

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

AUTOMATED VEHICLES

257.663 Repealed. 2016, Act 332, Imd. Eff. Dec. 9, 2016.

Compiler's note: The repealed section pertained to prohibition against operation of automated motor vehicle.

257.664 Repealed. 2000, Act 126, Imd. Eff. May 30, 2000.

257.665 Research or testing of automated motor vehicle, technology allowing motor vehicle to operate without human operator, or any automated driving system; proof of insurance; existence of certain circumstances; operation; provisions applicable to platoon.

Sec. 665. (1) Before beginning research or testing on a highway or street in this state of an automated motor vehicle, technology that allows a motor vehicle to operate without a human operator, or any automated driving system installed in a motor vehicle under this section, the manufacturer of automated driving systems or upfitter performing that research or testing shall submit proof satisfactory to the secretary of state that the vehicle is insured under chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179.

(2) A manufacturer of automated driving systems or upfitter shall ensure that all of the following circumstances exist when researching or testing the operation, including operation without a human operator, of an automated motor vehicle or any automated technology or automated driving system installed in a motor vehicle upon a highway or street:

(a) The vehicle is operated only by an employee, contractor, or other person designated or otherwise authorized by that manufacturer of automated driving systems or upfitter. This subdivision does not apply to a university researcher or an employee of the state transportation department or the department described in subsection (3).

(b) An individual described in subdivision (a) has the ability to monitor the vehicle's performance while it is being operated on a highway or street in this state and, if necessary, promptly take control of the vehicle's movements. If the individual does not, or is unable to, take control of the vehicle, the vehicle must be capable of achieving a minimal risk condition.

(c) The individual operating the vehicle under subdivision (a) and the individual who is monitoring the vehicle for purposes of subdivision (b) may lawfully operate a motor vehicle in the United States.

(3) A university researcher or an employee of the state transportation department or the department who is engaged in research or testing of automated motor vehicles may operate an automated motor vehicle if the operation is in compliance with subsection (2).

(4) An automated motor vehicle may be operated on a street or highway in this state.

(5) When engaged, an automated driving system allowing for operation without a human operator is considered the driver or operator of a vehicle for purposes of determining conformance to any applicable traffic or motor vehicle laws and is deemed to satisfy electronically all physical acts required by a driver or operator of the vehicle. An automated vehicle roadway system provider is not an operator of a vehicle.

(6) A person may operate a platoon on a street or highway of this state if the person files a plan for general platoon operations with the department of state police and the state transportation department before starting platoon operations. If the plan is not rejected by either the department of state police or the state transportation department within 30 days after receipt of the plan, the person is allowed to operate the platoon.

(7) All of the following apply to a platoon:

(a) Vehicles in a platoon are not considered a combination of vehicles for purposes of this act.

(b) The lead vehicle in a platoon is not considered to draw the other vehicles.

(c) If the platoon includes a commercial motor vehicle, an appropriately endorsed driver who holds a valid commercial driver license shall be present behind the wheel of each commercial motor vehicle in the platoon.

History: Add. 2013, Act 231, Eff. Mar. 27, 2014;—Am. 2016, Act 332, Imd. Eff. Dec. 9, 2016;—Am. 2022, Act 179, Imd. Eff. July 25, 2022.

Compiler's note: Former MCL 257.665, was repealed by Act 126 of 2000, Imd. Eff. May 30, 2000.

For the type III transfer of the Michigan council on future mobility from the department of transportation to the department of labor and economic opportunity and the creation of the Michigan council on future mobility and electrification, see E.R.O. No. 2020-1, compiled at MCL 257.929.

257.665a Liability.

Sec. 665a. A manufacturer of automated driving technology, an automated driving system, or a motor vehicle is immune from liability that arises out of any modification made to a motor vehicle, an automated

motor vehicle, an automated driving system, or automated driving technology by another person without the manufacturer's consent, as provided in section 2949b of the revised judicature act of 1961, 1961 PA 236, MCL 600.2949b. Nothing in this section supersedes or otherwise affects the contractual obligations, if any, between a motor vehicle manufacturer and a manufacturer of automated driving systems or a manufacturer of automated driving technology.

History: Add. 2016, Act 332, Imd. Eff. Dec. 9, 2016.

257.665b Participation of motor vehicle manufacturer in SAVE project.

Sec. 665b. (1) A motor vehicle manufacturer may participate in a SAVE project if it self-certifies to all of the following:

(a) That it is a motor vehicle manufacturer. A person that is not a motor vehicle manufacturer may not participate in a SAVE project.

(b) That each vehicle in the participating fleet is owned or controlled by the motor vehicle manufacturer and is equipped with all of the following:

(i) An automated driving system.

(ii) Automatic crash notification technology.

(iii) A data recording system that has the capacity to record the automated driving system's status and other vehicle attributes including, but not limited to, speed, direction, and location during a specified time period before a crash as determined by the motor vehicle manufacturer.

(c) That the participating fleet complies with all applicable state and federal laws.

(d) That each vehicle in the participating fleet is capable of being operated in compliance with applicable traffic and motor vehicle laws of this state.

(2) A motor vehicle manufacturer's eligibility to participate in a SAVE project under this section is conditioned solely upon meeting the requirements of this section. A motor vehicle manufacturer shall verify its satisfaction of the requirements of this section using the self-certification described in subsection (1).

(3) All of the following apply to a motor vehicle manufacturer that participates in a SAVE project:

(a) The motor vehicle manufacturer may commence a SAVE project at any time after it notifies the department that it has self-certified as provided in subsection (1). The notification required by this subdivision shall also set forth the geographical boundaries for the SAVE project. A motor vehicle manufacturer may make multiple notifications under this subsection.

(b) The motor vehicle manufacturer may participate in a SAVE project under any terms it deems appropriate so long as the terms are consistent with this section and other applicable law.

(c) The motor vehicle manufacturer shall determine the geographical boundaries for a SAVE project, which may include, but are not limited to, any of the following:

(i) A designated area within a municipality.

(ii) An area maintained by a regional authority.

(iii) A university campus.

(iv) A development that caters to senior citizens.

(v) A geographic or demographic area that is similar to the areas described in subparagraphs (i) to (iv).

(d) Public operation of a participating fleet shall be confined to the boundaries selected by the motor vehicle manufacturer under subdivision (c).

(e) For the duration of a SAVE project, the motor vehicle manufacturer shall maintain incident records and provide periodic summaries related to the safety and efficacy of travel of the participating fleet to the department and the National Highway Traffic Safety Administration.

(f) An individual who participates in a SAVE project is deemed by his or her participation to have consented to the collection of the information described in subdivision (e) while he or she is in a vehicle that is part of the participating fleet and to the provision of the summaries to the department and the National Highway Traffic Safety Administration as described in subdivision (e). Before commencing a SAVE project, and for the duration of the SAVE project, the motor vehicle manufacturer shall make publicly available a privacy statement disclosing its data handling practices in connection with the applicable participating fleet.

(4) When engaged, an automated driving system or any remote or expert-controlled assist activity shall be considered the driver or operator of the vehicle for purposes of determining conformance to any applicable traffic or motor vehicle laws and shall be deemed to satisfy electronically all physical acts required by a driver or operator of the vehicle. A motor vehicle manufacturer shall insure each vehicle in a participating fleet as required under this act and chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179. For each SAVE project in which it participates, during the time that an automated driving system is in control of a vehicle in the participating fleet, a motor vehicle manufacturer shall assume liability for each incident in which the automated driving system is at fault, subject to chapter 31 of the insurance code of 1956,

1956 PA 218, MCL 500.3101 to 500.3179.

History: Add. 2016, Act 333, Imd. Eff. Dec. 9, 2016.

257.665c Departmental duties; automated vehicle roadways; local ordinances superseded.

Sec. 665c. (1) The state transportation department may do all of the following:

- (a) Designate a segment of a roadway under its jurisdiction as an automated vehicle roadway.
- (b) Designate a lane or ramp of an automated vehicle roadway as an automated vehicle roadway lane.
- (c) Require a user fee for the use of an automated vehicle roadway or automated vehicle roadway lane.

(d) Enter into an agreement with an automated vehicle roadway system provider for the design, construction, manufacture, operation, maintenance, or management of an automated vehicle roadway system for a designated automated vehicle roadway or automated vehicle roadway lane. As part of an agreement entered pursuant to this subdivision, the state transportation department may include provisions authorizing the automated vehicle roadway system provider to establish and collect user fees for the use of the automated vehicle roadway or automated vehicle roadway lane. An automated vehicle roadway system provider may use the fees collected pursuant to this subdivision to properly design, construct, manage, operate, or maintain its automated vehicle roadway system.

(2) If the state transportation department designates a segment of roadway as an automated vehicle roadway under subsection (1)(a) or a lane or ramp of an automated vehicle roadway as an automated vehicle roadway lane under subsection (1)(b), any of the following may apply:

(a) The roadway, lane, or ramp may be subject to requirements established by the state transportation department as a condition for use.

(b) The roadway, lane, or ramp may be reserved for the exclusive use of motor vehicles as determined by the state transportation department.

(3) This section supersedes all local ordinances that regulate automated vehicle roadway systems, automated vehicle roadways, automated vehicle roadway lanes, or automated vehicle roadway system providers, except that a local unit of government may adopt an ordinance or enforce an existing ordinance that does not conflict with this section.

History: Add. 2022, Act 179, Imd. Eff. July 25, 2022.

257.665d Automated vehicle roadway system and infrastructure study.

Sec. 665d. The Michigan council on future mobility and electrification created under Executive Reorganization Order No. 2020-1, MCL 257.929, may conduct or contract with a third-party vendor to conduct a study that analyzes the impact that the development, construction, or implementation of an automated vehicle roadway, automated vehicle roadway system, or related infrastructure will have on labor and employment in areas within this state where an automated vehicle roadway, automated vehicle roadway system, or related infrastructure is developed, constructed, or implemented.

History: Add. 2022, Act 179, Imd. Eff. July 25, 2022.

257.665e Departmental report to legislature; progress of automated vehicle roadways.

Sec. 665e. Within 1 year after the effective date of the amendatory act that added this section, the state transportation department shall submit a report to the transportation committee of the house of representatives and the transportation and infrastructure committee of the senate that includes an update on the progress of developing automated vehicle roadways or automated vehicle roadway lanes including, but not limited to, discussions on the exclusive and mixed-use of the automated vehicle roadway or automated vehicle roadway lane. The report required under this section must be submitted annually for 2 years after the initial report required under this section is submitted.

History: Add. 2022, Act 179, Imd. Eff. July 25, 2022.

257.666 Violation; civil infraction; other violations arising from same transaction.

Sec. 666. (1) A person who violates this division is responsible for a civil infraction and may be fined as provided in section 907.

(2) This division does not prohibit a person from being charged with, convicted of or being found responsible for, ordered to pay a fine or costs, or punished for any other violation of law arising out of the same transaction as the violation of this division.

History: Add. 2013, Act 231, Eff. Mar. 27, 2014.

Compiler's note: Former MCL 257.666, was repealed by Act 126 of 2000, Imd. Eff. May 30, 2000.

257.666a Operation of motor vehicles on automated vehicle roadways; compliance with MCL

257.642(3); violation as civil infraction; limited use of data.

Sec. 666a. (1) An operator of a motor vehicle or automated motor vehicle shall not operate a motor vehicle or automated motor vehicle on an automated vehicle roadway or automated vehicle roadway lane without complying with section 642(3). A person that violates this subsection is responsible for a civil infraction and may be fined as provided in section 907.

(2) A sworn statement of an authorized agent of the state transportation department or a police officer from the department of state police, based upon the inspection of data produced by the automated vehicle roadway system, is prima facie evidence of the facts attested to in the sworn statement. Any data indicating a violation of subsection (1) must be available for inspection in any proceeding for a violation of subsection (1). Data of noncompliance with subsection (1) that contain personal identification information must be destroyed within 90 days after final disposition of the matter. Any data that does not indicate a violation of subsection (1) that contain personal identification information must be destroyed within 10 days of collection.

(3) Evidence obtained pursuant to subsection (2) that the operator of a motor vehicle or automated motor vehicle violated subsection (1), together with proof that the individual was at the time of the violation the registered owner of the motor vehicle or automated motor vehicle, creates a rebuttable presumption that the registered owner of the motor vehicle or automated motor vehicle is the person that did not comply with subsection (1). For purposes of this subsection, the owner of a leased or rental motor vehicle or automated motor vehicle shall provide the name and address of the person to whom the vehicle was leased or rented at the time of the noncompliance. The presumption under this subsection is rebutted if either of the following applies:

(a) The registered owner of the motor vehicle or automated motor vehicle files an affidavit with the clerk of the court that states that he or she was not the operator of the motor vehicle or automated motor vehicle at the time of the violation and provides reasonable proof to accompany the affidavit.

(b) A certified copy of a police report showing that the motor vehicle or automated motor vehicle had been reported to the police as stolen before the time of the violation is presented before the appearance date on the citation.

(4) Notwithstanding section 742, a citation for a violation of subsection (1) may be executed by mailing a copy of the citation by first-class mail to the address of the owner of the motor vehicle or automated motor vehicle as shown on the records of the secretary of state. If the summoned individual fails to appear on the date of return set out in the citation previously mailed by first-class mail pursuant to this subsection, a copy of the citation must be sent by certified mail, with return receipt requested. If the summoned individual fails to appear on either of the dates of return set out in the copies of the citation mailed pursuant to this subsection, the citation must be executed in the manner provided by law for personal service.

(5) The automated vehicle roadway system shall not produce data for any purpose other than the operation of the automated vehicle roadway system or noncompliance with subsection (1).

History: Add. 2022, Act 179, Imd. Eff. July 25, 2022.