

#### 115TH CONGRESS 1ST SESSION

# H. R. 3405

To amend title 49, United States Code, to expand the exemption from the motor vehicle safety standards for testing or evaluation purposes to cover manufacturers of highly automated vehicles and automated driving system components, and for other purposes.

#### IN THE HOUSE OF REPRESENTATIVES

July 26, 2017

Mrs. Mimi Walters of California (for herself and Ms. Matsui) introduced the following bill; which was referred to the Committee on Energy and Commerce

## A BILL

To amend title 49, United States Code, to expand the exemption from the motor vehicle safety standards for testing or evaluation purposes to cover manufacturers of highly automated vehicles and automated driving system components, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Maximizing Opportuni-
- 5 ties for Research and the Enhancement of Automated Ve-
- 6 hicles Act" or the "MORE Act".

### 1 SEC. 2. MOTOR VEHICLE TESTING OR EVALUATION.

2	(a) In General.—Section 30112(b)(10) of title 49,
3	United States Code, is amended—
4	(1) by striking "that prior to the date of enact-
5	ment of this paragraph";
6	(2) in subparagraph (A), by striking "motor ve-
7	hicles into the United States that are certified" and
8	inserting "into the United States motor vehicles that
9	are certified, or motor vehicle equipment utilized in
10	a motor vehicle that is certified,";
11	(3) in subparagraph (C), by striking the period
12	at the end and inserting "; or";
13	(4) by redesignating subparagraphs (A) through
14	(C) as clauses (i) through (iii), respectively, and
15	moving their margins 2 ems to the right;
16	(5) by striking "evaluation by a manufacturer
17	that agrees not to sell or offer for sale" and insert-
18	ing the following: "evaluation by—
19	"(A) a manufacturer that agrees not to sell
20	or lease or offer for sale or lease"; and
21	(6) by adding at the end the following:
22	"(B) a manufacturer of highly automated
23	vehicles, automated driving systems, or compo-
24	nents of automated driving systems that agrees
25	not to sell or lease or offer for sale or lease the
26	highly automated vehicle, automated driving

1	system, or components of the automated driving
2	system at the conclusion of the testing or eval-
3	uation and—
4	"(i) has submitted to the Secretary—
5	"(I) the name of the individual,
6	partnership, corporation, or institu-
7	tion of higher education and a point
8	of contact;
9	"(II) the residence address of the
10	individual, partnership, corporation,
11	or institution of higher education and
12	State of incorporation if applicable;
13	"(III) a description of each type
14	of motor vehicle used during develop-
15	ment of highly automated vehicles,
16	automated driving systems, or compo-
17	nents of automated driving systems
18	manufactured by the individual, part-
19	nership, corporation, or institution of
20	higher education; and
21	"(IV) proof of insurance for any
22	State in which the individual, partner-
23	ship, corporation, or institution of
24	higher education intends to test or

1	evaluate highly automated vehicles;
2	and
3	"(ii) if applicable, has identified an
4	agent for service of process in accordance
5	with part 551 of title 49, Code of Federal
6	Regulations.".
7	(b) Definitions.—Section 30102 of title 49, United
8	States Code, is amended—
9	(1) in subsection (a)—
10	(A) by redesignating paragraphs (1)
11	through $(13)$ as paragraphs $(2)$ , $(3)$ , $(4)$ , $(5)$ ,
12	(8), $(9)$ , $(10)$ , $(11)$ , $(12)$ , $(13)$ , $(15)$ , $(16)$ , and
13	(17), respectively;
14	(B) by inserting before paragraph (2) (as
15	so redesignated) the following:
16	"(1) 'automated driving system' means the
17	hardware and software that are collectively capable
18	of performing the entire dynamic driving task on a
19	sustained basis, regardless of whether such system is
20	limited to a specific operational design domain.";
21	(C) by inserting after paragraph (5) (as so
22	redesignated) the following:
23	"(6) 'dynamic driving task' means all of the
24	real time operational and tactical functions required
25	to operate a vehicle in on-road traffic, excluding the

1	strategic functions such as trip scheduling and selec-
2	tion of destinations and waypoints, and including—
3	"(A) lateral vehicle motion control via
4	steering;
5	"(B) longitudinal vehicle motion control
6	via acceleration and deceleration;
7	"(C) monitoring the driving environment
8	via object and event detection, recognition, clas-
9	sification, and response preparation;
10	"(D) object and event response execution;
11	"(E) maneuver planning; and
12	"(F) enhancing conspicuity via lighting,
13	signaling, and gesturing.
14	"(7) 'highly automated vehicle'—
15	"(A) means a motor vehicle equipped with
16	an automated driving system; and
17	"(B) does not include a commercial motor
18	vehicle (as defined in section 31101)."; and
19	(D) by inserting after paragraph (13) (as
20	so redesignated) the following:
21	"(14) 'operational design domain' means the
22	specific conditions under which a given driving auto-
23	mation system or feature thereof is designed to func-
24	tion."; and
25	(2) by adding at the end the following:

"(c) Revisions to Certain Definitions.—

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"(1) If SAE International (or its successor organization) revises the definition of any of the terms defined in paragraph (1), (6), or (14) of subsection (a) in Recommended Practice Report J3016, it shall notify the Secretary of the revision. The Secretary shall publish a notice in the Federal Register to inform the public of the new definition unless, within 90 days after receiving notice of the new definition and after opening a period for public comment on the new definition, the Secretary notifies SAE International (or its successor organization) that the Secretary has determined that the new definition does not meet the need for motor vehicle safety, or is otherwise inconsistent with the purposes of this chapter. If the Secretary so notifies SAE International (or its successor organization), the existing definition in subsection (a) shall remain in effect.

"(2) If the Secretary does not reject a definition revised by SAE International (or its successor organization) as described in paragraph (1), the Secretary shall promptly make any conforming amendments to the regulations and standards of the Secretary that are necessary. The revised definition shall apply for purposes of this chapter. The requirements of section 553 of title 5 shall not apply to the
making of any such conforming amendments.

"(3) Pursuant to section 553 of title 5, the Secretary may update any of the definitions in paragraph (1), (6), or (14) of subsection (a) if the Secretary determines that materially changed circumstances regarding highly automated vehicles have impacted motor vehicle safety such that the definitions need to be updated to reflect such circumstances.".

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