

# The Policy Landscape of Autonomous Vehicles & the ULC's *AV Act*

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## Are AVs Legal?

- 1949 Geneva Convention on Road Traffic

(art. 8 requires that every vehicle have a “driver” who is “at all times . . . able to control it.”)

- NHTSA Federal Motor Vehicle Safety Standards

(equipment requirements for manual controls likely inapplicable for SAE levels 4/5)

- SELF DRIVE Act & AV START Act



# AVs Will Disrupt Current Regulations

- Most laws are currently designed to address motor vehicles with human drivers

(this is true with respect to manufacturing, regulation, consumers, and law enforcement)

- The variance in how state jurisdictions address AV regulation has led to considerable insecurity in the industry



# Entering the Patchwork

- **Deployment vs. Testing**

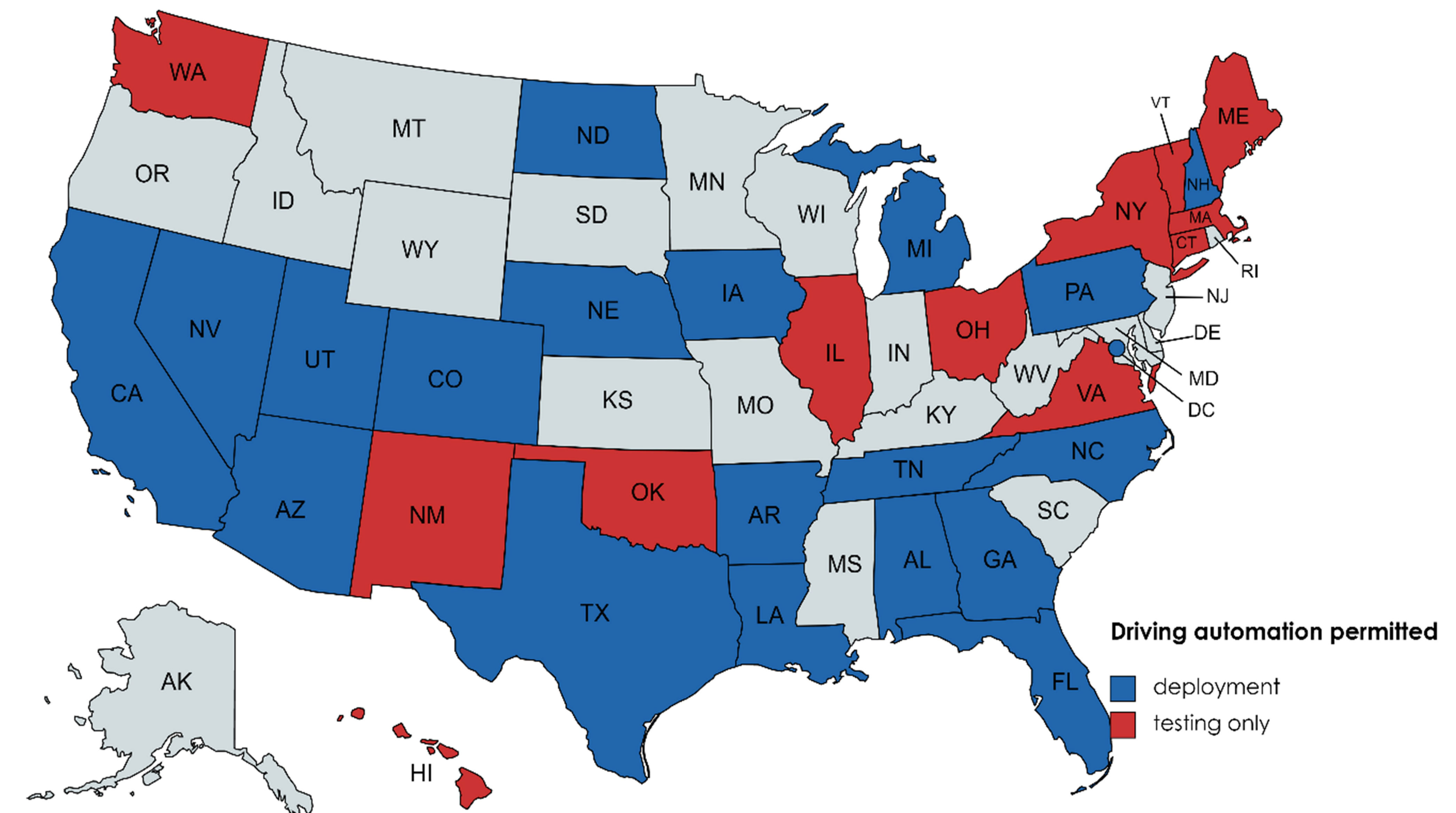
According to the Insurance Institute for Highway Safety (IIHS), 20 of the 32 states that have AV laws permit the deployment of AVs on public roads. The other 12 states only permit some form of AV testing on public roads.

- **Physical Proximity**

According to the IIHS, 18 states do not require an operator to be in the vehicle for at least certain levels of AVs. Five states do not address whether an operator is required to be in the AV. Eight states require the operator to be physically in the vehicle.

- **Maintenance & Liability**

At least two states and the District of Columbia have attempted to address these potential issues with legislation.



# Uniform Law Commission - Uniform Automated Operation of Vehicles Act

Automated-driving provider	A person that makes a declaration recognized by the relevant state agency <sup>1</sup> under Section 6
Automated-driving system	The hardware and software collectively capable of performing the entire dynamic driving task on a sustained basis
Automated operation	The performance of the entire dynamic driving task by an automated-driving system. Automated operation begins on the performance of the entire dynamic driving task by the automated-driving system and continues until a human driver or human operator other than the automated-driving provider terminated the automated operation
Automated vehicle	A motor vehicle with an automated-driving system
Completely automated trip	Travel in an automated vehicle that, from the point of departure until the point of arrival, is under automated operation by means of an automated-driving system designed to achieve a minimal-risk condition
Driver	The meaning in the state's vehicle code, except that an automated-driving provider that designates an associated automated vehicle under Section 7 is the exclusive driver of the vehicle under automated operation



- Addresses ownership & registration
- Removes licensing requirements for individuals who take completely automated trips – even if seated in the conventional driver’s seat
- Registration is given only if an entity has declared that it is an AV-driving provider and has associated the vehicle
- Contains uniformity and severability clauses to mesh with existing state codes



# Law Enforcement and AVs

- Interaction Plans
- Criminal Law Implications
  - strict liability vehicular manslaughter, convicted sex offenders, possession of controlled substances
- Eliminating Pretextual Stops
  - human trafficking and wanted persons



A vertical traffic light with three lenses. The top lens is red, the middle is yellow, and the bottom is green. The green light is illuminated, showing a bright green glow. The traffic light is mounted on a metal pole. The background is a clear blue sky.

## State Inaction

- Unattended Vehicles
- Accident Requirements of Drivers/Operators
- Child Car Seats





# Driving from TX to FL in an AV

- 3 different AV type coverages
- 4 different insurance coverage requirements
- 2 different licensing requirements
- 2 different maintenance liability schemes

