
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1078 Session of
2019

INTRODUCED BY MARSHALL, MASSER, MILLARD, MURT, ROTHMAN AND
BERNSTINE, APRIL 5, 2019

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 5, 2019

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; and, in miscellaneous provisions, providing for
4 autonomous vehicles and imposing a penalty.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 102 of Title 75 of the Pennsylvania
8 Consolidated Statutes is amended by adding definitions to read:
9 § 102. Definitions.

10 Subject to additional definitions contained in subsequent
11 provisions of this title which are applicable to specific
12 provisions of this title, the following words and phrases when
13 used in this title shall have, unless the context clearly
14 indicates otherwise, the meanings given to them in this section:

15 * * *

16 "Automated driving system." The hardware and software that
17 are collectively capable of performing the entire dynamic
18 driving task on a sustained basis, regardless of whether it is
19 limited to a specific operational design domain. The term is

1 used specifically to describe a level 3, 4 or 5 driving
2 automation system.

3 "Automated mode." The status of vehicle operation where the
4 automated driving system performs the dynamic driving task, with
5 or without a natural person actively supervising the automated
6 technology's performance of the dynamic driving task.

7 * * *

8 "Autonomous shuttle vehicle." A motor vehicle designed to
9 transport passengers within a designated area or in a defined
10 route, as determined by the department, equipped with an
11 automated driving system and which may include an operator as
12 defined in section 8601 (relating to definitions).

13 * * *

14 "Dynamic driving task." All of the real-time operational and
15 tactical functions required to operate a vehicle in on-road
16 traffic, excluding the strategic functions such as trip
17 scheduling and selection of destinations and way points.

18 "Dynamic driving task fallback." The response by the user,
19 as defined in section 8601, or by an automated driving system to
20 either perform the dynamic driving task or achieve a minimal
21 risk condition after occurrence of a dynamic driving task
22 performance-relevant system failure or upon operational design
23 domain exit.

24 * * *

25 "Minimal risk condition." A condition to which a user, as
26 defined in section 8601, or an automated driving system may
27 bring a vehicle after performing the dynamic driving task
28 fallback in order to reduce the risk of an accident when a given
29 trip cannot or should not be completed.

30 * * *

1 "Operational design domain." The specific conditions under
2 which a given automated driving system or feature of an
3 automated driving system is designed to function, including, but
4 not limited to, driving modes, and may incorporate a variety of
5 limitations, such as those from geography, traffic, speed and
6 roadways.

7 * * *

8 "Remote driver." A driver who is not seated in a position to
9 manually exercise in-vehicle braking, accelerating, steering and
10 transmission gear selection input devices, if any, but is able
11 to operate the vehicle.

12 * * *

13 Section 2. Title 75 is amended by adding a chapter to read:

14 CHAPTER 86

15 AUTONOMOUS VEHICLES

16 Subchapter

17 A. Preliminary Provisions

18 B. (Reserved)

19 C. Autonomous Shuttle Vehicles

20 SUBCHAPTER A

21 PRELIMINARY PROVISIONS

22 Sec.

23 8601. Definitions.

24 § 8601. Definitions.

25 The following words and phrases when used in this chapter
26 shall have the meanings given to them in this section unless the
27 context clearly indicates otherwise:

28 "Operator."

29 (1) An individual who:

30 (i) Possesses the proper class of license for the

1 vehicle being operated.

2 (ii) Is positioned in the autonomous shuttle vehicle
3 with immediate access to steering, braking and
4 accelerating.

5 (2) The term includes a driver when the automated
6 driving system disengages or when the operator disengages the
7 automated driving system to perform the dynamic driving task
8 in conventional mode.

9 "Owner." An owner of an autonomous shuttle vehicle.

10 "Passenger." A natural person who:

11 (1) has no role in the operation of that vehicle; and

12 (2) is not required to possess a valid license for the
13 class of vehicle being operated.

14 "User." A natural person who performs a role in an automated
15 driving system, including a driver, remote driver, dynamic
16 driving task fallback individual and dispatcher.

17 SUBCHAPTER B

18 (Reserved)

19 SUBCHAPTER C

20 AUTONOMOUS SHUTTLE VEHICLES

21 Sec.

22 8621. Operation authorized.

23 8622. Plan of operations.

24 8623. Notification of route modification.

25 8624. Suspension or revocation of plan of operations.

26 8625. Vehicle laws.

27 8626. Incident reporting.

28 8627. Penalties.

29 8628. Liability.

30 8629. Preemption.

1 § 8621. Operation authorized.

2 (a) General rule.--The department may authorize the
3 operation of an autonomous shuttle vehicle on an approved route
4 that includes a public highway or that crosses a public highway
5 provided:

6 (1) The autonomous shuttle vehicle is capable of
7 operating in compliance with all applicable traffic and motor
8 vehicle laws.

9 (2) A plan of operations has not been rejected by the
10 department under section 8622 (relating to plan of
11 operations).

12 (b) Human operator not required.--An autonomous shuttle
13 vehicle operating in automated mode when the automated driving
14 system is engaged does not require a human operator. When an
15 automated driving system is engaged, a human operator is not
16 required to be present in or operate the vehicle.

17 § 8622. Plan of operations.

18 (a) General rule.--An autonomous shuttle vehicle may operate
19 along an approved route on a roadway of this Commonwealth if:

20 (1) the owner or operator files a plan of operations
21 with the department; and

22 (2) the plan is not rejected by the department within 60
23 days after receipt of the plan.

24 (b) Required information.--The plan of operations shall
25 include, but not be limited to, the following:

26 (1) Name and address of the owner and name and address
27 of the entity that will be operating the autonomous shuttle
28 vehicle, if they differ.

29 (2) Defined route to include all municipalities in which
30 the autonomous shuttle vehicle will operate.

1 (3) Proof the owner has insurance coverage that meets or
2 exceeds the requirements of section 8628(a) (relating to
3 liability).

4 (4) Proof of registration and title in accordance with
5 section 1301 (relating to registration and certificate of
6 title required).

7 (5) Self-certification that the autonomous shuttle
8 vehicle complies with applicable Federal laws and will comply
9 with applicable State and local traffic and motor vehicle
10 laws.

11 (c) Public comment period.--Once the department has received
12 a plan of operations, the department shall post a notice within
13 five days for public comment with regard to the associated plan.
14 The public shall have 30 days to comment to the department. The
15 department shall consider the comments during the approval
16 process.

17 (d) Policy development.--The department shall develop a
18 policy to define petition elements and evaluation criteria.

19 (e) Suspension or revocation.--The department reserves the
20 right to suspend or revoke a plan of operations for cause.

21 § 8623. Notification of route modification.

22 (a) Notification.--The owner shall immediately notify the
23 department on a form prescribed by the department of a
24 modification to the defined route and the reason for the
25 modification.

26 (b) Approval by department.--The department shall approve a
27 modification prior to operation on a modified route.

28 § 8624. Suspension or revocation of plan of operations.

29 The department reserves the right to suspend or revoke an
30 approved plan of operations submitted under section 8622(a)

1 (relating to plan of operations).

2 § 8625. Vehicle laws.

3 (a) License and registration.--For an autonomous shuttle
4 vehicle operating pursuant to section 8621(b) (relating to
5 operation authorized), the requirements under this title for
6 exhibiting a driver's license and vehicle registration are
7 satisfied if the vehicle registration card is in the vehicle,
8 physically or electronically, and available for inspection by a
9 police officer.

10 (b) Unattended vehicle.--An autonomous shuttle vehicle
11 operating without an operator while the automated driving system
12 is engaged shall not be in violation of section 3701 (relating
13 to unattended motor vehicle).

14 § 8626. Incident reporting.

15 (a) General rule.--No violation of this chapter or section
16 7728 (relating to accidents and accident reports) shall occur
17 when an autonomous shuttle vehicle, operating with the automated
18 driving system engaged and without the presence of an operator,
19 is involved in an accident if:

20 (1) the owner, the vehicle or the operator of the
21 vehicle promptly contacts the appropriate law enforcement
22 agency to report the accident;

23 (2) the owner, the vehicle or the operator of the
24 vehicle promptly calls for medical assistance, if
25 appropriate;

26 (3) for a reportable accident, the vehicle remains at
27 the scene of the accident until vehicle registration and
28 insurance information is provided to the parties affected by
29 the accident and a law enforcement officer authorizes the
30 vehicle to be moved; and

1 (4) for a nonreportable accident, the vehicle remains at
2 the scene or in the immediate vicinity of the accident until
3 vehicle registration and insurance information is provided to
4 the parties affected by the accident remaining at the scene.

5 (b) Notification.--The owner of an autonomous shuttle
6 vehicle shall notify the department, on a form prescribed by the
7 department, of any reportable or nonreportable accident within
8 72 hours of the accident.

9 § 8627. Penalties.

10 The use of an autonomous shuttle vehicle absent approval of
11 the department under section 8622 (relating to plan of
12 operations) constitutes a summary offense. Upon conviction, the
13 offending party shall be sentenced to pay a fine of not more
14 than \$10,000.

15 § 8628. Liability.

16 (a) General rule.--The owner of an autonomous shuttle
17 vehicle shall maintain an instrument of insurance or self-
18 insurance in the amount of at least \$5,000,000 and shall be
19 strictly liable for any third-party damages arising out of the
20 maintenance or use of an autonomous shuttle vehicle.

21 (b) Construction.--Nothing in this section shall preclude an
22 owner from bringing a claim against a party involved in the
23 design, manufacture or testing of an autonomous shuttle vehicle
24 under this chapter, provided that the claim does not delay
25 resolution of a claim involving a third party under subsection
26 (a).

27 § 8629. Preemption.

28 In accordance with section 6101 (relating to applicability
29 and uniformity of title), this chapter supersedes and preempts
30 all ordinances regarding autonomous shuttle vehicles. A State

1 agency and political subdivision of the Commonwealth shall not
2 adopt or enforce a policy, rule or ordinance that sets standards
3 for or otherwise burdens, prohibits, limits or regulates the use
4 of an autonomous shuttle vehicle.

5 Section 3. This act shall take effect in 90 days.