

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND EIGHTEEN

H.P. 1204 - L.D. 1724

Resolve, To Establish the Commission on Autonomous Vehicles and To Allow the Testing, Demonstration and Deployment of Automated Driving Systems

Sec. 1. Commission established. Resolved: That the Commission on Autonomous Vehicles, referred to in this resolve as "the commission," is established to coordinate efforts among state agencies and knowledgeable stakeholders to inform the development of a process to allow an autonomous vehicle tester to demonstrate and deploy for testing purposes an automated driving system on a public way.

1. Membership. The commission consists of, at a minimum, 11 members as follows:

- A. The Commissioner of Transportation or the commissioner's designee, who serves as chair;
- B. The Secretary of State or the secretary's designee from the Department of the Secretary of State, Bureau of Motor Vehicles;
- C. The Commissioner of Public Safety or the commissioner's designee from the Department of Public Safety, Bureau of State Police;
- D. The Chief Information Officer or the officer's designee from the Department of Administrative and Financial Services, Office of Information Technology;
- E. A representative of the Department of Public Safety, Bureau of Highway Safety, appointed by the Commissioner of Public Safety;
- F. A representative of the Department of Professional and Financial Regulation, Bureau of Insurance, appointed by the Commissioner of Professional and Financial Regulation;
- G. A representative of the office of aging and disability services within the Department of Health and Human Services, appointed by the Commissioner of Health and Human Services;
- H. The Executive Director of the Maine Turnpike Authority or the executive director's designee;

- I. One member who has expertise in autonomous vehicle technologies, appointed by the Commissioner of Transportation;
- J. One member representing a nonprofit transit provider, appointed by the Commissioner of Transportation; and
- K. One member representing the motor carrier industry, appointed by the Commissioner of Transportation.

The chair may make other appointments to the commission as necessary.

2. Definitions. For the purposes of this resolve, the following terms have the following meanings.

- A. "Automated driving system" means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis regardless of whether it is limited to a specific operational design domain. "Automated driving system" is used specifically to describe a level 3, 4 or 5 driving automation system in accordance with standards and specifications outlined in standard J3016 adopted by the Society of Automotive Engineers in September 2016.
- B. "Autonomous vehicle" means any vehicle or motor vehicle equipped with a driving automation system.
- C. "Autonomous vehicle manufacturer" means a person or entity that builds or sells autonomous vehicles or that develops or installs automated driving systems in motor vehicles that are not originally built as autonomous vehicles.
- D. "Autonomous vehicle tester" means an autonomous vehicle manufacturer, institution of higher education, fleet service provider or automotive equipment or technology provider that tests autonomous vehicles.
- E. "Driving automation system" means a system in a motor vehicle that performs all or part of the dynamic driving task on a sustained basis.
- F. "Dynamic driving task" means all of the real time operational and tactical functions required to operate a vehicle in on-road traffic.
- G. "Operational design domain" means the specific conditions under which a given driving automation system or feature is designed to function, including but not limited to driving modes.

3. Duties. The commission shall:

- A. Develop a recommendation for a process to evaluate and authorize an autonomous vehicle tester to demonstrate and deploy for testing purposes an automated driving system on a public way;
- B. Review existing state laws and, if necessary, recommend legislation for the purposes of governing autonomous vehicle testers and the testing, demonstration, deployment and operation of automated driving systems on public ways;
- C. Monitor state compliance with federal regulations as they relate to autonomous vehicles;

D. Consult with public sector and private sector experts on autonomous vehicle technologies, as appropriate; and

E. Invite the participation of knowledgeable stakeholders to provide written and oral comments on the commission's assigned duties. Knowledgeable stakeholders may include representatives from the Maine Municipal Association, the Maine Automobile Dealers Association, the American Council of Engineering Companies of Maine, the Maine Better Transportation Association and the Maine Motor Transport Association and a person representing labor interests.

4. Report. By January 15, 2020, the Commissioner of Transportation shall submit an initial written report on the progress of the commission and by January 15, 2022, the Commissioner of Transportation shall submit a final written report that includes findings and recommendations, including suggested legislation, for presentation to the joint standing committee of the Legislature having jurisdiction over transportation matters. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill to the Second Regular Session of the 129th Legislature relating to the subject matter of the initial report and to the Second Regular Session of the 130th Legislature relating to the subject matter of the final report; and be it further

Sec. 2. Rulemaking. Resolved: That, notwithstanding the Maine Revised Statutes, Title 29-A, section 470, the Commissioner of Transportation, in consultation with the commission, shall establish a process to evaluate and authorize an autonomous vehicle tester to demonstrate and deploy for testing purposes an automated driving system on a public way.

1. Rules. The Commissioner of Transportation shall adopt rules, in consultation with the Department of Public Safety and the Department of the Secretary of State, to establish a process to evaluate and authorize an autonomous vehicle tester to demonstrate and deploy for testing purposes an automated driving system on a public way. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Enforcement. The Commissioner of Transportation may immediately prohibit an operator or autonomous vehicle tester from testing an automated driving system if the Commissioner of Transportation, in consultation with the Commissioner of Public Safety and the Secretary of State, determines that testing poses a risk to public safety or that the operator or autonomous vehicle tester fails to comply with the requirements as established by rule adopted pursuant to subsection 1.