

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 469*
Committee Substitute Favorable 4/24/17
Senate Transportation Committee Substitute Adopted 6/14/17
Senate Judiciary Committee Substitute Adopted 6/20/17
Fifth Edition Engrossed 6/26/17

Short Title: Regulation of Fully Autonomous Vehicles. (Public)

Sponsors:

Referred to:

March 27, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO REGULATE THE OPERATION OF FULLY AUTONOMOUS MOTOR
3 VEHICLES ON THE PUBLIC HIGHWAYS OF THIS STATE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Chapter 20 of the General Statutes is amended by adding a new
6 Article to read:

7 "Article 18.

8 "Regulation of Fully Autonomous Vehicles.

9 "§ 20-400. Definitions.

10 The following definitions apply in this Article:

- 11 (1) Automated driving system. – The hardware and software that are
12 collectively capable of performing the entire dynamic driving task on a
13 sustained basis, regardless of whether it is operating within a limited or
14 unlimited operational design domain.
- 15 (2) Dynamic driving task. – All of the real-time operational and tactical control
16 functions required to operate a motor vehicle in motion or which has the
17 engine running, such as:
- 18 a. Lateral vehicle motion control via steering.
- 19 b. Longitudinal motion control via acceleration and deceleration.
- 20 c. Monitoring the driving environment via object and event detection,
21 recognition, classification, and response preparation.
- 22 d. Object and event response execution.
- 23 e. Maneuver planning.
- 24 f. Enhancing conspicuity via lighting, signaling, and gesturing.
- 25 (3) Fully autonomous vehicle. – A motor vehicle equipped with an automated
26 driving system that will not at any time require an occupant to perform any
27 portion of the dynamic driving task when the automated driving system is
28 engaged. If equipment that allows an occupant to perform any portion of the
29 dynamic driving task is installed, it must be stowed or made unusable in
30 such a manner that an occupant cannot assume control of the vehicle when
31 the automated driving system is engaged.
- 32 (4) Minimal risk condition. – An operating mode in which a fully autonomous
33 vehicle with the automated driving system engaged achieves a reasonably



1 safe state, bringing the vehicle to a complete stop, upon experiencing a
2 failure of the automatic driving system that renders the vehicle unable to
3 perform any portion of the dynamic driving task.

4 (5) Operator. – For the purposes of this Article, is a person as defined in
5 G.S. 20-4.01. An operator does not include an occupant within a fully
6 autonomous vehicle performing solely strategic driving functions.

7 (6) Operational design domain. – Specific conditions under which an automated
8 driving system is limited to effectively operate, such as geographical
9 limitations, roadway types, speed range, and environmental conditions.

10 (7) Strategic driving functions. – Control of navigational parameters such as trip
11 scheduling or the selection of destinations and waypoints but does not
12 include any portion of the dynamic driving task.

13 **§ 20-401. Regulation of fully autonomous vehicles.**

14 (a) Driver's License Not Required. – Notwithstanding the provisions of G.S. 20-7 and
15 this Chapter, the operator of a fully autonomous vehicle with the automated driving system
16 engaged is not required to be licensed to operate a motor vehicle.

17 (b) Vehicle Registration Card in Vehicle. – For a fully autonomous vehicle, the
18 provisions of G.S. 20-49(4) and G.S. 20-57(c) are satisfied if the vehicle registration card is in
19 the vehicle, physically or electronically, and readily available to be inspected by an officer or
20 inspector.

21 (c) Parent or Legal Guardian Responsible for Certain Violations. – The parent or legal
22 guardian of a minor is responsible for a violation of G.S. 20-135.2B, the prohibition on children
23 in an open bed of a pickup, or G.S. 20-137.1, the child restraint law, if the violation occurs in a
24 fully autonomous vehicle.

25 (c1) Minimum Age for Unsupervised Minors in Fully Autonomous Vehicles. – It is
26 unlawful for any parent or legal guardian of a person less than 12 years of age to knowingly
27 permit that person to occupy a fully autonomous vehicle in motion or which has the engine
28 running unless the person is under the supervision of a person 18 years of age or older.

29 (d) Registered Owner Responsible for Moving Violations. – The person in whose name
30 the fully autonomous vehicle is registered is responsible for a violation of this Chapter that is
31 considered a moving violation, if the violation involves a fully autonomous vehicle.

32 (e) Unattended Vehicle. – A vehicle shall not be considered unattended pursuant to
33 G.S. 20-163 or any other provision of Chapter 20 of the General Statutes merely because it is a
34 fully autonomous vehicle with the automated driving system engaged.

35 (f) Duty to Stop in the Event of a Crash. – If all of the following conditions are met
36 when a fully autonomous vehicle is involved in a crash, then the provisions of subsections (a)
37 through (c2) and subsection (e) of G.S. 20-166 and subsections (a) and (c) of G.S. 20-166.1
38 shall be considered satisfied, and no violation of those provisions shall be charged:

39 (1) The vehicle or the operator of the vehicle promptly contacts the appropriate
40 law enforcement agency to report the crash.

41 (2) The vehicle or operator of the vehicle promptly calls for medical assistance,
42 if appropriate.

43 (3) For a reportable crash, the vehicle remains at the scene of the crash until
44 vehicle registration and insurance information is provided to the parties
45 affected by the crash and a law enforcement officer authorizes the vehicle to
46 be removed.

47 (4) For a nonreportable crash, the vehicle remains at the scene or in the
48 immediate vicinity of the crash until vehicle registration and insurance
49 information is provided to the parties affected by the crash.

50 (g) Operation. – A person may operate a fully autonomous vehicle if the vehicle meets
51 all of the following requirements:

- 1 (1) Unless an exception or exemption has been granted under applicable State or
2 federal law, the vehicle:
- 3 a. Is capable of being operated in compliance with Articles 3, 3A, 7, 11,
4 and 13 of this Chapter;
- 5 b. Complies with applicable federal law and regulations; and
6 c. Has been certified in accordance with federal regulations in 49
7 C.F.R. Part 567 as being in compliance with applicable federal motor
8 vehicle safety standards and bears the required certification label or
9 labels.
- 10 (2) The vehicle has the capability to meet the requirements of subsection (f) of
11 this section.
- 12 (3) The vehicle can achieve a minimal risk condition.
- 13 (4) The vehicle is covered by a motor vehicle liability policy meeting the
14 applicable requirements of G.S. 20-279.21.
- 15 (5) The vehicle is registered in accordance with Part 3 of Article 3 of this
16 Chapter, and, if registered in this State, the vehicle shall be identified on the
17 registration and registration card as a fully autonomous vehicle.
- 18 (h) Preemption. – No local government shall enact any local law or ordinance related to
19 the regulation or operation of fully autonomous vehicles or vehicles equipped with an
20 automated driving system, other than regulation specifically authorized in Chapter 153A and
21 Chapter 160A of the General Statutes that is not specifically related to those types of motor
22 vehicles.
- 23 **"§ 20-402. Applicability to vehicles other than fully autonomous vehicles.**
- 24 (a) Definitions. – As used in this section, a "request to intervene" means notification by
25 a vehicle to the human operator that the operator should promptly begin or resume performance
26 of part or all of the dynamic driving task.
- 27 (b) Applicability. – Operation of a motor vehicle equipped with an automated driving
28 system capable of performing the entire dynamic driving task with the expectation that a human
29 operator will respond appropriately to a request to intervene is lawful under this Chapter and
30 subject to the provisions of this Chapter.
- 31 **"§ 20-403. Fully Autonomous Vehicle Committee.**
- 32 (a) Committee Established. – There is hereby created a Fully Autonomous Vehicle
33 Committee within the Department of Transportation.
- 34 (b) Membership. – The following persons shall serve on the Committee:
- 35 (1) Secretary of Transportation, or the Secretary's designee.
36 (2) The Secretary of Commerce, or the Secretary's designee.
37 (3) The Commissioner of Insurance, or the Commissioner's designee.
38 (4) A representative of the Highway Patrol, designated by the Commander.
39 (5) A representative of the North Carolina Association of Chiefs of Police,
40 designated by its Executive Director.
- 41 (6) A representative of the North Carolina Sheriffs' Association, designated by
42 its President.
- 43 (7) A representative of the University of North Carolina Highway Safety
44 Research Center, designated by the Director.
- 45 (8) At least two representatives from the autonomous vehicle industry,
46 designated by the Secretary of Transportation.
- 47 (9) A representative of the Attorney General's Office, designated by the
48 Attorney General, who is familiar with motor vehicle law.
- 49 (10) A representative of local law enforcement, designated by the Secretary of
50 Transportation.

- 1 (11) A representative of the trucking industry, designated by the North Carolina
2 Trucking Association.
- 3 (12) A planner from an urban area, designated by the North Carolina League of
4 Municipalities.
- 5 (13) A planner from a rural area, designated by the North Carolina Association of
6 County Commissioners.
- 7 (14) Two members of the North Carolina Senate, designated by the President Pro
8 Tempore of the Senate.
- 9 (15) Two members of the North Carolina House of Representatives, designated
10 by the Speaker of the House.

11 (c) Duties. – The Committee shall meet regularly, and at a minimum four times a year,
12 to consider matters relevant to fully autonomous vehicle technology, review State motor
13 vehicle law as they relate to the deployment of fully autonomous vehicles onto the State
14 highway system and municipal streets, make recommendations concerning the testing of fully
15 autonomous vehicles, identify and make recommendations for Department of Transportation
16 traffic rules and ordinances, and make recommendations to the General Assembly on any
17 needed changes to State law.

18 (d) Staff. – The Department of Transportation shall provide staff and meeting space,
19 from reasonably available resources, to the Committee."

20 **SECTION 2.** This act becomes effective December 1, 2017, and applies to
21 offenses committed on or after that date. Prosecutions for offenses committed before the
22 effective date of this act are not abated or affected by this act, and the statutes that would be
23 applicable but for this act remain applicable to those prosecutions.