

**HOUSE . . . . . No. 4321**

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The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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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, 2017, 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.