

Latest Update to Eckert Seamans' Autonomous Vehicle Legislative Survey

The October 2019 Update of the [Autonomous Vehicle Legislative Survey](#) has been released. It's been a busy several months for actions at the national and state level related to connected and automated vehicles. The [updates](#), some of which are highlighted below, include updates at the national, state and city levels.

National

- The Federal Highway Administration (FHWA) presented awards for a [Phase 1 Truck Platooning Early Deployment Assessment](#) in March 2019. The project is being conducted to understand how truck platoons will operate in a realistic, operational environment. FHWA hopes that the project will provide insight into actual truck platooning operations that can be used to inform state and local stakeholders that are making decisions related to truck platooning regulations.
- In April 2019, USDOT announced the creation of a new council to help further the advancement of AVs, among other technologies. The Non-Traditional and Emerging Transportation Technology Council (NETT) was created to identify and resolve jurisdictional and regulatory gaps that may impede the deployment of new technology, such as tunneling, hyperloop, AVs and other innovations.
- On May 9, 2019, Congresswoman Suzan DelBene (D-WA), Senator Maria Cantwell (D-WA), and Congressman Ben Ray Lujan (D-NM) reintroduced the [Smart Cities and Communities Act](#) to the U.S. Senate. The bill would authorize \$200 million for smart city investments over five years.
- In May 2019, the National Highway Traffic Safety Administration (NHTSA) and Federal Motor Carrier Safety Administration (FMCSA) filed Advanced Notices of Proposed Rulemaking (ANPRM). NHTSA sought seeking comments on the proposed testing and verification rules for automated driving system-dedicated vehicles with Federal Motor Vehicle Safety Standards (FMVSS). (See [84 FR 24433](#)) FMCSA filed an [ANPRM](#) regarding amendments to its rules to account for significant differences between human operators and ADS.
- On August 9, 2019, the U.S. Chambers of Congress' Technology Engagement Center released its [Automated Vehicle Policy Principles](#). The Principles are meant to prioritize safety while ensuring that the United States remains a global leader in AV innovation. Representing a whole-of-industry perspective, the Principles provide policymakers with an innovation-focused national framework to safely develop, test, and deploy AVs.
- In September 2019, USDOT announced [\\$60 million in Federal grant funding](#) to seven recipients for the Automated Driving Systems (ADS) Demonstration Grant. Recipients include: Texas A&M Engineering Experiment Station; University of Iowa; Virginia Tech Transportation Institute (two grants); Ohio Department of Transportation; Pennsylvania Department of Transportation; City of Detroit; and Contra Costa Transportation Authority (CCTA).

States

- **Alabama** legislature passed [SJR 21](#) and re-established the [AV Committee](#) “to study all aspects of self-driving vehicles, including specifically, the issues of public safety and state and local economic impact regarding such vehicles.” The Legislature also passed [SB 47](#) which authorizes certain autonomous commercial vehicles to be operated by an automated driving systems (ADS).
- **Arkansas** Legislature enacted [Act 468](#) authorizing the operation of AVs under an AV pilot program. Also enacted, [Act 1052](#) governs the operation of AVs at railroad crossings.
- On April 12, 2019, the **California** DMV published [proposed AV regulations](#) that allow the testing and deployment of autonomous motor trucks (delivery vehicles) weighing less than 10,001 pounds on California’s public roads.
- **Colorado’s** Governor signed [SB 19-239](#) which requires Colorado’s Department of Transportation to convene and engage in robust consultation with a stakeholder group comprised of representatives of specified industries, workers, governmental entities, planning organizations, and interest groups that will potentially be affected by the adoption of new and emerging transportation technologies and business models, including AVs.
- In June, with passage of [HB No. 311](#), **Florida** became one of the few states to allow a fully AV to operate without a person present in the vehicle. The Bill provides that the automated driving system, rather than a person, is deemed the operator of an AV when operating with the ADS engaged.
- [House Concurrent Resolution 220](#) (along with companion resolution [House Resolution No. 195](#)) was adopted in 2019, requesting that the Attorney General convene an AV Legal Preparation Task Force (Task Force) to prepare **Hawaii** with laws and regulations required for AVs.
- [Senate File 302](#) was signed into law by Iowa’s Governor, Adam Gregg. It outlines the parameters for operation of AVs in **Iowa**.
- On June 11, 2019, the Governor of **Louisiana**, John Bel Edwards, signed [HB 455 \(Act 232\)](#) authorizing autonomous commercial vehicles, which are those used for the purposes of compensation, employment or trade, to operate in the state without a conventional driver physically present in the vehicle, if the vehicle meets all of the requisite criteria relating to safety and insurance.
- **Massachusetts’** AV Working Group released its [Report](#) in February 2019, recommending: establishment of a CAV Committee; engagement of first responders and law enforcement in CAV development; movement from an Executive Order to regulations; and establishment of CAV legislation.
- **Michigan Council on Future Mobility’s 2019 Report** was published on March 15, 2019. The Report provided a list of issues the Council would review throughout 2019 in order to provide future recommendations to the legislature.
- **LEGISLATION UPDATE: Minnesota’s** [House File No 242](#), has been referred to and remains in the House Transportation Finance and Policy Committees.
- On April 1, 2019, **Minnesota’s** Governor Tim Walz signed [Executive Order 19-18](#), rescinding Governor Dayton’s AV Executive Order 18-04, and establishing a [Governor’s Council on Connected and Automated Vehicles](#). The Council is directed to study, assess and prepare for the opportunities and challenges associated with widespread adoption of AVs. House File No. 6 was also passed to allow for platooning of commercial vehicles.

- LEGISLATION UPDATE: [Senate Bill No. 186](#), was referred to and remains with **Missouri's** Transportation, Infrastructure and Public Safety Committee.
- LEGISLATION UPDATE: [Legislative Bill No. 521](#) was referred to and remains with **Nebraska's** Transportation/Telecommunications Committee.
- In August 2019, [Act No. 2019-310](#) was enacted to establish an AV testing pilot program. The Act provides that a testing entity seeking to test ADS-equipped vehicles must provide notice to the **New Hampshire** DMV, upon forms furnished by the department.
- LEGISLATION UPDATE: [Assembly Joint Resolution 164](#) was signed by **New Jersey** Governor Phil Murphy to establish the New Jersey Advanced Autonomous Vehicle Task Force, the purpose of which would be to conduct a study of AVs and make recommendations on laws that New Jersey may enact to safely integrate AVs on the State's roads.
- LEGISLATION UPDATE: [Senate Bill No. 332](#) which was introduced to authorize the use of AVs and platooning in **New Mexico**, was recommended by the [Corporation and Transportation Committee](#); however the Bill is listed as being "postponed indefinitely."
- LEGISLATION UPDATE: All bills introduced to the **New York's** legislature in January 2019 regarding AVs, have been referred to and remain with Committees.
- LEGISLATION UPDATE: **North Dakota's** [House Bill No. 1418](#) was enacted to allow AVs to operate in the state without a human driver present. [House Bill No. 1197](#), regarding ownership of data, failed to pass.
- [HB No. 1199](#) was enacted in **North Dakota** to create an exception to the follow-too-closely law for platooning vehicles.
- LEGISLATION UPDATE: **Oklahoma's** lawmakers passed legislation regarding AVs with [SB 365](#). The Bill created the Oklahoma Driving Automation System Uniformity Act, which preempts local laws and asserts that only the State may enact laws or regulations regarding the use of motor vehicles equipped with driving automation systems in Oklahoma.
- [SB 189](#) was also enacted in **Oklahoma** exempting platoons, defined as a group of individual motor vehicles traveling in a unified manner at electronically coordinated speeds, from spacing requirements on state highways.
- [HB 1068](#) was signed by **South Dakota's** Governor in March 2019 regarding platooning within the state. The Bill provides that the Transportation Commission shall promulgate rules to authorize the testing and operation of groups of individual motor vehicles traveling in a unified manner at electronically coordinated speeds and distance intervals that are closer than otherwise allowed under State law.
- LEGISLATION UPDATE: Neither [House Bill 119](#), regarding liability of manufacturers in the event of a crash involving an automated vehicle, nor [House Bill 113](#), regarding requiring providers to equip AVs with a failure alert system and the latest software, were enacted by the **Texas** legislature.
- [HB 101](#) was enacted amending provisions regarding traffic laws, licensing, and titling requirements to add provision regarding the operation of AVs in **Utah**. The Bill, among other things, allows the operation of AVs within the State.
- **Vermont's** legislature passed [SB No. 149](#) adding a new chapter to codified law providing the Traffic Committee with the responsibility of approving testing of AVs on public highways, directs the Agency of Transportation to

identify the municipalities that want to preapprove AV testing and for the Agency to prepare an AV Testing Guide by January 1, 2021.

Cities

- In March 2019, **Pittsburgh's** Mayor Peduto issued an [Executive Order](#) (Pittsburgh Principles) outlining the objectives and expectations from the city for testing AVs.

Regular updates to the Survey will be released quarterly. Subscribe to this the blog to stay update to date on developments on the AV landscape in the United States and for notification when the next update is released.