

HB 314 - VERSION ADOPTED BY BOTH BODIES

3Jan2018... 2447h
05/02/2018 1646s
05/02/2018 1832s
23May2018... 2058-CofC
23May2018... 2102-EBA

2018 SESSION

17-0411
03/01

HOUSE BILL **314**

AN ACT relative to licensing requirements for autonomous vehicle testing and establishing an automated and connected vehicle testing and deployment commission.

SPONSORS: Rep. Steven Smith, Sull. 11; Rep. D. Thomas, Rock. 5

COMMITTEE: Transportation

AMENDED ANALYSIS

This bill establishes licensing requirements for autonomous vehicle operation and testing. This bill also establishes an automated and connected vehicle testing and deployment commission.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 314 - VERSION ADOPTED BY BOTH BODIES

3Jan2018... 2447h
05/02/2018 1646s
05/02/2018 1832s
23May2018... 2058-CofC
23May2018... 2102-EBA

17-0411
03/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eighteen

AN ACT relative to licensing requirements for autonomous vehicle testing and establishing an automated and connected vehicle testing and deployment commission.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subdivision; Autonomous Vehicle Testing License. Amend RSA 261 by inserting after
2 section 140-d the following new subdivision:

3 Autonomous Vehicle Testing License

4 261:140-e Autonomous Vehicle Testing License.

5 I. A person may make application to the department, upon blanks furnished by it for that
6 purpose, for an autonomous vehicle testing license. The application shall be accompanied by:

7 (a) Notice to the department that includes the date that research or testing will begin
8 and the general geographic location where research and testing will occur. Testing may move to
9 other areas with prior notice.

10 (b) Evidence that the owner of the vehicle has obtained an instrument of insurance,
11 surety bond, or proof of self-insurance in the amount of at least \$10,000,000.

12 (c) A signed affidavit that the vehicle will be operated only for the purpose of research
13 or testing.

14 (d) Certification that, prior to testing on public roads, the autonomous vehicle has been
15 tested under controlled conditions that simulate, as closely as practicable, the real world conditions
16 that the autonomous vehicle will be subject to during testing.

17 (e) Certification that the testing complies with National Highway Traffic Safety
18 Administration guidance, if any, on the safe testing, deployment, and operation of autonomous
19 vehicles.

20 (f) Certification that the autonomous vehicle used for testing complies with all
21 applicable federal motor vehicle safety standards or written evidence that the National Highway
22 Traffic Safety Administration has granted the autonomous vehicle an exemption from compliance
23 with the relevant standards.

24 (g) Proof that a law enforcement interaction plan has been created to instruct the law
25 enforcement agencies that have jurisdiction over a testing area on how to interact with an
26 autonomous vehicle in emergency and traffic enforcement situations.

27 (h) The vehicle's registration and information, including license plate information. If no

1 registration exists, the division shall issue a temporary plate good for one year upon approval of the
2 application. This plate shall be displayed on the rear of the test vehicle.

3 II. The annual fee for an autonomous vehicle testing license shall be \$500. All licenses
4 issued pursuant to the provisions of this section shall expire annually in the month designated by
5 the director.

6 III. The director may suspend, revoke, deny, or refuse to renew an autonomous vehicle
7 testing license for any of the following reasons:

8 (a) Failure to comply with the rules of the road of this state.

9 (b) Any material misstatement on the application for the issuance or renewal of a
10 license.

11 (c) A finding that the operation of an autonomous vehicle by the person would create a
12 danger to the public.

13 (d) Failure to comply with the other requirements of this section.

14 IV. The licensee shall maintain records related to the safety and efficacy of each vehicle
15 operated under the authority of a license granted under this section and shall provide periodic
16 summaries of the records to the department, to the New Hampshire department of transportation,
17 and to the National Highway Traffic Safety Administration.

18 2 New Subdivisions; Special Rules for Autonomous Vehicles; Automated and Connected Vehicle
19 Testing and Deployment Commission. Amend RSA 265 by inserting after section 161 the following
20 new subdivisions:

21 **Special Rules for Autonomous Vehicles**

22 265:162 Autonomous Vehicles. No person shall operate or cause the operation of a vehicle
23 using SAE level 5 full automation technology unless the person is licensed for autonomous vehicle
24 testing under RSA 261:140-e, the person is testing the vehicle in conformity with the license, and
25 the tested vehicle is accompanied by an escort vehicle.

26 **Automated and Connected Vehicle Testing and Deployment Commission**

27 265:163 Automated and Connected Vehicle Testing and Deployment Commission.

28 I. There is established an automated and connected vehicle testing and deployment
29 commission.

30 II. The members of the commission shall be as follows:

31 (a) The director of the office of strategic initiatives, or designee.

32 (b) The commissioner of the department of transportation, or designee.

33 (c) The commissioner of the department of safety, or designee.

34 (d) The commissioner of the insurance department, or designee.

35 (e) The director of the division of economic development, or designee.

36 (f) The director of the division of state police, or designee.

37 (g) The director of the division of motor vehicles, or designee.

38 (h) Three members of the house of representatives, one of whom shall be a member of

HB 314 - VERSION ADOPTED BY BOTH BODIES
- Page 3 -

1 the minority party, appointed by of the speaker of the house of representatives.

2 (i) One member of the senate, appointed by the president of the senate.

3 III. Legislative members of the commission shall receive mileage at the legislative rate
4 when attending to the duties of the commission.

5 IV. To prepare the state for the use of automated vehicle technologies on public roadways,
6 the commission shall:

7 (a) Follow developments in the testing and deployment of automated and connected
8 vehicle technology, including both federal and state laws, regulations, and guidance on the subject.

9 (b) Identify all agencies with pertinent jurisdiction to support the testing and
10 deployment of automated and connected vehicles.

11 (c) Consider avenues to encourage the development of automated and connected
12 vehicles technologies and their component hardware and software in New Hampshire, and to that
13 end, shall work with both universities and companies in the sector to support innovation and
14 development.

15 (d) Examine ways to educate residents on the benefits of automated and connected
16 vehicle technologies, including enhanced mobility, increased safety, more efficient land use,
17 expanded roadway capacity, and reduced environmental impact.

18 (e) Review existing state statutes and administrative rules and identify existing statutes
19 or rules that impede the testing and deployment of automated and connected vehicles; such review
20 shall include, but not be limited to, existing laws pertaining to vehicle registration and titling,
21 vehicle insurance requirements, drivers' licenses, and general rules of the road.

22 (f) Solicit input from representatives of:

23 (1) New Hampshire colleges and universities.

24 (2) Disabled communities.

25 (3) Elder communities.

26 (4) Public transportation providers.

27 (5) Automated and connected vehicle manufacturers.

28 (6) Automated and connected vehicle technology suppliers.

29 (7) Automobile dealers.

30 (8) The trucking industry.

31 (9) Urban planning professionals.

32 (10) Any other relevant actors with expertise or interest in the area of automated
33 and connected vehicle technologies.

34 V. The commission shall be chaired by the director of the office of strategic initiatives, or his
35 or her designee. The first meeting of the commission shall be called by the chairperson and shall be
36 held within 45 days of the effective date of this section. Six members of the commission shall
37 constitute a quorum.

38 VI. The commission shall report its initial findings and any recommendations to the

HB 314 - VERSION ADOPTED BY BOTH BODIES

- Page 4 -

1 speaker of the house of representatives, the president of the senate, the house clerk, the senate
2 clerk, the governor, and the state library on or before November 1, 2018, and provide annual
3 reports thereafter every November 1. Such annual reports shall include a summary of commission
4 activities during the period, and may include recommendations for legislative and regulatory
5 consideration.

6 3 Repeal. RSA 265:163, relative to the automated and connected vehicle testing and
7 deployment commission, is repealed.

8 4 Effective Date.

9 I. Section 1 of this act and RSA 265:162 as inserted by section 2 of this act shall take effect
10 January 1, 2019.

11 II. Section 3 of this act shall take effect December 2, 2022.

12 III. The remainder of this act shall take effect upon its passage.

HB 314- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2017-2447h)

AN ACT relative to autonomous vehicles.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2019	FY 2020	FY 2021	FY 2022
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$49,000	\$0	\$0	\$0
Funding Source:	<input type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Other - Reflectorized Plate Fund and Restricted Cost of Collections*			

*Pursuant to Part II, article 6-a of the New Hampshire constitution, any costs associated with the collection and administration of Highway Funds by the Department of Safety shall be deducted by the Department before such funds are credited to the Highway Fund as unrestricted revenue.

METHODOLOGY:

This bill establishes a license for autonomous vehicle operation and testing. Licenses will be valid for one year at a cost of \$500 and include temporary license plates. It is unknown how many licenses will be applied for and issued and therefore this bill's impact on state revenue is indeterminable. The Department of Safety estimates required system programming and testing costs will total \$49,000.

AGENCIES CONTACTED:

Department of Safety