

HOUSE No. 3369

The Commonwealth of Massachusetts

PRESENTED BY:

Peter J. Durant

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to autonomous vehicles..

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Peter J. Durant

6th Worcester

Kevin J. Kuros

8th Worcester

HOUSE No. 3369

By Mr. Durant of Spencer, a petition (accompanied by bill, House, No. 3369) of Peter J. Durant and Kevin J. Kuros for legislation to authorize the operation of autonomous vehicles without active control or monitoring by a human operator. Transportation.

The Commonwealth of Massachusetts

An Act relative to autonomous vehicles..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after
2 section 19L, the following new section:-

3 Section 19M. As used in this section the following words shall, unless the context
4 requires otherwise, have the following meanings:--

5 "Autonomous technology," technology installed on a motor vehicle that has the capability
6 to drive the vehicle on which the technology is installed without the active control or monitoring
7 by a human operator. The term excludes a motor vehicle enabled with active safety systems or
8 driver assistance systems, including, without limitation, a system to provide electronic blind spot
9 assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane
10 keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such
11 system alone or in combination with other systems enables the vehicle on which the technology
12 is installed to drive without the active control or monitoring by a human operator.

13 "Autonomous Vehicle," any vehicle equipped with autonomous technology.

14 (a) A person who possesses a valid driver license may operate an autonomous vehicle in
15 autonomous mode. For purposes of this chapter, unless the context otherwise requires, a person
16 shall be deemed to be the operator of an autonomous vehicle operating in autonomous mode
17 when the person causes the vehicle's autonomous technology to engage, regardless of whether
18 the person is physically present in the vehicle while the vehicle is operating in autonomous
19 mode.

20 (b) An autonomous vehicle registered in this state must continue to meet federal
21 standards and regulations for a motor vehicle. The vehicle shall:

22 (1) Have a means to engage and disengage the autonomous technology which is easily
23 accessible to the operator.

24 (2) Have a means, inside the vehicle, to visually indicate when the vehicle is operating in
25 autonomous mode.

26 (3) Have a means to alert the operator of the vehicle if a technology failure affecting the
27 ability of the vehicle to safely operate autonomously is detected while the vehicle is operating
28 autonomously in order to indicate to the operator to take control of the vehicle.

29 (4) Be capable of being operated in compliance with the applicable traffic and motor
30 vehicle laws of this state.

31 (c) Federal regulations promulgated by the National Highway Traffic Safety
32 Administration shall supersede this section when found to be in conflict with this section.

33 (d) (1) Vehicles equipped with autonomous technology may be operated on roads in this
34 state by employees, contractors, or other persons designated by manufacturers of autonomous
35 technology for the purpose of testing the technology. For testing purposes, a human operator
36 shall be present in the autonomous vehicle such that he or she has the ability to monitor the
37 vehicle's performance and intervene, if necessary, unless the vehicle is being tested or
38 demonstrated on a closed course. Prior to the start of testing in this state, the entity performing
39 the testing must submit to the division of highway safety an instrument of insurance, surety
40 bond, or proof of self-insurance acceptable to the department in the amount of \$5,000,000.

41 (2) The original manufacturer of a vehicle converted by a third party into an autonomous
42 vehicle shall not be liable in, and shall have a defense to and be dismissed from, any legal action
43 brought against the original manufacturer by any person injured due to an alleged vehicle defect
44 caused by the conversion of the vehicle, or by equipment installed by the converter, unless the
45 alleged defect was present in the vehicle as originally manufactured.

46 (3) By February 12, 2015, the division of highway safety shall submit a report to the
47 president of the senate and the speaker of the house of representatives recommending additional
48 legislative or regulatory action that may be required for the safe testing and operation of motor
49 vehicles equipped with autonomous technology.

50 SECTION 2. This act shall take effect July 1, 2013.