

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2203 Session of 2015

INTRODUCED BY MARSHALL, W. KELLER, D. COSTA, JAMES, MILNE, ROZZI AND WATSON, JUNE 22, 2016

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 28, 2016

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in operation of vehicles, providing for autonomous
3 and connected vehicles.

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 AUTONOMOUS AND CONNECTED VEHICLES

10 Subchapter

11 A. Preliminary Provisions

12 B. Testing

13 SUBCHAPTER A

14 PRELIMINARY PROVISIONS

15 Sec.

16 3601. Definitions.

17 § 3601. Definitions.

18 The following words and phrases when used in this chapter

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Autonomous technology." Equipment, devices or other
4 technology installed on a motor vehicle, either by the original
5 equipment manufacturer or an aftermarket installer, which
6 renders the motor vehicle capable of driving or operating
7 without the active control of a human operator. The term does
8 not include an active safety system or any system for driver
9 assistance, including, but not limited to, a system to provide
10 electronic blind spot detection, crash avoidance, emergency
11 braking, parking assistance, adaptive cruise control, lane
12 keeping assistance, lane departure warning or traffic jam and
13 queuing assistance, unless the system, alone or in combination
14 with any other system, enables the vehicle to drive without the
15 active control or monitoring of a human operator.

16 "Autonomous vehicle." A motor vehicle that is equipped with
17 autonomous technology that can operate without the active
18 physical control or monitoring of a human operator. The term
19 includes vehicles that are engaged in platooning.

20 "Autonomous vehicle tester." A manufacturer, educational
21 institution, automotive equipment or technology provider, fleet
22 operator or other person that is certified by the Department of
23 Transportation to conduct testing and that has been authorized
24 by the department to conduct public testing of an autonomous
25 vehicle.

26 "Operation." The operation of an autonomous vehicle on a
27 test road for the purpose of testing.

28 "Operator." An individual employed by or affiliated with an
29 autonomous vehicle tester who is able to take immediate physical
30 or remote control of the autonomous vehicle.

1 "Platooning." Use of equipment, a device or technology that
2 allows a motor vehicle or series of motor vehicles to operate in
3 an autonomous mode while coupled or joined to a lead vehicle via
4 a wireless connection in a caravan or motorcade.

5 "Test road." Any of the following:

6 (1) A trafficway.

7 (2) A turnpike.

8 "Turnpike." As defined in 74 Pa.C.S. § 8102 (relating to
9 definitions).

10 SUBCHAPTER B

11 TESTING

12 Sec.

13 3610. Safety and control.

14 3611. Registration.

15 3612. Operation.

16 3613. Policy.

17 3614. Operator.

18 3615. Disciplinary action.

19 3616. Reporting.

20 § 3610. Safety and control.

21 When an autonomous vehicle is being operated, the operator
22 must:

23 (1) Possess a valid class of license for the type of
24 autonomous vehicle being operated.

25 (2) Be able to take immediate physical or remote control
26 of the autonomous vehicle in the event of a failure or
27 malfunction of the autonomous technology or other emergency.

28 (3) Be within 1,000 miles of the autonomous vehicle if
29 controlling the autonomous vehicle remotely.

30 (4) Continuously monitor the operation of the autonomous

1 vehicle.

2 (5) Ensure that an autonomous vehicle will not be
3 operated unless the autonomous vehicle is:

4 (i) Equipped with a means to engage and disengage
5 the autonomous technology which is easily accessible to
6 the operator.

7 (ii) Equipped with a means to alert the operator to
8 take physical control of the autonomous vehicle if the
9 autonomous technology has failed and the failure affects
10 the ability of the autonomous technology to safely
11 operate the autonomous vehicle.

12 (iii) Marked in a manner approved by the department
13 as being under remote control operation if the autonomous
14 vehicle is being controlled without a human operator in
15 the vehicle.

16 § 3611. Registration.

17 An autonomous vehicle may not be registered in this
18 Commonwealth unless it meets Federal and State laws. If the
19 autonomous technology or autonomous vehicle does not meet
20 Federal and State laws for the purpose of testing, the
21 autonomous vehicle tester must obtain approval from the
22 department.

23 § 3612. Operation.

24 (a) Contract.--The department may enter into a contract with
25 an autonomous vehicle tester for the purpose of operating an
26 autonomous vehicle. If operation will occur on the turnpike, the
27 Pennsylvania Turnpike Commission must be made a party to the
28 contract.

29 (b) Prohibition.--An autonomous vehicle tester may not
30 conduct autonomous vehicle operation without a valid contract. A

1 person conducting autonomous vehicle operation, except as
2 provided under a contract entered into under subsection (a),
3 commits a misdemeanor of the third degree.

4 (c) Insurance or bond.--An autonomous vehicle tester must do
5 the following before operating an autonomous vehicle on a test
6 road:

7 (1) Submit to the department proof of general liability
8 insurance or self-insurance, acceptable to the department, in
9 the amount of \$5,000,000.

10 (2) Provide proof of financial responsibility for the
11 vehicle as provided under Chapter 17 (relating to financial
12 responsibility).

13 § 3613. Policy.

14 (a) Adoption.--The department may adopt a policy authorizing
15 the operation of autonomous vehicles as provided for under a
16 contract entered into under section 3612(a) (relating to
17 operation). The policy may:

18 (1) Establish requirements that an autonomous vehicle
19 tester must meet before operation of an autonomous vehicle.

20 (2) Establish requirements that an autonomous vehicle
21 must meet before operation, including minimum safety
22 standards for autonomous vehicles and their operation and the
23 minimum number of hours an autonomous vehicle must meet on a
24 test road with low average daily traffic as determined by the
25 department before the autonomous vehicle is introduced on a
26 test road with high average daily traffic as determined by
27 the department.

28 (3) Establish requirements for an operator.

29 (4) Restrict the operation of autonomous vehicles to
30 specified geographic areas, classes and types of testing

1 roads and time and weather conditions.

2 (5) Provide for other requirements as the department
3 determines to be necessary in consultation with the
4 chairperson and minority chairperson of the Transportation
5 Committee of the Senate and the chairperson and minority
6 chairperson of the Transportation Committee of the House of
7 Representatives.

8 (b) Publication.--The department shall submit for
9 publication in the Pennsylvania Bulletin any policy adopted
10 under subsection (a) and place the policy on the department's
11 publicly accessible Internet website.

12 § 3614. Operator.

13 The operator shall be deemed to be the driver or operator of
14 an autonomous vehicle under this title.

15 § 3615. Disciplinary action.

16 The department may suspend or cancel a contract to operate
17 autonomous vehicles for any grounds determined by the
18 department.

19 § 3616. Reporting.

20 (a) Autonomous vehicle tester.--An autonomous vehicle tester
21 must provide the following reports to the department:

22 (1) Notwithstanding any other obligation to report an
23 accident under this title, an accident involving an
24 autonomous vehicle that is being operated on a test road
25 under the authority of this chapter. The report must:

26 (i) Be made within 10 days of the occurrence.

27 (ii) Be made on a form supplied by the department.

28 (iii) Include whether the accident resulted in
29 towing of the autonomous vehicle or other involved
30 vehicle or whether an injury resulted from the accident

1 and the date, the name of the investigating law
2 enforcement agency and law enforcement incident number.

3 (2) Any instance, on a biannual basis, where the
4 operator was required to disengage the vehicle from
5 autonomous mode as a result of a failure of the autonomous
6 technology, AS DETERMINED BY THE DEPARTMENT. <--

7 (3) The status of autonomous vehicle testing.

8 (b) Department.--Annually, the department, in coordination
9 with the Pennsylvania State Police, shall submit a report to the
10 chairperson and minority chairperson of the Transportation
11 Committee of the Senate and the chairperson and minority
12 chairperson of the Transportation Committee of the House of
13 Representatives that describes the status of autonomous vehicle
14 testing, including, but not limited to, autonomous vehicle
15 testers, number and type of accidents and recommendations to
16 improve autonomous vehicle testing.

17 Section 2. This act shall take effect in 60 days.