Sixty-fourth Legislative Assembly of North Dakota

## **HOUSE BILL NO. 1065**

Introduced by

Representatives Hanson, Rick C. Becker, Beadle, Olson, Mitskog Senator Laffen

- 1 A BILL for an Act to create and enact chapter 39-10.4 of the North Dakota Century Code,
- 2 relating to autonomous vehicles.

## 3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- 4 **SECTION 1.** Chapter 39-10.4 of the North Dakota Century Code is created and enacted as follows:
- 6 **39-10.4-01. Definitions.**
- As used in this chapter, unless the context otherwise requires:
- "Autonomous technology" means technology that is installed on a motor vehicle and
  which has the capability to drive the motor vehicle without the active control or
  monitoring of a human operator. The term does not include an active safety system for
  driver assistance, including, without limitation, a system to provide electronic blind spot
  detection, crash avoidance, emergency braking, parking assistance, adaptive cruise
  control, lane keeping assistance, lane departure warning, or traffic jam and queuing
  assistance, unless any such system, alone or in combination with any other system,
- enables the vehicle on which the system is installed to be driven without the active
- 16 <u>control or monitoring of a human operator.</u>
- 17 <u>2. "Autonomous vehicle" means a motor vehicle that is equipped with autonomous technology.</u>
  18 <u>technology.</u>
- 19 <u>39-10.4-02. Requirement for insurance or bond for testing autonomous vehicles.</u>
- Before a person begins testing an autonomous vehicle on a highway within this state, the
- 21 person must:
- 22 <u>1. Submit to the department proof of insurance or self-insurance acceptable to the</u>
- 23 <u>department in the amount of \$5,000,000; or</u>

1	<u>2.</u>	Mal	ke a cash depositor post and maintain a surety bond or other acceptable form of	
2		sec	urity with the department in the amount of \$5,000,000.	
3	39-10.4-03. Safety requirements for testing autonomous vehicles.			
4	If an autonomous vehicle is being tested on a highway within this state, an individual who is			
5	the oper	the operator must be:		
6	<u>1.</u>	Sea	ated in a position which allows the individual to take immediate manual control of	
7		the	autonomous vehicle;	
8	<u>2.</u>	Monitoring the safe operation of the autonomous vehicle; and		
9	<u>3.</u>	Capable of taking over immediate manual control of the autonomous vehicle in the		
10		eve	nt of a failure of autonomous technology or other emergency.	
11	39-10.4-04. Requirements for registration for autonomous vehicles.			
12	<u>1.</u>	An	autonomous vehicle may not be registered in this state unless the autonomous	
13		<u>veh</u>	icle meets all federal standards and regulations that are applicable to a motor	
14		<u>veh</u>	<u>icle.</u>	
15	<u>2.</u>	An autonomous vehicle may not be tested or operated on a highway within this state		
16		<u>unle</u>	ess the autonomous vehicle is:	
17		<u>a.</u>	Equipped with a means to engage and disengage the autonomous technology	
18			which is easily accessible to the individual who is the operator of the autonomous	
19			vehicle;	
20		<u>b.</u>	Equipped with a visual indicator located inside the autonomous vehicle which	
21			indicates when autonomous technology is operating the autonomous vehicle;	
22		<u>C.</u>	Equipped with a means to alert the individual who is the operator to take manual	
23			control of the autonomous vehicle if a failure of the autonomous technology has	
24			been detected and such failure affects the ability of the autonomous technology	
25			to operate safely the autonomous vehicle; and	
26		<u>d.</u>	Capable of being operated in compliance with applicable motor vehicle laws and	
27			traffic laws of this state.	
28	39-10.4-05. Manufacturer not liable for certain damages.			
29	The manufacturer of a motor vehicle that has been converted by a third party into an			
30	autonomous vehicle is not liable for damages to any person injured due to a defect caused by			

1

the conversion of the motor vehicle or by any equipment installed to facilitate the conversion 2 unless the defect that caused the injury was present in the vehicle as originally manufactured. 3 39-10.4-06. Department regulations to authorize operation of autonomous vehicles. 4 1. The department shall adopt regulations authorizing the operation of autonomous 5 vehicles on highways within this state. 6 2. The regulations required to be adopted by subsection 1 must: 7 Set forth requirements that an autonomous vehicle must meet before it may be 8 operated on a highway within this state; 9 Set forth requirements for the insurance that is required to test or operate an <u>b.</u> 10 autonomous vehicle on a highway within this state; 11 Establish minimum safety standards for autonomous vehicles and their operation; <u>C.</u> 12 <u>d.</u> Provide for the testing of autonomous vehicles; 13 Restrict the testing of autonomous vehicles to specified geographic areas; and e. 14 Set forth such other requirements as the department determines to be necessary. f. 15 39-10.4-07. Endorsement to operate autonomous vehicles. 16 The department shall by regulation establish a driver's license endorsement for the 17 operation of an autonomous vehicle on the highways of this state. The driver's license 18 endorsement described in this section must, in its restrictions or lack thereof, recognize the fact 19 that an individual is not required to actively drive an autonomous vehicle.