

REFERENCE TITLE: **autonomous motor vehicles**

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

HB 2167

Introduced by
Representatives Dial, Forese, Senator Worsley; Representatives Fann,
Robson, Senator McComish

AN ACT

**AMENDING TITLE 28, CHAPTER 3, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 22;
RELATING TO AUTONOMOUS MOTOR VEHICLES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 28, chapter 3, Arizona Revised Statutes, is amended
3 by adding article 22, to read:

4 ARTICLE 22. AUTONOMOUS MOTOR VEHICLES

5 28-1231. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "AUTONOMOUS MOTOR VEHICLE" MEANS ANY MOTOR VEHICLE THAT IS EQUIPPED
8 WITH AUTONOMOUS TECHNOLOGY.

9 2. "AUTONOMOUS TECHNOLOGY":

10 (a) MEANS TECHNOLOGY THAT IS INSTALLED ON A MOTOR VEHICLE AND THAT HAS
11 THE CAPABILITY TO DRIVE THE MOTOR VEHICLE WITHOUT ACTIVE CONTROL OR
12 MONITORING BY A HUMAN OPERATOR.

13 (b) DOES NOT INCLUDE A MOTOR VEHICLE THAT IS ENABLED WITH ACTIVE
14 SAFETY SYSTEMS OR DRIVER ASSISTANCE SYSTEMS, INCLUDING A SYSTEM TO PROVIDE
15 ELECTRONIC BLIND SPOT ASSISTANCE, CRASH AVOIDANCE, EMERGENCY BRAKING, PARKING
16 ASSISTANCE, ADAPTIVE CRUISE CONTROL, LANE KEEP ASSISTANCE, LANE DEPARTURE
17 WARNING, TRAFFIC JAM AND QUEUING ASSISTANCE OR OTHER ACTIVE SAFETY OR DRIVER
18 ASSISTANCE SYSTEMS, UNLESS ANY SYSTEM ALONE OR IN COMBINATION WITH OTHER
19 SYSTEMS ENABLES THE MOTOR VEHICLE TO DRIVE WITHOUT ACTIVE CONTROL OR
20 MONITORING BY A HUMAN OPERATOR.

21 28-1232. Autonomous motor vehicles; operation

22 A. A PERSON WHO POSSESSES A VALID DRIVER LICENSE MAY OPERATE AN
23 AUTONOMOUS MOTOR VEHICLE IN AUTONOMOUS MODE.

24 B. UNLESS THE CONTEXT OTHERWISE REQUIRES, A PERSON IS DEEMED TO BE THE
25 OPERATOR OF AN AUTONOMOUS MOTOR VEHICLE OPERATING IN AUTONOMOUS MODE IF THE
26 PERSON ENGAGES THE MOTOR VEHICLE'S AUTONOMOUS TECHNOLOGY, REGARDLESS OF
27 WHETHER THE PERSON IS PHYSICALLY PRESENT IN THE MOTOR VEHICLE WHILE THE MOTOR
28 VEHICLE IS OPERATING IN AUTONOMOUS MODE.

29 28-1233. Autonomous motor vehicles; requirements

30 A. AN AUTONOMOUS MOTOR VEHICLE REGISTERED IN THIS STATE MUST CONTINUE
31 TO MEET FEDERAL STANDARDS AND REGULATIONS FOR A MOTOR VEHICLE. AN AUTONOMOUS
32 MOTOR VEHICLE SHALL:

33 1. HAVE A MEANS TO ENGAGE AND DISENGAGE THE AUTONOMOUS TECHNOLOGY THAT
34 IS EASILY ACCESSIBLE TO THE OPERATOR.

35 2. HAVE A MEANS, INSIDE THE MOTOR VEHICLE, TO VISUALLY INDICATE WHEN
36 THE MOTOR VEHICLE IS OPERATING IN AUTONOMOUS MODE.

37 3. HAVE A MEANS TO ALERT THE OPERATOR OF THE MOTOR VEHICLE IF A
38 TECHNOLOGY FAILURE AFFECTING THE ABILITY OF THE MOTOR VEHICLE TO SAFELY
39 OPERATE AUTONOMOUSLY IS DETECTED WHILE THE MOTOR VEHICLE IS OPERATING
40 AUTONOMOUSLY IN ORDER TO INDICATE TO THE OPERATOR TO TAKE CONTROL OF THE
41 MOTOR VEHICLE.

42 4. BE CAPABLE OF BEING OPERATED IN COMPLIANCE WITH THE APPLICABLE
43 TRAFFIC AND MOTOR VEHICLE LAWS OF THIS TITLE.

1 B. FEDERAL REGULATIONS ADOPTED BY THE NATIONAL HIGHWAY TRAFFIC SAFETY
2 ADMINISTRATION SHALL SUPERSEDE THIS SECTION IF FOUND TO BE IN CONFLICT WITH
3 THIS SECTION.

4 28-1234. Testing; liability

5 A. MOTOR VEHICLES THAT ARE EQUIPPED WITH AUTONOMOUS TECHNOLOGY MAY BE
6 OPERATED ON ROADS IN THIS STATE BY EMPLOYEES, CONTRACTORS OR OTHER PERSONS
7 DESIGNATED BY MANUFACTURERS OF AUTONOMOUS TECHNOLOGY FOR THE PURPOSE OF
8 TESTING THE TECHNOLOGY. FOR TESTING PURPOSES, UNLESS THE VEHICLE IS BEING
9 TESTED OR DEMONSTRATED ON A CLOSED COURSE, A HUMAN OPERATOR SHALL BE PRESENT
10 IN THE AUTONOMOUS MOTOR VEHICLE SO THAT THE HUMAN OPERATOR HAS THE ABILITY TO
11 MONITOR THE MOTOR VEHICLE'S PERFORMANCE AND INTERVENE, IF NECESSARY. BEFORE
12 THE START OF TESTING IN THIS STATE, THE ENTITY PERFORMING THE TESTING MUST
13 SUBMIT TO THE DEPARTMENT AN INSTRUMENT OF INSURANCE, A SURETY BOND OR PROOF
14 OF SELF-INSURANCE ACCEPTABLE TO THE DEPARTMENT IN THE AMOUNT OF FIVE MILLION
15 DOLLARS.

16 B. IF A THIRD PARTY CONVERTS A MOTOR VEHICLE INTO AN AUTONOMOUS MOTOR
17 VEHICLE, THE ORIGINAL MANUFACTURER OF THAT MOTOR VEHICLE SHALL NOT BE LIABLE
18 IN AND SHALL HAVE A DEFENSE TO AND BE DISMISSED FROM ANY LEGAL ACTION BROUGHT
19 AGAINST THE ORIGINAL MANUFACTURER BY ANY PERSON WHO IS INJURED DUE TO AN
20 ALLEGED MOTOR VEHICLE DEFECT CAUSED BY THE CONVERSION OF THE MOTOR VEHICLE OR
21 BY EQUIPMENT INSTALLED BY THE CONVERTER, UNLESS THE ALLEGED DEFECT WAS
22 PRESENT IN THE MOTOR VEHICLE AS ORIGINALLY MANUFACTURED.

23 Sec. 2. Department of transportation; report

24 By April 1, 2015, the department of transportation shall submit a
25 report to the president of the senate and the speaker of the house of
26 representatives recommending additional legislative or regulatory action that
27 may be required for the safe testing and operation of motor vehicles equipped
28 with autonomous technology as defined in section 28-1231, Arizona Revised
29 Statutes, as added by this act.