

JAN 24 2013

S.B. NO. 1229

A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. (a) The department of transportation, in
2 consultation with the insurance commissioner and the examiner of
3 drivers of each county, shall adopt rules in accordance with
4 chapter 91, Hawaii Revised Statutes, providing for the operation
5 of autonomous motor vehicles on highways within the State.

6 (b) The rules adopted pursuant to subsection (a) shall
7 establish:

8 (1) Requirements for autonomous motor vehicles before any
9 autonomous motor vehicle may be operated on a state
10 highway, including minimum safety requirements and any
11 testing, equipment, and performance standards that the
12 department concludes are necessary to ensure the safe
13 operation of autonomous motor vehicles on public
14 roads;

15 (2) Requirements for the testing of autonomous motor
16 vehicles by manufacturers, including:

17 (A) Evidence of insurance or surety bond; and



1 (B) Submission of an application to the department
2 that contains the following certifications:

3 (i) The autonomous motor vehicle has a mechanism
4 to engage and disengage the autonomous
5 technology that is easily accessible to the
6 operator;

7 (ii) The autonomous motor vehicle has a visual
8 indicator inside the cabin to indicate when
9 the autonomous technology is engaged;

10 (iii) The autonomous motor vehicle has a system to
11 safely alert the operator if an autonomous
12 technology failure is detected while the
13 autonomous technology is engaged;

14 (iv) The autonomous motor vehicle shall allow the
15 operator to take control in multiple
16 manners, including through the use of the
17 brake, the accelerator pedal, or the
18 steering wheel, and it shall alert the
19 operator that the autonomous technology has
20 been disengaged;

21 (v) The autonomous motor vehicle's autonomous
22 technology meets federal motor vehicle



1 safety standards for the vehicle's model
2 year and all other applicable federal and
3 state safety standards and performance
4 requirements;

5 (vi) The autonomous technology does not make
6 inoperative any federal motor vehicle safety
7 standards for the vehicle's model year and
8 all other applicable federal and state
9 safety standards and performance
10 requirements; and

11 (vii) The autonomous motor vehicle has a separate
12 mechanism, in addition to, and separate
13 from, any other mechanism required by law,
14 to capture and store the autonomous
15 technology sensor data for at least thirty
16 seconds before a collision occurs between
17 the autonomous motor vehicle and another
18 vehicle, object, or person while the vehicle
19 is operating in autonomous mode;

20 (3) Requirements for mandatory insurance coverage before
21 any autonomous motor vehicle may be operated on a
22 state highway;



1 (4) Special rules for the registration of autonomous motor
2 vehicles; new examination and license requirements for
3 operators of autonomous motor vehicles; and rules for
4 revocation, suspension, or denial of any license
5 issued by the examiner of drivers; and

6 (5) Other requirements as the director deems necessary.

7 (c) For the purposes of this section:

8 "Autonomous motor vehicle" means any vehicle equipped with
9 autonomous technology that has been integrated into that
10 vehicle.

11 "Autonomous technology" means technology that has the
12 capability to drive a vehicle without the active physical
13 control or monitoring by a human operator; provided that the
14 term shall not include a vehicle that is equipped with one or
15 more collision avoidance systems, including but not limited to
16 electronic blind spot assistance, automated emergency braking
17 systems, park assist, adaptive cruise control, lane keep assist,
18 lane departure warning, traffic jam and queuing assist, or other
19 similar systems that enhance safety or provide driver
20 assistance, but are not capable of driving the vehicle without
21 the active control or monitoring of a human operator.



1 "Manufacturer" means the entity or individual that
2 originally manufactures a vehicle and equips autonomous
3 technology on the originally completed vehicle or, in the case
4 of a vehicle not originally equipped with autonomous technology
5 by the vehicle manufacturer, the person that modifies the
6 vehicle by installing autonomous technology to convert it to an
7 autonomous motor vehicle after the vehicle was originally
8 manufactured.

9 "Operator" means the person who is seated in the driver's
10 seat of the autonomous motor vehicle, or if there is no person
11 in the driver's seat, causes the autonomous technology to
12 engage.

13 SECTION 2. Section 286-102, Hawaii Revised Statutes, is
14 amended by amending subsection (b) to read as follows:

15 "(b) A person operating the following category or
16 combination of categories of motor vehicles shall be examined as
17 provided in section 286-108 and duly licensed by the examiner of
18 drivers:

- 19 (1) Mopeds;
- 20 (2) Motorcycles and motor scooters;
- 21 (3) Passenger cars of any gross vehicle weight rating,
22 buses designed to transport fifteen or fewer



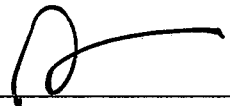
1 occupants, and trucks and vans having a gross vehicle
 2 weight rating of eighteen thousand pounds or less;
 3 [and]
 4 (4) All of the motor vehicles in category (3) and any
 5 vehicle that is not a commercial motor vehicle[-]; and
 6 (5) Autonomous motor vehicles as provided in rules adopted
 7 pursuant to chapter 91."

8 SECTION 3. Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

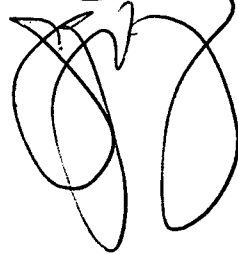
10 SECTION 4. This Act shall take effect upon its approval.

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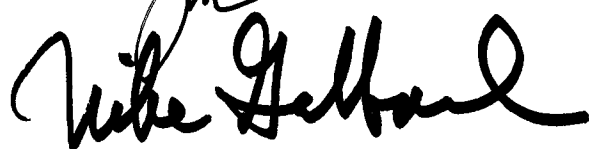
INTRODUCED BY:



Elizabeth Cramer Auckland


Annex & Bob


S.B. NO. 1229

Report Title:

Autonomous Motor Vehicles; Department of Transportation;
Operation and Licensing

Description:

Requires the department of transportation, in consultation with the insurance commissioner and the examiner of drivers of each county, to adopt rules in providing for the operation of autonomous motor vehicles on highways within the State.

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