

HOUSE No. 4618

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 31, 2022.

The committee on Transportation to whom was referred the petition (accompanied by bill, House, No. 3595) of William M. Straus and Christopher Hendricks relative to autonomous vehicles, reports recommending that the accompanying bill (House, No. 4618) ought to pass.

For the committee,

WILLIAM M. STRAUS.

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**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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, as appearing in the 2018 Official Edition,
2 is hereby amended by inserting after section 19L the following new section:-

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

5 “Autonomous mode,” active operation of a motor vehicle through the use of
6 autonomous technology without the active control or monitoring of a human operator.

7 "Autonomous technology," technology installed on a motor vehicle that has the
8 capability to drive the vehicle on which the technology is installed without the active control or
9 monitoring by a human operator. The term excludes a motor vehicle enabled with active safety
10 systems or driver assistance systems, including, without limitation, a system to provide
11 electronic blind spot assistance, crash avoidance, emergency braking, parking assistance,
12 adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing
13 assistant, or any system or equipment designed to enhance the safe operation of the vehicle by a

14 human operator, unless any such system alone or in combination with other systems enables the
15 vehicle on which the technology is installed to drive without the active control or monitoring by
16 a human operator.

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

18 (a)An autonomous vehicle registered in this state must continue to meet all federal
19 standards and regulations for motor vehicles. The vehicle shall:

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

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

24 (3) have a means to alert the operator of the vehicle if a technology failure affecting the
25 ability of the vehicle to safely operate autonomously is detected while the vehicle is operating
26 autonomously in order to indicate to the operator to take control of the vehicle, and, if the
27 operator fails to assume control of the vehicle, to cause the vehicle to come to a complete stop;
28 and

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

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

33 (c)Vehicles equipped with autonomous technology may be operated in autonomous mode
34 on public roads in this state by employees, contractors, or other persons designated by

35 manufacturers of autonomous technology who have received a certificate from the department
36 certifying that the vehicle conforms to the requirements of subsection (a) for the purpose of
37 testing the technology. For testing purposes, a human operator shall be present in the
38 autonomous vehicle such that he or she has the ability to monitor the vehicle's performance and
39 intervene, if necessary, unless the vehicle is being tested or demonstrated on a closed course.
40 Prior to the start of testing in this state, the entity performing the testing must submit to the
41 department an instrument of insurance, surety bond, or proof of self-insurance acceptable to the
42 department in the amount of \$5,000,000.

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

48 (e) Not later than June 30, 2023, the department shall submit a report to the president of
49 the senate and the speaker of the house of representatives, the senate and house chairs of the joint
50 committee on transportation, and the clerks of the senate and house of representatives
51 recommending additional legislative or regulatory action that may be required for the safe testing
52 and operation of motor vehicles equipped with autonomous technology.