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Date: (Filing No. H-)

TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1204, L.D. 1724, Bill, “An Act To Authorize Municipalities To Develop and Operate Pilot Programs for the Use of Autonomous Vehicles for Public Transportation”

Amend the bill by striking out the title and substituting the following:

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

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'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;

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1 F. A representative of the Department of Professional and Financial Regulation,
2 Bureau of Insurance, appointed by the Commissioner of Professional and Financial
3 Regulation;

4 G. A representative of the office of aging and disability services within the
5 Department of Health and Human Services, appointed by the Commissioner of
6 Health and Human Services;

7 H. The Executive Director of the Maine Turnpike Authority or the executive
8 director's designee;

9 I. One member who has expertise in autonomous vehicle technologies, appointed by
10 the Commissioner of Transportation;

11 J. One member representing a nonprofit transit provider, appointed by the
12 Commissioner of Transportation; and

13 K. One member representing the motor carrier industry, appointed by the
14 Commissioner of Transportation.

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

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

18 A. "Automated driving system" means the hardware and software that are
19 collectively capable of performing the entire dynamic driving task on a sustained
20 basis regardless of whether it is limited to a specific operational design domain.
21 "Automated driving system" is used specifically to describe a level 3, 4 or 5 driving
22 automation system in accordance with standards and specifications outlined in
23 standard J3016 adopted by the Society of Automotive Engineers in September 2016.

24 B. "Autonomous vehicle" means any vehicle or motor vehicle equipped with a
25 driving automation system.

26 C. "Autonomous vehicle manufacturer" means a person or entity that builds or sells
27 autonomous vehicles or that develops or installs automated driving systems in motor
28 vehicles that are not originally built as autonomous vehicles.

29 D. "Autonomous vehicle tester" means an autonomous vehicle manufacturer,
30 institution of higher education, fleet service provider or automotive equipment or
31 technology provider that tests autonomous vehicles.

32 E. "Driving automation system" means a system in a motor vehicle that performs all
33 or part of the dynamic driving task on a sustained basis.

34 F. "Dynamic driving task" means all of the real time operational and tactical
35 functions required to operate a vehicle in on-road traffic.

36 G. "Operational design domain" means the specific conditions under which a given
37 driving automation system or feature is designed to function, including but not
38 limited to driving modes.

39 **3. Duties.** The commission shall:

1 A. Develop a recommendation for a process to evaluate and authorize an
2 autonomous vehicle tester to demonstrate and deploy for testing purposes an
3 automated driving system on a public way;

4 B. Review existing state laws and, if necessary, recommend legislation for the
5 purposes of governing autonomous vehicle testers and the testing, demonstration,
6 deployment and operation of automated driving systems on public ways;

7 C. Monitor state compliance with federal regulations as they relate to autonomous
8 vehicles;

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

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

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

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

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

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

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SUMMARY

This amendment, which replaces the bill, establishes the Commission on Autonomous Vehicles 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.

The amendment also requires that the Commissioner of Transportation, in consultation with the Commission on Autonomous Vehicles, 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.