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HOUSE BILL 1649

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State of Washington                      63rd Legislature                      2013 Regular Session

By Representatives Hudgins, Buys, Upthegrove, Bergquist, Ryu, and Pollet

Read first time 02/04/13. Referred to Committee on Transportation.

1            AN ACT Relating to promoting innovation in the transportation  
2 sector while ensuring safety by encouraging development of autonomous  
3 vehicles; adding a new section to chapter 46.04 RCW; adding a new  
4 chapter to Title 46 RCW; and providing an expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            NEW SECTION.    **Sec. 1.** The legislature finds that the state does  
7 not prohibit or specifically regulate the testing or operation of  
8 autonomous technology in motor vehicles on public roads. It is the  
9 intent of the legislature to encourage the safe development, testing,  
10 and operation of motor vehicles with autonomous technology on the  
11 public roads of the state.

12            NEW SECTION.    **Sec. 2.** A new section is added to chapter 46.04 RCW  
13 to read as follows:

14            "Autonomous technology" means technology installed on a motor  
15 vehicle that renders it capable to drive without the active control of  
16 or monitoring by a human operator. "Autonomous technology" excludes  
17 active safety systems or driver assistance systems including, without  
18 limitation, a system to provide electronic blind spot assistance, crash

1 avoidance, emergency braking, parking assistance, adaptive cruise  
2 control, lane keep assistance, lane departure warning, or traffic jam  
3 and queuing assistance, unless any system alone or in combination with  
4 other systems enables the vehicle on which the technology is installed  
5 to drive without the active control of or monitoring by a human  
6 operator.

7 NEW SECTION. **Sec. 3.** (1) For testing purposes, a person must  
8 possess a valid driver's license to operate a vehicle controlled by  
9 autonomous technology in autonomous mode, unless such testing occurs  
10 entirely on a closed course.

11 (2) For purposes of this chapter, a person is deemed the operator  
12 of a vehicle controlled by autonomous technology in autonomous mode  
13 when the person causes the autonomous technology to engage, regardless  
14 of whether the person is physically present in the vehicle while the  
15 vehicle is operating in autonomous mode.

16 NEW SECTION. **Sec. 4.** (1) A vehicle controlled by autonomous  
17 technology may be operated on roads in this state by employees,  
18 contractors, or other persons designated by manufacturers of autonomous  
19 technology for the purpose of testing the technology.

20 (2) For testing purposes, a human operator must be present in a  
21 vehicle controlled by autonomous technology such that he or she has the  
22 ability to monitor the vehicle's performance and intervene, if  
23 necessary, unless the vehicle is being tested or demonstrated on a  
24 closed course.

25 (3) Prior to the start of testing, the entity performing the  
26 testing must submit to the department proof of insurance or surety bond  
27 acceptable to the department in the amount of five million dollars.

28 NEW SECTION. **Sec. 5.** (1) A vehicle controlled by autonomous  
29 technology must continue to meet federal standards and regulations for  
30 a motor vehicle. The vehicle must:

31 (a) Have a means to engage and disengage the autonomous technology  
32 that is easily accessible to the operator;

33 (b) Have a means, inside the vehicle, to visually indicate when the  
34 motor vehicle is operating in autonomous mode;

1 (c) Have a means to alert the operator of the vehicle if a  
2 technology failure affecting the ability of the vehicle to safely  
3 operate autonomously is detected while the vehicle is operating  
4 autonomously in order to indicate to the operator to take control of  
5 the vehicle; and

6 (d) Be capable of being operated in compliance with applicable  
7 traffic and motor vehicle laws of this state.

8 (2) Federal regulations promulgated by the national highway safety  
9 administration supersede this section if found to be in conflict with  
10 this section.

11 NEW SECTION. **Sec. 6.** (1) The department shall review statutes and  
12 rules regarding autonomous vehicles and report to the transportation  
13 committees of the legislature and the governor on June 30, 2026, with  
14 recommendations on how to update and improve the statutes and rules.

15 (2) The department, in consultation with the department of  
16 transportation and the Washington state patrol, shall provide written  
17 notice to the legislature when large scale production and retail sale  
18 of vehicles controlled by autonomous technology appears imminent. This  
19 notice must include recommendations for the operation of such vehicles  
20 by the general public.

21 (3) This section expires June 30, 2027.

22 NEW SECTION. **Sec. 7.** A person may not operate a vehicle  
23 controlled by autonomous technology except as provided in this chapter.

24 NEW SECTION. **Sec. 8.** Sections 1 and 3 through 7 of this act  
25 constitute a new chapter in Title 46 RCW.

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