

**Proposed Substitute  
Bill No. 6486**

LCO No. 6074

**AN ACT CONCERNING AUTOMATED DRIVING SYSTEM EQUIPPED  
VEHICLES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 13a-260 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2021*):

3 (a) For the purposes of this section:

4 (1) ["Fully autonomous vehicle"] "ADS-equipped vehicle" means a  
5 motor vehicle that is equipped with an automated driving system; [,  
6 designed to function without an operator and classified as level four or  
7 level five by SAE J3016;]

8 (2) "Automated driving system" or "ADS" means the hardware and  
9 software that are collectively capable of performing the entire dynamic  
10 driving task on a sustained basis, regardless of whether the automated  
11 driving system is limited to a specific operational design domain;

12 (3) "Driver" means a user who performs in real-time part or all of the  
13 dynamic driving tasks or dynamic driving tasks fallback for a vehicle;

14 (4) "Driving automation" means the performance by hardware and  
15 software of part or all of the dynamic driving tasks on a sustained basis;

16 (5) "Driving automation system" means the hardware and software

17 that are collectively capable of performing part or all of the dynamic  
18 driving tasks on a sustained basis;

19 [(3)] (6) "Dynamic driving task" means the real-time operational and  
20 tactical functions required to operate a motor vehicle on highways,  
21 excluding the strategic functions such as trip scheduling and selection  
22 of destinations and waypoints;

23 (7) "Dynamic driving task fallback" means the response by the user  
24 to either perform the dynamic driving task or achieve a minimal risk  
25 condition after occurrence of a dynamic driving task performance-  
26 relevant system failure or upon operational design domain exit, or the  
27 response by an automated driving system to achieve minimal risk  
28 condition;

29 (8) "Fallback-ready user" means the user of a vehicle equipped with  
30 an engaged level three or conditional driving automation system who is  
31 able to (A) operate the vehicle and is receptive to automated driving  
32 system-issued requests to intervene, and (B) evident dynamic driving  
33 task performance-relevant system failures in the vehicle compelling the  
34 user to perform the dynamic driving task fallback;

35 (9) "Level three or conditional driving automation" means the  
36 sustained and operational design domain-specific performance by an  
37 automated driving system of the entire dynamic driving task with the  
38 expectation that the dynamic driving task fallback-ready user is  
39 receptive to automated driving system-issued requests to intervene and  
40 to dynamic driving task performance-relevant system failures in other  
41 vehicle systems and will respond appropriately;

42 (10) "Minimal risk condition" means a condition to which a user or an  
43 automated driving system may bring a vehicle after performing the  
44 dynamic driving task fallback to reduce the risk of a crash when a given  
45 trip cannot or should not be completed;

46 (11) "Operate" means the activities performed by an operator or by an  
47 automated driving system to perform the entire dynamic driving task

48 for a vehicle during a trip;

49 [(4) (12) "Operational design domain" means [a description of the  
50 operating domains in which an automated driving system is] the  
51 operating conditions under which a driving automation system, or  
52 feature of such system, is specifically designed to function, including,  
53 but not limited to, [geographic, roadway,] environmental, [and speed  
54 limitations] geographical and time-of-day restrictions and the requisite  
55 presence or absence of certain traffic or roadway conditions;

56 [(5) "SAE J3016" means the "Taxonomy and Definitions for Terms  
57 Related to Driving Automation Systems for On-Road Motor Vehicles"  
58 published by SAE International in September 2016;]

59 [(6) (13) "Operator" means [the person who causes the automated  
60 driving system to engage while physically inside the fully autonomous  
61 vehicle] a driver or automated driving system that operates a motor  
62 vehicle;

63 [(7) "Autonomous vehicle tester" means an autonomous vehicle  
64 manufacturer, institution of higher education, fleet service provider or  
65 automotive equipment or technology provider;

66 (8) "Fleet service provider" means a person or entity that owns or  
67 leases a fully autonomous vehicle and operates such fully autonomous  
68 vehicle for commercial or public use;

69 (9) "Autonomous vehicle manufacturer" means: (A) A person or  
70 entity that builds or sells fully autonomous vehicles; (B) a person or  
71 entity that installs automated driving systems in motor vehicles that are  
72 not originally built as fully autonomous vehicles; or (C) a person or  
73 entity that develops automated driving systems in fully autonomous  
74 vehicles or motor vehicles that are not originally built as fully  
75 autonomous vehicles;

76 (10) "Secretary" means the Secretary of the Office of Policy and  
77 Management; and]

78 (14) "Request to intervene" means notification by an automated  
79 driving system to a fallback-ready user indicating that the fallback-  
80 ready user should promptly perform the dynamic driving task fallback,  
81 which may entail resuming manual operation of the vehicle or achieving  
82 a minimal risk condition;

83 (15) "System failure" means a malfunction in a driving automation  
84 system or other vehicle system that prevents the driving automatic  
85 system from reliably performing the portion of the dynamic driving task  
86 on a sustained basis, including the complete dynamic driving task, that  
87 it would otherwise perform;

88 (16) "Testing" means operating a motor vehicle equipped with an  
89 automated driving system for the purpose of demonstrating or  
90 evaluating the automated driving system on highways;

91 (17) "Trip" means the traversal of an entire travel pathway by a  
92 vehicle from the point of origin to a destination;

93 (18) "User" means a person who performs the human role in driving  
94 automation; and

95 [(11)] (19) "Highway", ["limited access highway", and] "motor  
96 vehicle", "operator's license" and "owner" have the same meanings as  
97 defined in section 14-1.

98 [(b) The Office of Policy and Management, in consultation with the  
99 Departments of Motor Vehicles, Transportation and Emergency  
100 Services and Public Protection, shall establish a pilot program for not  
101 more than four municipalities to allow autonomous vehicle testers to  
102 test fully autonomous vehicles on the highways of such municipalities.  
103 Municipalities shall apply to the Secretary of the Office of Policy  
104 Management in the manner and form directed by the secretary for  
105 inclusion in the pilot program. The secretary shall select at least one  
106 municipality with a population of at least one hundred twenty  
107 thousand, but not more than one hundred twenty-four thousand, and  
108 one municipality with a population of at least one hundred thousand,

109 as enumerated in the 2010 federal decennial census.

110 (c) The chief elected official or chief executive officer of a municipality  
111 selected by the secretary shall select and enter into a written agreement  
112 with an autonomous vehicle tester or autonomous vehicle testers to test  
113 fully autonomous vehicles on the highways of the municipality. Such  
114 agreement shall, at a minimum: (1) Specify the locations and routes  
115 where such fully autonomous vehicles may operate; (2) prohibit the  
116 operation of such fully autonomous vehicles outside such locations and  
117 routes except in the case of an emergency; (3) identify each fully  
118 autonomous vehicle to be tested by vehicle identification number, make,  
119 year and model; and (4) specify the hours of operation of such fully  
120 autonomous vehicles.

121 (d) An autonomous vehicle tester shall not test a fully autonomous  
122 vehicle in a municipality unless:

123 (1) The operator is: (A) Physically inside the fully autonomous  
124 vehicle; (B) monitoring the operation of such fully autonomous vehicle;  
125 (C) capable of taking immediate manual control of such fully  
126 autonomous vehicle; (D) an employee, independent contractor or other  
127 person designated and trained by the autonomous vehicle tester  
128 concerning the capabilities and limitations of such fully autonomous  
129 vehicle; and (E) a holder of an operator's license;

130 (2) The autonomous vehicle tester: (A) Registers each fully  
131 autonomous vehicle to be tested with the Commissioner of Motor  
132 Vehicles pursuant to section 14-12; and (B) submits to the commissioner,  
133 in a manner and form directed by the commissioner, proof of liability  
134 insurance, self-insurance or a surety bond of at least five million dollars  
135 for damages by reason of bodily injury, death or property damage  
136 caused by a fully autonomous vehicle; and

137 (3) The operator and autonomous vehicle tester: (A) Comply with any  
138 provision of the general statutes or any ordinance of a municipality  
139 concerning the operation of motor vehicles; (B) comply with standards  
140 established by the National Highway Traffic Safety Administration

141 regarding fully autonomous vehicles; and (C) satisfy any other  
142 requirement as determined by the secretary, in consultation with the  
143 Commissioners of Motor Vehicles, Transportation and Emergency  
144 Services and Public Protection, as necessary to ensure the safe operation  
145 of such fully autonomous vehicle.

146 (e) No autonomous vehicle tester shall test a fully autonomous  
147 vehicle on any limited access highway.

148 (f) The secretary may immediately prohibit an operator or  
149 autonomous vehicle tester from testing a fully autonomous vehicle if the  
150 secretary, in consultation with the Commissioners of Motor Vehicles,  
151 Transportation and Emergency Services and Public Protection,  
152 determines that such testing poses a risk to public safety or that such  
153 operator or autonomous vehicle tester fails to comply with the  
154 provisions of this section or with the requirements of the pilot program.

155 (g) An autonomous vehicle tester that participates in the pilot  
156 program shall provide information to the secretary and the task force  
157 established pursuant to section 2 of public act 17-69\* that the secretary  
158 and task force deem to be appropriate for measuring the performance  
159 of the pilot program. The autonomous vehicle tester may withhold any  
160 commercially valuable, confidential or proprietary information.

161 (h) Not later than July 1, 2020, and annually thereafter, the secretary  
162 shall submit a report to the joint standing committee of the General  
163 Assembly having cognizance of matters relating to transportation, in  
164 accordance with section 11-4a, concerning the implementation and  
165 progress of the pilot program.]

166 (b) Not later than January 1, 2023, the Commissioner of  
167 Transportation, in consultation with the Secretary of the Office of Policy  
168 and Management and the Commissioners of Motor Vehicles, Insurance  
169 and Emergency Services and Public Protection, shall establish a  
170 program to test and operate ADS-equipped vehicles on highways in the  
171 state. The commissioners and secretary shall (1) consider  
172 recommendations from municipalities and other interested

173 stakeholders in establishing such program, (2) require an owner of an  
174 ADS-equipped vehicle to submit an application with a safety plan, and  
175 (3) approve an application prior to permitting an owner or driver from  
176 testing and operating an ADS-equipped vehicle.

177 (c) The commissioners and secretary shall adopt regulations, in  
178 accordance with the provisions of chapter 54, establishing the  
179 requirements of such program. Such regulations shall, at a minimum,  
180 (1) incorporate any provision of any statute or regulation of this state or  
181 the federal government and national best practices regarding testing  
182 and operating ADS-equipped vehicles on highways, (2) establish  
183 procedures for applications to be submitted by the owner of an ADS-  
184 equipped vehicle, (3) require such applications to include a safety plan  
185 to manage the risks associated with crashes and driver inattentiveness  
186 and list countermeasures to be undertaken by the owner or the driver of  
187 the ADS-equipped vehicle to manage such risks, and (4) criteria for the  
188 approval or denial of such applications.

189 (d) Before an ADS-equipped vehicle is tested or operated on a  
190 highway, the owner or the driver of the ADS-equipped vehicle shall:

191 (1) When required by federal law or regulation, (A) receive  
192 certification that the ADS-equipped vehicle is in compliance with all  
193 applicable federal motor vehicle safety standards and regulations, and  
194 (B) place any required certification label, including any reference to an  
195 exception granted under federal law or regulation, on the ADS-  
196 equipped vehicle;

197 (2) Register the ADS-equipped vehicle with the Commissioner of  
198 Motor Vehicles pursuant to section 14-12 or validly register the ADS-  
199 equipped vehicle in another state; and

200 (3) Maintain an automobile liability insurance coverage or a surety  
201 bond of at least five million dollars for damages by reason of bodily  
202 injury, death or property damage caused by an ADS-equipped vehicle.

203 (e) An ADS-equipped vehicle shall comply with any provision of the

204 general statutes or any ordinance of a municipality concerning the  
205 operation of a motor vehicle.

206 (f) When an ADS-equipped vehicle is testing or operating on the  
207 highways of the state and the automated driving system is engaged:

208 (1) The automated driving system is the operator and shall perform  
209 the entire dynamic driving task of the vehicle;

210 (2) The automated driving system is not required to obtain or possess  
211 an operator's license;

212 (3) The owner of the ADS-equipped vehicle is responsible for  
213 ensuring the compliant operation of the vehicle;

214 (4) The ADS-equipped vehicle shall operate within the operational  
215 design domain designated by the manufacturer, unless the ADS-  
216 equipped vehicle is granted an exemption under federal law or  
217 regulation; and

218 (5) The automated driving system shall achieve a minimal risk  
219 condition or make a request to intervene if an operational design  
220 domain exit occurs or a system failure occurs that renders the ADS-  
221 equipped vehicle unable to perform the entire dynamic driving task  
222 relevant to the intended operational design domain.

223 (g) If an ADS-equipped vehicle is involved in a crash, the ADS-  
224 equipped vehicle shall achieve a minimal risk condition and remain at  
225 the scene of the crash. The owner of the ADS-equipped vehicle, or a  
226 person on behalf of such owner, shall (1) immediately report the crash  
227 to a law enforcement officer and remain at the scene of the crash until  
228 the arrival of a law enforcement officer, and (2) provide the following  
229 information upon request to the law enforcement officer: (A) Proof of  
230 registration and insurance, (B) the driver's operator's license, (C) specific  
231 details of the crash, including the possible cause of the crash, (D)  
232 whether the automated driving system was engaged prior to and at the  
233 time of the crash, and (E) any other information as requested by the law  
234 enforcement officer.



This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2021</i>	13a-260
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