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**SUBSTITUTE SENATE BILL 5828**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Nguyen, Dhingra, Nobles, Rivers, and Wagoner)

READ FIRST TIME 02/07/22.

1 AN ACT Relating to the autonomous vehicle self-certification  
2 testing pilot program; amending RCW 46.92.010; and providing an  
3 effective date.

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

5 **Sec. 1.** RCW 46.92.010 and 2021 c 193 s 1 are each amended to  
6 read as follows:

7 (1) In order to test an autonomous motor vehicle on any public  
8 roadway under the department's autonomous vehicle self-certification  
9 testing pilot program, the following information must be provided by  
10 the self-certifying entity testing the autonomous motor vehicle:

11 (a) Contact information specified by the department;

12 (b) (~~Local jurisdictions~~) The zip codes where testing is  
13 planned;

14 (c) The number count of and the vehicle identification numbers of  
15 the autonomous vehicles being tested, provided that one is required  
16 by state or federal law; and

17 (d) Proof of an insurance policy that meets the requirements of  
18 RCW 46.30.050.

19 (2) Any autonomous motor vehicle to which subsection (1) of this  
20 section is applicable and that does not have a vehicle identification  
21 number and is not otherwise required under state or federal law to

1 have a vehicle identification number assigned to it must be assigned  
2 a unique identification number that is provided to the department and  
3 that is displayed in the vehicle in a manner similar to the display  
4 of vehicle identification numbers in motor vehicles.

5 (3) (a) ~~((The))~~ By February 1st of each year, the self-certifying  
6 entity testing the autonomous motor vehicle on any public roadway  
7 must ~~((notify))~~ submit a report to the department ~~((of:~~

8 ~~(i) Any))~~ covering any collisions that are required to be  
9 reported to law enforcement under RCW 46.52.030, involving an  
10 autonomous motor vehicle during testing on any public roadway ~~((; and~~

11 ~~(ii) Any moving violations, as defined in administrative rule as~~  
12 ~~authorized under RCW 46.20.2891, for which a citation or infraction~~  
13 ~~was issued, involving an autonomous motor vehicle during testing on~~  
14 ~~any public roadway)), from the prior calendar year.~~

15 (b) ~~((By February 1st of each year, the self-certifying entity~~  
16 ~~must submit a report to the department covering reportable events~~  
17 ~~from the prior calendar year.~~

18 ~~(c) The self-certifying entity shall provide the information~~  
19 ~~required by the department))~~ The report required under (a) of this  
20 subsection ~~((. The information provided))~~ must include information  
21 stating whether the autonomous driving system was operating the  
22 vehicle at the time of or immediately prior to the collision ~~((or~~  
23 ~~moving violation, and in the case of a collision,))~~ and details  
24 regarding the collision, including any loss of life, injury, or  
25 property damage that resulted from the collision.

26 ~~((d))~~ (c) The provisions of this section are supplemental to  
27 all other rights and duties under law applicable in the event of a  
28 motor vehicle collision.

29 (4) The self-certifying entity testing the autonomous motor  
30 vehicle on public roadways under the department's autonomous vehicle  
31 self-certification testing pilot program must provide ~~((written~~  
32 ~~notice in advance of testing to local and state law enforcement~~  
33 ~~agencies with jurisdiction over any of the public roadways on which~~  
34 ~~testing will occur that includes the expected period of time during~~  
35 ~~which testing will occur in the applicable jurisdictions, including~~  
36 ~~city police departments within city limits where testing will occur,~~  
37 ~~county sheriff departments outside of city limits in counties where~~  
38 ~~testing will occur, and the Washington state patrol when))~~ to the  
39 department (a) a law enforcement interaction plan, which includes  
40 information on how to interact with the vehicle in emergency and

1 traffic enforcement situations, and (b) the expected period of time  
2 during which testing will occur (~~on limited access highways, as~~  
3 ~~defined in RCW 47.52.010. However, for testing primarily on limited~~  
4 ~~access highways that travels through multiple local jurisdictions,~~  
5 ~~which may include the limited incidental use of other roadways, the~~  
6 ~~self-certifying entity must only provide written notice as specified~~  
7 ~~in this subsection to the Washington state patrol. Written notice~~  
8 ~~provided under this subsection must: (a) Be~~). The interaction plan  
9 must (i) be provided (~~not less than fourteen and not more than sixty~~  
10 ~~days~~) in advance of testing; (~~(b)~~) (ii) include contact  
11 information where (~~the~~) law enforcement (~~agency~~) agencies can  
12 communicate with the self-certifying entity testing the autonomous  
13 vehicle (~~regarding the testing planned in that jurisdiction~~); and  
14 (~~e~~) (iii) provide the physical description of the motor vehicle  
15 or vehicles being tested, including make, model, color, and license  
16 plate number.

17 (5) The department may adopt a fee to be charged by the  
18 department for self-certification in an amount sufficient to offset  
19 administration by the department of the self-certification testing  
20 pilot program.

21 (6) The department shall provide public access to the  
22 nonconfidential business information self-certifying entities provide  
23 to it, and shall provide an annual report to the house and senate  
24 transportation committees of the legislature summarizing the  
25 information reported by self-certifying entities under this section.

26 (7) An autonomous motor vehicle may not be operated on any public  
27 roadway for the purposes of testing in Washington state until the  
28 department is provided with the information required under subsection  
29 (1) of this section.

30 (8) For purposes of this section, "autonomous" means a level four  
31 or five driving automation system as provided in the society of  
32 automotive engineering international's standard J3016, as it existed  
33 on October 1, 2022, or such subsequent date as may be provided by the  
34 department by rule, consistent with the purposes of this section.

35 NEW SECTION. **Sec. 2.** Section 1 of this act takes effect October  
36 1, 2022.

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