Sixty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1543

Introduced by

Representatives Beadle, Mock, O'Brien, Roers Jones, Vigesaa

Senators Kannianen, Meyer, Oehlke

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Chapter 39-10.4 of the North Dakota Century Code is created and enacted as follows:

39-10.4-01. Definitions.

As used in this chapter:

1. "Autonomous technology" means technology installed on a motor vehicle 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 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 the system, alone or in combination with any other system, enables the vehicle on which the system is installed to be driven without the active control or monitoring of a human operator.
2. "Autonomous vehicle" means a motor vehicle equipped with autonomous technology.

39-10.4-02. Requirement for insurance or bond for testing autonomous vehicles.

Before any person may test an autonomous vehicle on a highway within this state, the person shall:

1. Submit to the department proof of insurance or self-insurance acceptable to the department in the amount of two million dollars; or
2. Make a cash depositor post and maintain a surety bond or other acceptable form of security with the department in the amount of two million dollars.

39-10.4-03. Safety requirements for testing autonomous vehicles.

If an autonomous vehicle is tested on a highway within this state, an individual who is the operator must be:

1. Seated in a position that allows the individual to take immediate manual control of the autonomous vehicle;
2. Monitoring the safe operation of the autonomous vehicle; and
3. Capable of taking immediate manual control of the autonomous vehicle in the event of a failure of autonomous technology or other emergency.

39-10.4-04. Requirements for registration for autonomous vehicles.

1. An autonomous vehicle may not be registered in this state unless the autonomous vehicle meets all federal standards and regulations applicable to a motor vehicle.
2. An autonomous vehicle may not be tested or operated on a highway within this state unless the autonomous vehicle is:
   a. Equipped with a means to engage and disengage the autonomous technology that easily is accessible to the individual who is the operator of the autonomous vehicle;
   b. Equipped with a visual indicator located inside the autonomous vehicle which indicates when autonomous technology is operating the autonomous vehicle;
   c. Equipped with a means to alert the individual who is the operator to take manual control of the autonomous vehicle if a failure of the autonomous technology has been detected and the failure affects the ability of the autonomous technology to operate safely the autonomous vehicle; and
   d. Capable of being operated in compliance with applicable motor vehicle laws and traffic laws of this state.

39-10.4-05. Manufacturer not liable for certain damages.

The manufacturer of a motor vehicle converted by a third party into an autonomous vehicle is not liable for damages to any individual injured due to a defect caused by the conversion of the motor vehicle or by any equipment installed to facilitate the conversion unless the defect that caused the injury was present in the vehicle as originally manufactured.

39-10.4-06. Department rules to authorize operation of autonomous vehicles.

1. The department shall adopt rules authorizing the operation of autonomous vehicles on highways within this state.
2. The rules must:
   a. Set forth the requirements an autonomous vehicle must meet before the vehicle may be operated on a highway within this state;
   b. Set forth requirements for the insurance required to test or operate an autonomous vehicle on a highway within this state;
   c. Establish minimum safety standards for autonomous vehicles and the operation of autonomous vehicles;
   d. Provide for the testing of autonomous vehicles;
   e. Restrict the testing of autonomous vehicles to specified geographic areas; and
   f. Set forth other requirements as the department determines to be necessary.

39-10.4-07. Endorsement to operate autonomous vehicles.

The department shall establish by rule a driver's license endorsement for the operation of an autonomous vehicle on the highways of this state. The driver's license endorsement must recognize, in its restrictions or lack of restrictions, an individual is not required to actively drive an autonomous vehicle.