16. This act shall take effect as follows:

3 (1) This section shall take effect immediately.

4 (2) THE AMENDMENT OF 75 PA.C.S. § 1106(B) SHALL TAKE <--  
5 EFFECT IN ONE YEAR.

6 ~~(2)~~ (3) The addition of 75 Pa.C.S. § 8510.2 shall take <--  
7 effect immediately.

8 ~~(3)~~ (4) The remainder of this act shall take effect in <--  
9 180 days.