



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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H.B. 608

131st General Assembly
(As Introduced)

Reps. Grossman, Reineke

BILL SUMMARY

- Authorizes a manufacturer of an autonomous vehicle or autonomous technology to operate an autonomous vehicle on public roads for purposes of transporting or testing the vehicle.
- Requires a manufacturer to operate an autonomous vehicle in accordance with specified operational requirements, including a requirement that a person who holds a driver's license must be present in the vehicle during operation.
- Prohibits a person other than a manufacturer from operating an autonomous vehicle.
- Specifies that the person who is present in an autonomous vehicle, as required by the bill, is the operator of the vehicle and is liable for any violation of the bill's provisions and any vehicle-related crime.
- Specifies that if a licensed driver is not present in an autonomous vehicle during operation, or is present but is not in compliance with the bill, the person who caused the vehicle's autonomous technology to engage during operation is the operator and is liable for any violation of the bill and any vehicle-related crime.
- Establishes a \$10,000 fine for each day a person violates the bill's operational requirements.
- Requires a manufacturer to maintain proof of financial responsibility (insurance) for an autonomous vehicle.

- Establishes a minimum level of financial responsibility of \$1 million for bodily injury to or the death of any person, or injury to the property of others, in any one accident.
- Creates an exception to the law prohibiting "texting while driving" for a person using a handheld electronic wireless communications device to test, monitor, or control an autonomous vehicle in accordance with the bill.
- Requires the Director of Transportation to study if any legislative or regulatory actions, in addition to the bill, are necessary to ensure the safe testing of autonomous vehicles.
- Requires the Director to submit a report of the Director's findings to the transportation-related committees of the General Assembly.

CONTENT AND OPERATION

Operation of autonomous vehicles

The bill authorizes a manufacturer of autonomous vehicles or autonomous technology to operate an autonomous vehicle on public roads and highways in Ohio for purposes of transporting or testing the vehicle under specified conditions. The bill prohibits any other person from operating an autonomous vehicle on public roads and highways.¹

An autonomous vehicle is a motor vehicle equipped with technology that is capable of operating the vehicle without the active control of a human operator. Autonomous vehicles do not include the vehicles equipped with active safety systems or systems for driver assistance (such as electronic blind spot detection, crash avoidance, emergency braking, parking assistance, adaptive cruise control, or lane keeping assistance) that provide a certain level of autonomy, but still require a human operator.² Autonomous technology is the technology installed on a motor vehicle that has the capability of assisting, making decisions for, or replacing a human operator in the vehicle.³ Thus, the bill applies to vehicles that are fully autonomous or technology that allows vehicles to be fully autonomous, not to vehicles that have elements of autonomous technology, but that still require a human driver.

¹ R.C. 4501.50(B)(1) to (2).

² R.C. 4501.50(A)(1).

³ R.C. 4501.50(A)(2).

Operational requirements

A manufacturer may transport or test an autonomous vehicle on the public roads and highways, only if the following requirements are met:

(1) A person holding a valid driver's or commercial driver's license is present in the vehicle, is monitoring the safe operation of the vehicle, and is capable of taking immediate control of the vehicle if there is a technology failure or other emergency;

(2) The vehicle is registered in Ohio and displays a specially designed license plate for autonomous vehicles established and issued by the Registrar of Motor Vehicles;

(3) The vehicle is in compliance with the pertinent motor vehicle equipment requirements that apply to vehicles that are not autonomous; and

(4) The manufacturer complies with the bill's financial responsibility requirements (see below).⁴

Operator of an autonomous vehicle

A person who is present in an autonomous vehicle, as required by the bill, is the operator of the vehicle for purposes of the bill and any vehicle-related offense (for example, speeding or vehicular assault). However, the person who caused the vehicle's autonomous technology to engage is the operator in any of the following circumstances:

(1) No person is present in the vehicle, as required by the bill;

(2) A person is present in the vehicle, but the person does not comply with the bill's requirements that the person hold a valid driver's license, monitor the safe operation of the vehicle, and be capable of taking immediate control of the vehicle if there is a technology failure or other emergency; or

(3) A person is present in the vehicle, but the vehicle is not operated by a manufacturer of autonomous vehicles or autonomous technology, as required by the bill.⁵

Any person who operates an autonomous vehicle in violation of the bill is subject to a \$10,000 fine for each day of violation. If an autonomous vehicle is operated in violation of any vehicle-related offense, the operator is subject to all criminal penalties

⁴ R.C. 4501.50(B)(2).

⁵ R.C. 4501.50(C).



for that offense. For example, if the operator of an autonomous vehicle is found guilty of a speeding violation, the operator is subject to the penalties for that violation.⁶

Financial responsibility

The bill requires a manufacturer that registers an autonomous vehicle to furnish and maintain proof of financial responsibility in the amount of \$1,000,000 for bodily injury to or the death of any person, or injury to the property of others, in any one accident.⁷ The proof of financial responsibility can take multiple forms, including a certificate of insurance, a policy of liability insurance (or declaration page of such a policy), a liability bond, a bond or certification of the issuance of a bond, a certificate of deposit of money or securities, or a certificate of self-insurance.⁸ Under current law, the minimum required coverage for a motor vehicle is \$25,000 for bodily injury to one person in any one accident, \$50,000 for bodily injury or death to two or more persons in any one accident, and \$25,000 for injury to property of another person in any one accident.⁹

The operator of an autonomous vehicle must produce the proof of financial responsibility when requested by a law enforcement officer. The law enforcement officer requesting the proof must notify the Registrar of any violation of this requirement.¹⁰

Manufacturer immunity

If a person who is not an employee or agent of an autonomous technology manufacturer modifies either the autonomous technology developed by the manufacturer or an autonomous vehicle equipped with the technology developed by that manufacturer, the manufacturer is immune from civil liability for damages that occur as a result of the modifications.¹¹

⁶ R.C. 4501.50(E).

⁷ R.C. 4501.50(A)(3) and (D).

⁸ R.C. 4501.50(D)(1).

⁹ R.C. 4501.50(A)(3) and 4509.01, not in the bill.

¹⁰ R.C. 4501.50(D)(2).

¹¹ R.C. 4501.50(F).



Applicability of motor vehicle laws

The laws governing motor vehicles, such as those related to the operation and registration of motor vehicles, apply to autonomous vehicles, except to the extent provided by the bill's provisions.¹²

"Texting while driving" exception

Under the bill, the general prohibition against using a handheld electronic wireless communications device (such as a cell phone or tablet) to write, send, or read a text-based communication while driving ("texting while driving") does not apply when the device is used to test, monitor, or control an autonomous vehicle in accordance with the bill.¹³

Study by Director of Transportation

The bill requires the Director of Transportation, in consultation with representatives of the automobile manufacturing and automated technology manufacturing industries, to study whether any additional legislative or regulatory actions are necessary in order to ensure the safe testing of autonomous vehicles in Ohio. Within two years after the bill's effective date, the Director must submit a report containing the findings of the Director to the transportation-related committees in the Senate and House of Representatives.¹⁴

HISTORY

ACTION	DATE
Introduced	10-25-16

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¹² R.C. 4501.50(G).

¹³ R.C. 4511.204(B)(11).

¹⁴ Section 3.

