

HOUSE No. 1822

The Commonwealth of Massachusetts

PRESENTED BY:

Peter J. Durant

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to autonomous vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Peter J. Durant</i>	<i>6th Worcester</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>

HOUSE No. 1822

By Mr. Durant of Spencer, a petition (accompanied by bill, House, No. 1822) of Peter J. Durant, Joseph D. McKenna and Chris Walsh for legislation to authorize the operation of autonomous vehicles without active control or monitoring by a human operator. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4321 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to autonomous vehicles.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after
2 section 19L the following new section:-

3 Section 19M. (a) As used in this section the following words shall, unless the context
4 requires otherwise, have the following meanings:-

5 "Autonomous technology," technology installed on a motor vehicle that has the capability
6 to drive the vehicle on which the technology is installed without the active control or monitoring
7 by a human operator. The term excludes a motor vehicle enabled with active safety systems or
8 driver assistance systems, including, without limitation, a system to provide electronic blind spot
9 assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane

10 keep assistance, lane departure warning, or traffic jam and queuing assistant, unless any such
11 system alone or in combination with other systems enables the vehicle on which the technology
12 is installed to drive without the active control or monitoring by a human operator.

13 “Autonomous Vehicle,” any vehicle equipped with autonomous technology.

14 (b) An autonomous vehicle registered in this state must continue to meet federal
15 standards and regulations for a motor vehicle. The vehicle shall:

16 (1) have a means to engage and disengage the autonomous technology which is easily
17 accessible to the operator;

18 (2) have a means, inside the vehicle, to visually indicate when the vehicle is operating
19 in autonomous mode;

20 (3) have a means to alert the operator of the vehicle if a technology failure affecting
21 the ability of the vehicle to safely operate autonomously is detected while the vehicle is
22 operating autonomously in order to indicate to the operator to take control of the vehicle; and

23 (4) be capable of being operated in compliance with the applicable traffic and motor
24 vehicle laws of this state.

25 (c) Federal regulations promulgated by the National Highway Traffic Safety
26 Administration shall supersede this section when found to be in conflict with this section.

27 (d) (1) Vehicles equipped with autonomous technology may be operated on roads in this
28 state by employees or agents of manufacturers of autonomous technology solely for the purpose
29 of testing the technology. For testing purposes, a human operator shall be present in the
30 autonomous vehicle such that he or she has the ability to monitor the vehicle's performance and

31 intervene, if necessary, unless the vehicle is being tested or demonstrated on a closed course.
32 Prior to the start of testing in this state, the entity performing the testing must submit to the
33 division of highway safety an instrument of insurance, surety bond, or proof of self-insurance
34 acceptable to the department in the amount of \$5,000,000.

35 (2) The original manufacturer of a vehicle converted by a third party into an autonomous
36 vehicle shall not be liable in, and shall have a defense to and be dismissed from, any legal action
37 brought against the original manufacturer by any person injured due to an alleged vehicle defect
38 caused by the conversion of the vehicle, or by equipment installed by the converter, unless the
39 alleged defect was present in the vehicle as originally manufactured.

40 (3) By March 1, 2019, the Massachusetts department of transportation shall submit a
41 report to the president of the senate and the speaker of the house of representatives
42 recommending additional legislative or regulatory action that may be required for the safe testing
43 and operation of motor vehicles equipped with autonomous technology.

44 (e) The department shall promulgate rules and regulations implementing this section;
45 provided, that such regulations may include: (i) additional requirements that an autonomous
46 vehicle and any person authorized to test such vehicles under subsection (d)(1) must meet before
47 operating such vehicles; (ii) minimum safety standards for autonomous vehicles and their
48 operation, including, but not limited to, any geographic areas in which autonomous vehicles may
49 not be operated; and (iii) such other requirements as the department determines to be necessary.