

A RESOLUTION

25-457

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 5, 2024

To declare the existence of an emergency with respect to the need to amend the Autonomous Vehicle Act of 2012 to prohibit driverless testing of autonomous vehicles (“AV”) on District roadways without an AV testing permit, and to require any person or entity testing AVs with a test operator before an AV testing permit becomes available to provide notice to the District Department of Transportation.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Autonomous Vehicle Testing Permit Requirement Emergency Declaration Resolution of 2024”.

Sec. 2. (a) The Autonomous Vehicle Testing Program Amendment Act of 2020, effective December 23, 2020 (D.C. Law 23-156; D.C. Official Code § 50-2351 *et seq.*), authorizes an autonomous vehicle (“AV”) company to test or operate an autonomous vehicle on District roadways without an AV testing permit for up to 60 days after the District Department of Transportation (“DDOT”) makes the permit application available, where that entity had already begun testing or operations prior to the AV testing permit application being made available as part of an Autonomous Vehicles Testing Program.

(b) As DDOT prepares to promulgate the AV testing permit, certain AV companies have begun testing and operating AVs in the District. Under the 2020 law, these AV companies are not required to provide notice to the District that they have begun testing or operations, making it difficult for DDOT to regulate their operations. The methods of testing utilized by these companies is also largely unregulated, such that test vehicles may be operated without a test operator physically present in the vehicle who is prepared to take over in the event of an emergency, system failure, or other potential harm to pedestrians and other roadway users.

(c) Without these provisions in place, AV testing poses an immediate safety risk to District residents. It is critical that the 2020 law being amended to authorize DDOT to regulate AV testing by AV companies operating in the District until the AV testing permit application can be issued.

(d) Emergency legislation is necessary to restrict pre-permit testing by AV companies only to autonomous vehicles with test operators, require that AV companies notify DDOT of any AV testing or operations, and to repeal the authorization for preexisting unpermitted entities to continue testing for 60 days after the permit application is issued.

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Sec. 3. The Council finds that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Autonomous Vehicle Testing Permit Requirement Emergency Amendment Act of 2024 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.