

**HOUSE . . . . . No. 3369**

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**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:	DATE ADDED:
<i>Peter J. Durant</i>	<i>6th Worcester</i>	<i>1/18/2013</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	<i>3/14/2013</i>

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By Mr. Durant of Spencer, a petition (accompanied by bill, House, No. 3369) of Peter J. Durant and Kevin J. Kuros for legislation to authorize the operation of autonomous vehicles without active control or monitoring by a human operator. Transportation.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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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. 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           (a) A person who possesses a valid driver license may operate an autonomous vehicle in  
15 autonomous mode. For purposes of this chapter, unless the context otherwise requires, a person  
16 shall be deemed to be the operator of an autonomous vehicle operating in autonomous mode  
17 when the person causes the vehicle's autonomous technology to engage, regardless of whether  
18 the person is physically present in the vehicle while the vehicle is operating in autonomous  
19 mode.

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

22 (1) Have a means to engage and disengage the autonomous technology which is easily  
23 accessible to the operator.

24 (2) Have a means, inside the vehicle, to visually indicate when the vehicle is operating in  
25 autonomous mode.

26 (3) Have a means to alert the operator of the vehicle if a technology failure affecting the  
27 ability of the vehicle to safely operate autonomously is detected while the vehicle is operating  
28 autonomously in order to indicate to the operator to take control of the vehicle.

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

31 (c) 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 (d) (1) Vehicles equipped with autonomous technology may be operated on roads in this  
34 state by employees, contractors, or other persons designated by manufacturers of autonomous  
35 technology for the purpose of testing the technology. For testing purposes, a human operator  
36 shall be present in the autonomous vehicle such that he or she has the ability to monitor the  
37 vehicle's performance and intervene, if necessary, unless the vehicle is being tested or  
38 demonstrated on a closed course. Prior to the start of testing in this state, the entity performing  
39 the testing must submit to the division of highway safety an instrument of insurance, surety  
40 bond, or proof of self-insurance acceptable to the department in the amount of \$5,000,000.

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

46 (3) By February 12, 2015, the division of highway safety shall submit a report to the  
47 president of the senate and the speaker of the house of representatives recommending additional  
48 legislative or regulatory action that may be required for the safe testing and operation of motor  
49 vehicles equipped with autonomous technology.

50 SECTION 2. This act shall take effect July 1, 2013.