

# SENATE BILL No. 997

May 25, 2016, Introduced by Senators WARREN, KOWALL, JONES, STAMAS, BRANDENBURG, HERTEL, COLBECK, SCHMIDT, MARLEAU, HORN and ANANICH and referred to the Committee on Economic Development and International Investment.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 2b and 601a (MCL 257.2b and 257.601a), section 2b as added by 2013 PA 231 and section 601a as amended by 2011 PA 115, and by adding section 665a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 2b. (1) "AUTOMATED DRIVING SYSTEM" MEANS HARDWARE AND  
2 SOFTWARE THAT ARE COLLECTIVELY CAPABLE OF PERFORMING ALL ASPECTS OF  
3 THE DYNAMIC DRIVING TASK FOR A VEHICLE ON A PART-TIME OR FULL-TIME  
4 BASIS WITHOUT ANY SUPERVISION BY A HUMAN OPERATOR. AS USED IN THIS  
5 SUBSECTION, "DYNAMIC DRIVING TASK" MEANS ALL OF THE FOLLOWING, BUT  
6 DOES NOT INCLUDE STRATEGIC ASPECTS OF A DRIVING TASK, INCLUDING,  
7 BUT NOT LIMITED TO, DETERMINING DESTINATIONS OR WAYPOINTS:

8           (A) OPERATIONAL ASPECTS, INCLUDING, BUT NOT LIMITED TO,

1 STEERING, BRAKING, ACCELERATING, AND MONITORING THE VEHICLE AND THE  
2 ROADWAY.

3 (B) TACTICAL ASPECTS, INCLUDING, BUT NOT LIMITED TO,  
4 RESPONDING TO EVENTS, DETERMINING WHEN TO CHANGE LANES, TURNING,  
5 USING SIGNALS, AND OTHER RELATED ACTIONS.

6 (2) ~~(1)~~—"Automated motor vehicle" means a motor vehicle on  
7 which **AN** automated ~~technology~~ **DRIVING SYSTEM** has been installed,  
8 either by a manufacturer of automated ~~technology~~ **DRIVING SYSTEMS** or  
9 an upfitter that enables the motor vehicle to be operated without  
10 any control or monitoring by a human operator. Automated motor  
11 vehicle does not include a motor vehicle enabled with 1 or more  
12 active safety systems or operator assistance systems, including,  
13 but not limited to, a system to provide electronic blind spot  
14 assistance, crash avoidance, emergency braking, parking assistance,  
15 adaptive cruise control, lane-keeping assistance, lane departure  
16 warning, or traffic jam and queuing assistance, unless 1 or more of  
17 these technologies alone or in combination with other systems  
18 enable the vehicle on which the technology is installed to operate  
19 without any control or monitoring by an operator.

20 (3) ~~(2)~~—"Automated technology" means technology installed on a  
21 motor vehicle that has the capability to assist, make decisions  
22 for, or replace ~~an~~ **A HUMAN** operator.

23 ~~——(3) "Automatic mode" means the mode of operating an automated~~  
24 ~~motor vehicle when automated technology is engaged to enable the~~  
25 ~~motor vehicle to operate without any control or monitoring by an~~  
26 ~~operator.~~

27 (4) **"AUTOMATIC CRASH NOTIFICATION TECHNOLOGY" MEANS A VEHICLE**

1 SERVICE THAT INTEGRATES WIRELESS COMMUNICATIONS AND VEHICLE  
2 LOCATION TECHNOLOGY TO DETERMINE THE NEED FOR OR TO FACILITATE  
3 EMERGENCY MEDICAL RESPONSE IN THE EVENT OF A VEHICLE CRASH.

4 (5) ~~(4)~~—"Manufacturer of automated ~~technology~~"—DRIVING  
5 SYSTEMS" means a manufacturer or subcomponent system producer  
6 recognized by the secretary of state that develops or produces  
7 automated ~~technology~~—DRIVING SYSTEMS or automated vehicles.

8 (6) "MOBILITY RESEARCH CENTER" MEANS A FACILITY OPERATED UNDER  
9 AN AGREEMENT BETWEEN THIS STATE, A LOCAL UNIT OF GOVERNMENT, AND A  
10 MICHIGAN UNIVERSITY THAT HAS THE ABILITY TO RECEIVE AND ACCEPT FROM  
11 ANY FEDERAL, STATE, OR MUNICIPAL AGENCY, FOUNDATION, PUBLIC OR  
12 PRIVATE AGENCY, ENTITY, OR INDIVIDUAL A GRANT, CONTRIBUTION, OR  
13 LOAN FOR OR IN AID OF THE PLANNING, CONSTRUCTION, OPERATION,  
14 UPGRADE, OR FINANCING OF A FACILITY FOR TESTING ADVANCED  
15 TRANSPORTATION SYSTEMS, INCLUDING, BUT NOT LIMITED TO, CONNECTED OR  
16 AUTOMATED TECHNOLOGY OR AUTOMATED MOTOR VEHICLES TO INCREASE  
17 MOBILITY OPTIONS.

18 (7) "MOTOR VEHICLE MANUFACTURER" MEANS A PERSON THAT HAS  
19 MANUFACTURED AND DISTRIBUTED MOTOR VEHICLES IN THE UNITED STATES  
20 THAT ARE CERTIFIED TO COMPLY WITH ALL APPLICABLE FEDERAL MOTOR  
21 VEHICLE SAFETY STANDARDS AND THAT HAS SUBMITTED APPROPRIATE  
22 MANUFACTURER IDENTIFICATION INFORMATION TO THE NATIONAL HIGHWAY  
23 TRAFFIC SAFETY ADMINISTRATION AS PROVIDED IN 49 CFR PART 566.

24 (8) "ON-DEMAND AUTOMATED MOTOR VEHICLE NETWORK" MEANS A  
25 DIGITAL NETWORK OR SOFTWARE APPLICATION USED TO CONNECT PASSENGERS  
26 TO AUTOMATED MOTOR VEHICLES, NOT INCLUDING COMMERCIAL MOTOR  
27 VEHICLES EQUIPPED WITH AUTOMATED DRIVING SYSTEMS IN PARTICIPATING

1 FLEETS FOR TRANSPORTATION BETWEEN POINTS CHOSEN BY PASSENGERS, FOR  
2 TRANSPORTATION BETWEEN LOCATIONS CHOSEN BY THE PASSENGER WHEN THE  
3 AUTOMATED MOTOR VEHICLE IS OPERATED WITHOUT ANY CONTROL OR  
4 MONITORING BY A HUMAN OPERATOR.

5 (9) "PARTICIPATING FLEET" MEANS VEHICLES THAT ARE EQUIPPED  
6 WITH AUTOMATED DRIVING SYSTEMS THAT ARE OPERATING ON THE PUBLIC  
7 ROADS AND HIGHWAYS OF THIS STATE IN A SAVE PROJECT AS PROVIDED IN  
8 SECTION 665A.

9 (10) "SAVE PROJECT" MEANS AN INITIATIVE THAT AUTHORIZES  
10 ELIGIBLE MOTOR VEHICLE MANUFACTURERS TO MAKE AVAILABLE TO THE  
11 PUBLIC ON-DEMAND AUTOMATED VEHICLE NETWORKS AS PROVIDED IN SECTION  
12 665B.

13 (11) ~~(5)~~"Upfitter" means a person that modifies a motor  
14 vehicle after it was manufactured by installing **AN** automated  
15 ~~technology~~**DRIVING SYSTEM** in that motor vehicle to convert it to an  
16 automated **MOTOR** vehicle. Upfitter includes a subcomponent system  
17 producer recognized by the secretary of state that develops or  
18 produces automated ~~technology~~**DRIVING SYSTEMS**.

19 Sec. 601a. (1) A county, city, township, or village may  
20 contract with a person who owns or is in charge of a private road  
21 that is open to the general public, at that person's request or  
22 with that person's consent, to enforce provisions of this act on  
23 that private road.

24 (2) Subject to subsection (1) and section 906, a peace officer  
25 may enter upon a private road that is open to the general public to  
26 enforce provisions of this act if signs meeting the requirements of  
27 the Michigan manual of uniform traffic control devices are posted

1 on the private road.

2 (3) The owner or person in charge of a private road open to  
3 the general public who enters into a contract as described in  
4 subsection (1) is responsible for the cost and the posting of signs  
5 described in subsection (2).

6 (4) This section does not affect a contract entered into  
7 between a county, city, township, or village and the person who  
8 owns or is in charge of a private road open to the general public  
9 before December 29, 2006.

10 (5) AS USED IN THIS SECTION, "PRIVATE ROAD THAT IS OPEN TO THE  
11 GENERAL PUBLIC" DOES NOT INCLUDE A ROAD THAT IS UNDER THE CONTROL  
12 OF A MOBILITY RESEARCH CENTER, REGARDLESS OF WHETHER A PRIVATE  
13 RESEARCH ENTITY OR A CORPORATION IS USING THE ROAD UNDER AN  
14 AGREEMENT WITH THE MOBILITY RESEARCH CENTER.

15 SEC. 665A. A MANUFACTURER OF AUTOMATED TECHNOLOGY IS IMMUNE  
16 FROM CIVIL LIABILITY FOR DAMAGES THAT ARISE OUT OF ANY MODIFICATION  
17 MADE TO A MOTOR VEHICLE, AN AUTOMATED MOTOR VEHICLE, AN AUTOMATED  
18 DRIVING SYSTEM, OR AUTOMATED TECHNOLOGY BY ANOTHER PERSON WITHOUT  
19 THE MANUFACTURER OF AUTOMATED TECHNOLOGY'S CONSENT, AS PROVIDED IN  
20 SECTION 2949B OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236,  
21 MCL 600.2949B.