Summary of February 2019 Update of The Autonomous Vehicle Legislative Survey

AUTHORS: JODI DYAN OLEY, KAREN O. MOURY &
MONAKEE D. MARSEILLE

PLAC
MANAGING PRODUCT RISK FROM DESIGN TO LITIGATION

ECKERT SEAMANS

Table of Contents

Introduction

      This is a summary of the top updates included in the February 2019 version of the legislative Survey. The legislative survey is an evolving product of the law firm of Eckert Seamans Cherin & Mellott, LLC and is maintained on behalf of PLAC. This legislative survey provides an overview of laws, regulations, and research relating to Autonomous Vehicles ("AVs").

Federal Legislative Actions

United States

In October of 2018 USDOT issued Federal AV guidance: [Preparing for the Future of Transportation: Automated Vehicles 3.0](). The guidance is designed to prioritize safety, encourage a consistent regulatory environment, prepare proactively for automation, and promote the modernization of regulatory frameworks.

State Legislative Actions

Arizona

Phoenix

In December 2018, the Nation's first commercial self-driving taxi service was launched by Waymo in Phoenix.

California

San Francisco

Assembly Bill No. 1184, authorizes the city of San Francisco, by voter approval, to tax trips that occur in AVs that originate in San Francisco. The Silicon Valley is proving to be a hub for AV technology testing and development.

Colorado

Colorado's Pilot Program task force submitted its final report. CODOT - Final Report

Massachusetts

In December 2018, the Massachusetts Commission on the Future of Transportation released Report-Volume 1 and Volume 2, as well as an Executive Summary. The Report recommends the (a) establishment of a long-term strategy for supporting AVs; (b) continued development by the Massachusetts Department of Transportation of AV testing protocols; and (c) passage of legislation to establish statutory and regulatory structures that enable the safe and reliable deployment of AVs.

Boston

Companies wishing to test AVs in Boston are required to enter into a Memorandum of Understanding with the City and MassDOT, which includes the filing of an application detailing AV experience, a safety assessment, an initial driving plan, identification of vehicles, identification of operators, summary of training and insurance. The City also established Vehicle Testing Standards and Safety Protocols. nuTonomy, Optimus and Aptiv are the City's current partners for on-street testing, and a robust application process is available for potential future partners.

Minnesota

The Minnesota Governor's Advisory Council on AVs released an Executive Report in December 2018. In January 2019, House File No 242 was introduced in to establish a microtransit rideshare pilot program.

Missouri

Senate Bill No. 186 was introduced in the Missouri legislature in January 2019 to permit vehicle platooning.

Nebraska

In January 2019, Legislative Bill No. 521 was introduced in Nebraska to allow AV operations.

Lincoln

During two to three months in 2019, Lincoln, plans to operate a pilot Autonomous Shuttle Project that will leverage the City's "smart" traffic and high-speed data infrastructure.

New Jersey

In November 2018, Senate Joint Resolution No. 105 was introduced in the New Jersey legislature to establish an Advanced AV Task Force.

New Mexico

Senate Bill No. 332 was introduced in **New Mexico** in January 2019 to authorize the use of AVs and platooning.

New York

In January 2019, several bills were introduced in New York related to AVs which would: (a) establish the New York State AV Task Force to study AV usage; (b) require a study on the potential impact of driverless vehicles on occupations and employment; (c) set forth drivers' license requirements for operating an AV (d) authorize New York's enrollment in any federal pilot program for the collection of transportation data, including AV projects.

North Dakota

North Dakota's legislature has introduced numerous bills have been introduced dealing with autonomous vehicle: (a) House Bill 1418 – relates to automated vehicle network companies and autonomous vehicle operations in the state; (b) House Bill 1197 reintroducing a revised version of a previously defeated Bill regarding ownership of autonomous vehicular technology; and (c) House Bill 1543 addressing requirements of having insurance, surety bond, a human driver and ability to engage and disengage the autonomous mode required to test autonomous vehicles.

Ohio

In December 2018, the Ohio House Transportation and Public Safety Committee, today released a report on autonomous and connected vehicles. The Report consists of the chairman's findings during the committee's 14-month study, which completed hearings and stakeholder meetings earlier this year.

Oklahoma

For the first time, Oklahoma's lawmakers are putting for legislations regarding autonomous vehicles Senate Bill 365, to create the Oklahoma Driving Automation System Uniformity Act, which would give the legislature the final say on autonomous laws in the state.

Pennsylvania

Pittsburgh

Pittsburgh has agreed to allow Uber to begin testing its vehicles again within the city. However, city officials are in safety talks with Uber and four other entities that have permits to test autonomous vehicles.

Rhode Island

The Rhode Island Department of Transportation announced at the end of 2018 that it has chosen Michigan-based May Mobility's self-driving bus to run a one-year autonomous vehicle pilot program.

Texas

Two bills addressing Texas' self-driving car laws have been introduced in 2019. The first, House Bill 119, would increase liability of manufacturers in the event of a crash involving an automated vehicle. The second, House Bill 113, another would require providers to equip vehicles with a failure alert system and the latest software.

Austin

Austin joined select cities and transportation agencies around the world to pilot a new autonomous vehicle deployment platform called INRIX AV Road Rules. In the fall of 2018, Austin began allowing autonomous shuttles to operate within the city, launching the nation's largest autonomous bus pilot program.

San Antonio

In July 2018, San Antonio sought a Request for Information to develop an Autonomous Vehicle Pilot Program. Following the receipt of responses, the city announced that it will soon issue a request for proposals (RFP) for autonomous vehicle testing.