

HOUSE BILL NO. 1065

Introduced by

Representatives Hanson, Rick C. Becker, Beadle, Olson, Mitskog

Senator Laffen

1 A BILL for an Act to create and enact chapter 39-10.4 of the North Dakota Century Code,
2 relating to autonomous vehicles.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** Chapter 39-10.4 of the North Dakota Century Code is created and enacted as
5 follows:

6 **39-10.4-01. Definitions.**

7 As used in this chapter, unless the context otherwise requires:

8 1. "Autonomous technology" means technology that is installed on a motor vehicle and
9 which has the capability to drive the motor vehicle without the active control or
10 monitoring of a human operator. The term does not include an active safety system for
11 driver assistance, including, without limitation, a system to provide electronic blind spot
12 detection, crash avoidance, emergency braking, parking assistance, adaptive cruise
13 control, lane keeping assistance, lane departure warning, or traffic jam and queuing
14 assistance, unless any such system, alone or in combination with any other system,
15 enables the vehicle on which the system is installed to be driven without the active
16 control or monitoring of a human operator.

17 2. "Autonomous vehicle" means a motor vehicle that is equipped with autonomous
18 technology.

19 **39-10.4-02. Requirement for insurance or bond for testing autonomous vehicles.**

20 Before a person begins testing an autonomous vehicle on a highway within this state, the
21 person must:

22 1. Submit to the department proof of insurance or self-insurance acceptable to the
23 department in the amount of \$5,000,000; or

- 1 2. Make a cash depositor post and maintain a surety bond or other acceptable form of
2 security with the department in the amount of \$5,000,000.

3 **39-10.4-03. Safety requirements for testing autonomous vehicles.**

4 If an autonomous vehicle is being tested on a highway within this state, an individual who is
5 the operator must be:

- 6 1. Seated in a position which allows the individual to take immediate manual control of
7 the autonomous vehicle;
8 2. Monitoring the safe operation of the autonomous vehicle; and
9 3. Capable of taking over immediate manual control of the autonomous vehicle in the
10 event of a failure of autonomous technology or other emergency.

11 **39-10.4-04. Requirements for registration for autonomous vehicles.**

- 12 1. An autonomous vehicle may not be registered in this state unless the autonomous
13 vehicle meets all federal standards and regulations that are applicable to a motor
14 vehicle.
15 2. An autonomous vehicle may not be tested or operated on a highway within this state
16 unless the autonomous vehicle is:
17 a. Equipped with a means to engage and disengage the autonomous technology
18 which is easily accessible to the individual who is the operator of the autonomous
19 vehicle;
20 b. Equipped with a visual indicator located inside the autonomous vehicle which
21 indicates when autonomous technology is operating the autonomous vehicle;
22 c. Equipped with a means to alert the individual who is the operator to take manual
23 control of the autonomous vehicle if a failure of the autonomous technology has
24 been detected and such failure affects the ability of the autonomous technology
25 to operate safely the autonomous vehicle; and
26 d. Capable of being operated in compliance with applicable motor vehicle laws and
27 traffic laws of this state.

28 **39-10.4-05. Manufacturer not liable for certain damages.**

29 The manufacturer of a motor vehicle that has been converted by a third party into an
30 autonomous vehicle is not liable for damages to any person injured due to a defect caused by

1 the conversion of the motor vehicle or by any equipment installed to facilitate the conversion
2 unless the defect that caused the injury was present in the vehicle as originally manufactured.

3 **39-10.4-06. Department regulations to authorize operation of autonomous vehicles.**

4 1. The department shall adopt regulations authorizing the operation of autonomous
5 vehicles on highways within this state.

6 2. The regulations required to be adopted by subsection 1 must:

7 a. Set forth requirements that an autonomous vehicle must meet before it may be
8 operated on a highway within this state;

9 b. Set forth requirements for the insurance that is required to test or operate an
10 autonomous vehicle on a highway within this state;

11 c. Establish minimum safety standards for autonomous vehicles and their operation;

12 d. Provide for the testing of autonomous vehicles;

13 e. Restrict the testing of autonomous vehicles to specified geographic areas; and

14 f. Set forth such other requirements as the department determines to be necessary.

15 **39-10.4-07. Endorsement to operate autonomous vehicles.**

16 The department shall by regulation establish a driver's license endorsement for the

17 operation of an autonomous vehicle on the highways of this state. The driver's license

18 endorsement described in this section must, in its restrictions or lack thereof, recognize the fact

19 that an individual is not required to actively drive an autonomous vehicle.