

**FIRST ENGROSSMENT  
with Senate Amendments  
ENGROSSED HOUSE BILL NO. 1418**

Introduced by

Representative D. Ruby

Senator Rust

1 A BILL for an Act to create and enact chapter 8-12 and section 39-01-01.2 of the North Dakota  
2 Century Code, relating to automated vehicle network companies and autonomous vehicle  
3 operations.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** Chapter 8-12 of the North Dakota Century Code is created and enacted as  
6 follows:

7 **8-12-01. Definitions.**

8 As used in the chapter:

- 9 1. "Autonomous vehicle" means a vehicle equipped with an automated driving system.
- 10 2. "Client" means a person requesting service from an on-demand autonomous vehicle  
11 network. The term includes a passenger, a shipper, as defined by section 41-07-02, a  
12 person entitled under the document, as defined by section 41-07-02, or similar  
13 individual or commercial enterprise.
- 14 3. "On-demand autonomous vehicle network" means a transportation service network  
15 that uses a software application or other digital means to dispatch or otherwise enable  
16 the prearrangement of transportation with autonomous vehicles for purposes of  
17 transporting persons or goods, including for-hire transportation, transportation for  
18 compensation, and public transportation.

19 **8-12-02. General provisions.**

- 20 1. Notwithstanding any other provision of law, a person may operate an on-demand  
21 autonomous vehicle network. An on-demand autonomous vehicle network may  
22 provide transportation of persons or goods, including:
  - 23 a. For-hire transportation;
  - 24 b. Public transportation; and

- 1           c. Transportation for multiple passengers who agree to share the ride.
- 2           2. An on-demand autonomous vehicle network may connect passengers to autonomous  
3 vehicles without human drivers in compliance with subdivision a of subsection 3 of  
4 section 39-01-01.2 exclusively, or subdivision b of subsection 3 of section 39-01-01.2  
5 as part of a digital network that also connects passengers to human drivers who  
6 provide transportation services, consistent with applicable law.
- 7           3. Unless otherwise provided in this chapter and notwithstanding any other provision of  
8 law, autonomous vehicles and automated driving systems without human drivers are  
9 governed by subsection 3 of section 39-01-01.2.
- 10          a. A state agency or political subdivision may not impose requirements, including  
11 performance standards specific to the operation of an autonomous vehicle or  
12 automated driving systems without human drivers in compliance with  
13 subsection 3 of section 39-01-01.2.
- 14          b. A state or local agency or political subdivision may not impose a tax, fee, or other  
15 requirement specific to the operation of an autonomous vehicle that is in  
16 compliance with subsection 3 of section 39-01-01.2, an automated driving  
17 system, or an on-demand vehicle network. This prohibition does not affect vehicle  
18 registration and titling fees otherwise required by law.
- 19          4. This chapter may not be construed to modify, limit, or restrict any statutory provision  
20 affecting liability, including chapter 26.1-40, 26.1-41, 28-01.3, 32-03.2, or 39-16.1.

21       **SECTION 2.** Section 39-01-01.2 of the North Dakota Century Code is created and enacted  
22 as follows:

23       **39-01-01.2. Autonomous vehicle operations.**

- 24       1. As used in this section:
- 25          a. "Automated driving system" means hardware and software collectively capable of  
26 performing the entire dynamic driving task for the vehicle on a sustained basis  
27 when installed on a motor vehicle and engaged regardless of whether it is limited  
28 to a specific operational design domain.
- 29          b. "Autonomous vehicle" means a vehicle equipped with an automated driving  
30 system.

- 1           c. "Dynamic driving task" means all of the real-time operational and tactical  
2           functions required to operate a vehicle in on-road traffic within the vehicle's  
3           specific operational design domain, if any, excluding the strategic functions such  
4           as trip scheduling and selection of destinations and waypoints.
- 5           d. "Human driver" means an individual with a valid license to operate a motor  
6           vehicle who manually exercises in-vehicle braking, accelerating, steering, and  
7           transmission gear selection input devices to operate a vehicle.
- 8           e. "Minimal risk condition" means a low-risk operating mode in which an  
9           autonomous vehicle operating without a human driver achieves a reasonably  
10          safe state, such as bringing the vehicle to a complete stop, upon experiencing a  
11          failure of the vehicle's automated driving system that renders the vehicle unable  
12          to perform the entire dynamic driving task.
- 13          f. "Operational design domain" means a description of the specific operating  
14          domain in which an automated driving system is designed to properly operate,  
15          including roadway types, speed range, environmental conditions, and other  
16          domain constraints.
- 17          2. An autonomous vehicle must be capable of operating in compliance with all applicable  
18          federal and state law, except to the extent exempted under applicable federal or state  
19          law, and may operate on the public highways of this state in full compliance with all  
20          vehicle registration, title, insurance, and all other applicable requirements under this  
21          title.
- 22          3. An autonomous vehicle with automated driving systems engaged does not require a  
23          human driver to operate on the public highway if the autonomous vehicle is capable of  
24          achieving a minimal risk condition in case a system failure occurs which renders the  
25          automated driving system unable to perform the entire dynamic driving task relevant to  
26          the vehicle's intended operational design domain.
- 27          4. An individual using an autonomous vehicle is not driving or in actual physical control of  
28          the autonomous vehicle and, therefore, is exempt from licensing requirements if:
- 29               a. The automated driving system is completing the entire dynamic driving task; and  
30               b. The autonomous vehicle is capable of achieving a minimal risk condition if a  
31               system failure occurs that renders the automated driving system unable to

- 1                    perform the entire dynamic driving task relevant to the vehicle's intended  
2                    operational design domain.
- 3            5.   This section may not be construed to modify, limit, or restrict any statutory provision  
4                    affecting liability, including chapter 26.1-40, 26.1-41, 28-01.3, 32-03.2, or 39-16.1.