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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2300 Session of  
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INTRODUCED BY MARSHALL, CHARLTON, JAMES, JOZWIAK, ROTHMAN,  
SAYLOR, SCHLOSSBERG AND WARD, APRIL 24, 2018

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REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 24, 2018

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in general provisions, further providing for  
3 definitions; and, in miscellaneous provisions, providing for  
4 autonomous vehicles, imposing a penalty and establishing the  
5 Connected and Highly Autonomous Vehicle Advisory Committee  
6 and providing for its powers and duties.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 102 of Title 75 of the Pennsylvania  
10 Consolidated Statutes is amended by adding definitions to read:  
11 § 102. Definitions.

12 Subject to additional definitions contained in subsequent  
13 provisions of this title which are applicable to specific  
14 provisions of this title, the following words and phrases when  
15 used in this title shall have, unless the context clearly  
16 indicates otherwise, the meanings given to them in this section:

17 \* \* \*

18 "Automated driving system." The hardware and software that  
19 are collectively capable of performing the entire dynamic  
20 driving task on a sustained basis, regardless of whether it is

1 limited to a specific operational design domain.

2 "Automated mode." The status of vehicle operation where the  
3 automated driving system performs the dynamic driving task, with  
4 or without a natural person actively supervising the automated  
5 technology's performance of the dynamic driving task.

6 \* \* \*

7 "Autonomous shuttle vehicle." A motor vehicle designed to  
8 transport passengers within a designated area or in a defined  
9 route, as determined by the department, equipped with an  
10 automated driving system and which may include an operator.

11 \* \* \*

12 "Dynamic driving task." As follows:

13 (1) The real-time operational and tactical functions  
14 required to operate a vehicle in on-road traffic, including:

15 (i) Lateral motor vehicle motion control via  
16 steering.

17 (ii) Longitudinal motor vehicle motion control via  
18 acceleration and deceleration.

19 (iii) Monitoring the driving environment via object  
20 and event detection, recognition, classification and  
21 response preparation.

22 (iv) Object and event response execution.

23 (v) Maneuver planning.

24 (vi) Enhancing conspicuity via lighting, signaling  
25 and gesturing.

26 (2) The term does not include strategic functions such  
27 as trip scheduling and selection of destinations and way  
28 points.

29 \* \* \*

30 "Fallback." The response by the user or by an automated

1 driving system to either perform the dynamic driving task or  
2 achieve a minimal risk condition after occurrence of a dynamic  
3 driving task performance-relevant system failure or upon  
4 operational design domain.

5 \* \* \*

6 "Minimal risk condition." A condition to which a user or an  
7 automated driving system may bring a vehicle after performing  
8 the dynamic driving task fallback in order to reduce the risk of  
9 an accident when a given trip cannot or should not be completed.

10 \* \* \*

11 "Operational design domain." The specific conditions under  
12 which a given automated driving system or feature of an  
13 automated driving system is designed to function, including, but  
14 not limited to, driving modes.

15 \* \* \*

16 "Remote operator." A natural person who:

17 (1) Possesses the proper class of license for the type  
18 of test vehicle being tested or operated.

19 (2) Engages and has the ability to monitor the vehicle.

20 (3) May have the ability to perform the dynamic driving  
21 task for the vehicle or cause the vehicle to achieve a  
22 minimal risk condition.

23 \* \* \*

24 Section 2. Title 75 is amended by adding a chapter to read:

25 CHAPTER 85

26 AUTONOMOUS VEHICLES

27 Subchapter

28 A. Preliminary Provisions

29 B. (Reserved)

30 C. Autonomous Shuttle Vehicles

1 D. Connected and Highly Autonomous Vehicle Advisory Committee

2 SUBCHAPTER A

3 PRELIMINARY PROVISIONS

4 Sec.

5 8501. Definitions.

6 § 8501. Definitions.

7 The following words and phrases when used in this chapter  
8 shall have the meanings given to them in this section unless the  
9 context clearly indicates otherwise:

10 "Operator."

11 (1) An individual who:

12 (i) Possesses the proper class of license for the  
13 vehicle being operated.

14 (ii) Is positioned in the autonomous shuttle vehicle  
15 with immediate access to steering, braking and  
16 accelerating.

17 (2) The term includes a driver when the automated  
18 driving system disengages or when the operator disengages the  
19 automated driving system to perform the dynamic driving task  
20 in conventional mode.

21 "Owner." An owner of an autonomous shuttle vehicle.

22 "Passenger." A user in a vehicle who:

23 (1) Has no role in the operation of that vehicle.

24 (2) Is not required to possess a valid license for the  
25 class of vehicle being operated.

26 "User." A natural person who performs a role in an automated  
27 driving system, including a driver, remote driver, passenger,  
28 dynamic driving task fallback individual and dispatcher.

29 SUBCHAPTER B

30 (RESERVED)



1 operation of an autonomous shuttle vehicle on an approved route  
2 using a form prescribed by the department. The petition shall  
3 include the following:

4 (1) Name and address of the owner.

5 (2) Defined route.

6 (3) Proof the owner has in place an instrument of  
7 insurance, surety bond or proof of self-insurance in the  
8 amount of at least \$5,000,000.

9 (4) Proof of registration and title in accordance with  
10 section 1301 (relating to registration and certificate of  
11 title required).

12 (5) Self-certification that the autonomous shuttle  
13 vehicle complies with applicable Federal laws and will comply  
14 with applicable State and local traffic and motor vehicle  
15 laws.

16 § 8523. Notification of route modification.

17 (a) Notification.--The owner shall immediately notify the  
18 department on a form prescribed by the department of a  
19 modification to the defined route and the reason for the  
20 modification.

21 (b) Approval by department.--The department shall approve a  
22 modification prior to operation on a modified route.

23 § 8524. Termination of petition process.

24 Upon satisfactory implementation of policies and proven  
25 capabilities of autonomous shuttle vehicles, the secretary may  
26 terminate the petition process under section 8522 (relating to  
27 petition to operate autonomous shuttle vehicle) 90 days after  
28 providing notification to the chairperson and minority  
29 chairperson of the Transportation Committee of the Senate and  
30 the chairperson and minority chairperson of the Transportation

1 Committee of the House of Representatives.

2 § 8525. Vehicle laws.

3 (a) License and registration.--For an autonomous shuttle  
4 vehicle operating without the presence of an operator, the  
5 requirements under this title for exhibiting a driver's license  
6 and vehicle registration are satisfied if the vehicle  
7 registration card is in the vehicle, physically or  
8 electronically, and available for inspection by a police  
9 officer.

10 (b) Unattended vehicle.--An autonomous shuttle vehicle  
11 operating without an operator while the automated driving system  
12 is engaged shall not be in violation of section 3701 (relating  
13 to unattended motor vehicle).

14 § 8526. Incident reporting.

15 No violation of this chapter or section 7728 (relating to  
16 accidents and accident reports) shall occur when an autonomous  
17 shuttle vehicle, operating with the automated driving system  
18 engaged and without the presence of an operator, is involved in  
19 an accident if:

20 (1) the owner, the vehicle or the operator of the  
21 vehicle promptly contacts the appropriate law enforcement  
22 agency to report the accident;

23 (2) the owner, the vehicle or the operator of the  
24 vehicle promptly calls for medical assistance, if  
25 appropriate;

26 (3) for a reportable accident, the vehicle remains at  
27 the scene of the accident until vehicle registration and  
28 insurance information is provided to the parties affected by  
29 the accident and a law enforcement officer authorizes the  
30 vehicle to be moved; and

1           (4) for a nonreportable accident, the vehicle remains at  
2           the scene or in the immediate vicinity of the accident until  
3           vehicle registration and insurance information is provided to  
4           the parties affected by the accident remaining at the scene.

5 § 8527. Penalties.

6           An owner who operates an autonomous shuttle vehicle absent  
7           approval of the department under section 8522 (relating to  
8           petition to operate autonomous shuttle vehicle) commits a  
9           summary offense and shall, upon conviction, be sentenced to pay  
10           a fine of not more than \$10,000.

11 § 8528. Liability.

12           (a) General rule.--The owner and holder of an insurance  
13           policy referred to in section 8522(3) (relating to petition to  
14           operate autonomous shuttle vehicle) shall be strictly liable for  
15           any damages awarded as a result of a claim brought by a third  
16           party on account of an accident arising out of the maintenance  
17           or use of an autonomous shuttle vehicle.

18           (b) Construction.--Nothing in this section shall preclude an  
19           owner and holder of an insurance policy referred to in section  
20           8522(3) from bringing a claim against a party involved in the  
21           design, manufacture or testing of an autonomous shuttle vehicle  
22           under this chapter, provided that the claim does not delay  
23           resolution of a claim involving a third party under subsection  
24           (a).

25 § 8529. Preemption.

26           In accordance with section 6101 (relating to applicability  
27           and uniformity of title), this chapter supersedes and preempts  
28           all ordinances regarding autonomous shuttle vehicles. A State  
29           agency and political subdivision of the Commonwealth shall not  
30           adopt or enforce a policy, rule or ordinance that sets standards

1 for or otherwise burdens, prohibits, limits or regulates the use  
2 of an autonomous shuttle vehicle.

3 SUBCHAPTER D

4 CONNECTED AND HIGHLY AUTONOMOUS VEHICLE ADVISORY COMMITTEE

5 Sec.

6 8541. Definitions.

7 8542. Connected and Highly Autonomous Vehicle Advisory  
8 Committee.

9 § 8541. Definitions.

10 The following words and phrases when used in this subchapter  
11 shall have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Advisory committee." The Connected and Highly Autonomous  
14 Vehicle Advisory Committee established under section 8542(a)  
15 (relating to Connected and Highly Autonomous Vehicle Advisory  
16 Committee).

17 § 8542. Connected and Highly Autonomous Vehicle Advisory  
18 Committee.

19 (a) Establishment.--The Connected and Highly Autonomous  
20 Vehicle Advisory Committee is established within the department.

21 (b) Composition.--The advisory committee shall consist of  
22 the following members:

23 (1) The secretary, who shall serve as the chairperson of  
24 the advisory committee.

25 (2) The Secretary of Community and Economic Development.

26 (3) The Insurance Commissioner.

27 (4) The Secretary of Labor and Industry.

28 (5) The Commissioner of Pennsylvania State Police.

29 (6) The Chairman of the Pennsylvania Turnpike  
30 Commission.

1           (7) The chairperson and minority chairperson of the  
2 Transportation Committee of the Senate.

3           (8) The chairperson and minority chairperson of the  
4 Transportation Committee of the House of Representatives.

5           (9) The following members to be appointed by the  
6 Governor:

7           (i) One member representing an urban or rural  
8 transit authority in this Commonwealth. An appointment  
9 under this subparagraph shall rotate from an urban  
10 transit authority to a rural transit authority or vice  
11 versa for each successive appointment.

12           (ii) One member representing a transportation,  
13 educational or research institution in this Commonwealth.

14           (iii) One member representing a technology company  
15 engaged in fully autonomous vehicle research.

16           (iv) One member representing an automaker engaged in  
17 fully autonomous vehicle research.

18           (v) One member representing bicyclists or  
19 pedestrians in this Commonwealth.

20           (vi) One member representing drivers or consumers in  
21 this Commonwealth.

22           (vii) One member representing a municipality of this  
23 Commonwealth.

24           (viii) One member representing an insurance company,  
25 association or exchange who is authorized to transact the  
26 business of motor vehicle insurance in this Commonwealth.

27           (c) Vacancies.--If a position under subsection (b) (9) has  
28 been vacant for 120 days, an appointment shall be made on a  
29 rotating basis by the President pro tempore of the Senate and  
30 the Speaker of the House of Representatives to fill the vacancy.

1 (d) Alternates.--An advisory committee member under  
2 subsection (b) (1), (2), (3), (4), (5), (6), (7) or (8) may  
3 designate an alternate to serve in the member's absence. The  
4 advisory committee member shall notify the chairperson of the  
5 advisory committee in writing of the designation.

6 (e) Terms.--An advisory committee member may be reappointed  
7 for additional terms. The terms of advisory committee members  
8 appointed by the Governor under subsection (b) (9) shall be three  
9 years. An individual appointed to fill a vacancy on the advisory  
10 committee under subsection (b) shall serve for the unexpired  
11 term and shall be eligible for reappointment.

12 (f) Meetings and expenses.--The following shall apply:

13 (1) The advisory committee shall meet at least three  
14 times annually, but may hold such additional meetings as are  
15 called by the chairperson of the advisory committee. The  
16 chairperson shall provide notice at least 14 days in advance  
17 for regular meetings and shall provide a minimum of three  
18 days' notice for special meetings.

19 (2) The secretary shall maintain a record of meeting  
20 attendance by members and shall provide written notice to  
21 appointed members who miss two consecutive meetings. An  
22 appointed member under subsection (b) (9) who misses three  
23 consecutive meetings without good cause acceptable to the  
24 chairperson of the advisory committee may be replaced by the  
25 Governor.

26 (3) Minutes of the meetings shall be prepared by the  
27 secretary and filed with the advisory committee and  
28 distributed to all members. All records shall be a matter of  
29 public record.

30 (4) An appointed member under subsection (b) (9) may not

1 receive per diem expenses.

2 (5) The department shall provide appropriate staff  
3 support to enable the advisory committee to properly carry  
4 out the advisory committee's functions.

5 (g) Powers.--The advisory committee shall have the power to  
6 advise and consult the secretary on all aspects of the safe  
7 testing and deployment of connected and automated systems under  
8 this title and may undertake the following, at a minimum:

9 (1) Developing technical guidance.

10 (2) Evaluating best practices.

11 (3) Recommending legislation and policy.

12 (4) Engaging in continued research and evaluation of  
13 connected and automated systems technology necessary to  
14 ensure safe testing, deployment and continued innovation in  
15 this Commonwealth.

16 (h) Annual report.--The department shall provide an annual  
17 report of the activities of the advisory committee under  
18 subsection (g) on the department's publicly accessible Internet  
19 website.

20 Section 3. This act shall take effect in 60 days.