



American Association of
Motor Vehicle Administrators

Autonomous Vehicles Information Sharing Group
Analysis of Laws Enacted in Jurisdictions
(An Introduction to AAMVA AV Law Comparisons)
Executive Summary, Prepared by the Legal Analysis Subgroup

Introduction

This executive summary provides a high-level overview of autonomous vehicle-related laws and regulations enacted by the jurisdictions in the attached table. The summary is in the same order as the accompanying “AAMVA AV Law Comparisons” table.

1. Statutes, Regulations

Statutory and regulatory citations for each jurisdiction.

2. Summary

Most jurisdictions laws allow vehicle manufacturers to develop, test and operate autonomous vehicles on public or specific roadways, within certain limits. In addition, laws define “autonomous vehicle” and prescribe requirements for vehicle testing and operation. In Michigan statute, the term “automated vehicle” is used and means the same as “autonomous vehicle.”

3. Vehicles Covered

All jurisdictions define “autonomous vehicles” as vehicles equipped with technology that enables them to operate without the active physical control or monitoring of a human operator. California and Florida include in the definition vehicles retrofitted with autonomous technology by someone other than the original manufacturer. All jurisdictions exclude from the definition, vehicles that are equipped with one or more driver assistance system, but the District of Columbia (D.C.), Florida, Nevada, and Michigan define a vehicle as autonomous if the driver assistance systems are capable of operating the vehicle without the active control or monitoring by a driver.

4. Road Restrictions

Nevada restricts autonomous vehicles to specific geographic locations that are defined in the operator’s application to test autonomous vehicles. If approved by Nevada DMV, operators may test in multiple locations. Under California law, “the department may adopt safety regulations regarding the aggregate number of deployments of autonomous vehicles on public roads,” however, regulations do not address road restrictions. The District of Columbia, Florida, Georgia and Michigan do not have road restrictions.

5. Titling Requirements

Of the six jurisdictions that have enacted laws regarding automated vehicles, only California prohibits the transfer or sale to the public, autonomous vehicles used for testing. However, test



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vehicles may be sold to another autonomous vehicle manufacturer, a vehicle dismantler, or an educational institution or museum.

Florida has developed internal procedures that require autonomous vehicles used for testing, to be titled with an “AUTONOMOUS VEHICLE” brand, which is recorded on the paper title and department’s computer system. If the autonomous equipment is removed from the vehicle, the vehicle will be branded “PRIOR AUTONOMOUS.” Most autonomous vehicle title transactions will be processed at the Florida DMV office. Autonomous vehicle transactions cannot be processed by a tax collector or license plate agent.

In Georgia, Nevada and Michigan only general title requirements apply. The District of Columbia will address title requirements at a later date with implementing rules.

6. Registration Requirements

California and Florida may develop rules to require special registration for autonomous vehicles used for testing. Florida created internal procedures that require the words “AUTONOMOUS VEHICLE” to be printed on the registration card. Nevada will only issue registration for autonomous vehicles used for testing. And Michigan will issue registration to the manufacturer of an autonomous vehicle used for testing.

7. License Plate Requirements

Nevada issues a special plate designated for autonomous test vehicles.. Michigan will issue a special plate approved by the Secretary of State to autonomous vehicles used for testing. The other states laws did not specify or identify a specific autonomous vehicle license plates.

8. Other Vehicle Requirements

In California, D.C., Nevada and Florida autonomous vehicles may also be operated outside of testing. Michigan requires vehicle to be operated by a representative of the manufacturer and that a person be inside the vehicle and capable of taking control in the event of a technology failure. Both the operator and the person inside the vehicle must be properly licensed. California, Nevada, and Florida require the manufacturer to certify that the vehicles meet Federal Motor Vehicle Safety Standards. California, Nevada and D.C. require that the operator have an accessible means to disengage the technology and that the vehicle include an alert for system failures. California and Nevada require that the vehicles be able to capture autonomous technology sensor data for 30 seconds before a collision and to store that data in a read only format for 3 years post collision.



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9. Driver/Operator Requirements

For testing: California, Florida, and Michigan require a human operator be present in the vehicle. Nevada requires two people in the vehicle; California and Florida require that the person be an employee, contractor, or designee of the manufacturer. California and Nevada require that test drivers be trained in the operation of the technology. All jurisdictions, except D.C., define the operator to include a person who engages the autonomous technology and is not necessarily present in the vehicle.

For Public Operation: D.C requires that the operator have a valid license. Nevada requires an endorsement on the license which is provided to applicants that acknowledge that they are subject to all traffic laws.

10. Insurance Requirements

California, Florida, Michigan and Nevada s liability and insurance requirements. Both California and Michigan place the burden on the "manufacturer" of the autonomous vehicle while Nevada places the insurance requirement on the "person who submits an application to register an autonomous vehicle." Meanwhile, Florida imposes the insurance requirement on "the entity performing the testing." While Michigan does not specify the amount of insurance required, California, Florida and Nevada all require \$5 million of insurance coverage. The District of Columbia does not address the insurance requirements within its statute.

11. Regulatory Reporting Requirements

Only California and Nevada address regulatory reporting requirements. California requires annual reports of failures by the autonomous technology along with reports of any accidents originating from the autonomous technology within 10 days. Nevada requires reports of any accidents or citations originating from the autonomous technology within 10 days.

12. Liability

The jurisdictions that have language adopted show a common requirement – protection of the manufacturer from aftermarket conversions. The uncommon requirement is the language that defines liability for the “operator” of an autonomous vehicle – public use and test vehicle. Nevada does define “operator” in regulations and places the liability on them.



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NOTE: The other jurisdictions may have language that defines an “operator” and places the liability on the owner, but it was not listed in the table so the assumption was made that they didn’t have this establish currently.

Ensuring that each jurisdiction defines “operator” liability is strongly suggested. The jurisdictions should define the operator as the primary responsible party in order to create a legal foundation, and then allow the courts to decide who is responsible for each accident or fatality on the highway based upon the evidence presented.

13. Penalties/Enforcement

(Testing) Michigan and Nevada are the only jurisdictions that provided penalty/enforcement language for vehicle testing. Michigan will impose civil penalties for violating testing requirements. Nevada will take administrative action (suspension, revocation, or refusal to renew their testing license).

(Public Use) Again, the operator of an autonomous vehicle is subject to the same laws and penalties as the driver of vehicle without autonomous technology. However, in Nevada, the operator is liable when the vehicle is in autonomous mode until court ruling, based on evidence presented, decides otherwise.

Jurisdictions that have adopted autonomous laws need to establish violations specific to autonomous vehicle and AV technology. Some states are developing these as we speak, but is it strongly suggested to have penalties established.

14. Other

California prohibits the testing of commercial autonomous vehicles on public roads and highways. In Michigan autonomous vehicles are exempt from the state’s “wireless devices” law when operating in autonomous mode. Nevada has created an “Autonomous Technology Certification Facility” in their regulations. The regulations apply to businesses that install aftermarket autonomous technology on non-autonomous registered vehicles. The regulations specify how to apply for a business license, installation requirements, what information must be provided to the vehicle owner and civil penalties.

15. Study Committees Established

Michigan and Georgia currently have study committees reviewing autonomous vehicles and their technology. Michigan’s committee will be submitting a report by 2/1/2016 recommending any additional legislative or regulatory actions for continued testing. Georgia’s committee is



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identifying measures in order to implement autonomous vehicle technology within the state, with a particular focus on liability.