

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 965 Session of 2022

INTRODUCED BY LANGERHOLC, SCAVELLO, FONTANA, STEFANO, PITTMAN,
SCHWANK, MENSCH, DiSANTO AND AUMENT, JANUARY 5, 2022

REFERRED TO TRANSPORTATION, JANUARY 5, 2022

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in general provisions, further providing for
3 definitions; in certificate of title and security interests,
4 further providing for content and effect of certificate of
5 title; in rules of the road in general, further providing for
6 platooning; in miscellaneous provisions, further providing
7 for accidents involving death or personal injury, for
8 accidents involving damage to attended vehicle or property,
9 for duty to give information and render aid, for accidents
10 involving damage to unattended vehicle or property and for
11 immediate notice of accident to police department; in
12 equipment standards, further providing for promulgation of
13 vehicle equipment standards; in inspection of vehicles,
14 further providing for requirement for periodic inspection of
15 vehicles; in size, weight and load, further providing for
16 width of vehicles; and, in highly automated vehicles, further
17 providing for definitions and providing for construction, for
18 operation of highly automated vehicles without a highly
19 automated vehicle driver on board, for operation of highly
20 automated vehicles with a highly automated motor vehicle
21 driver on board, for operation of highly automated motor
22 carrier vehicles, for operation of highly automated
23 transportation network service, for licensing and
24 registration, for insurance, for control and for regulations.

25 The General Assembly of the Commonwealth of Pennsylvania
26 hereby enacts as follows:

27 Section 1. Section 102 of Title 75 of the Pennsylvania
28 Consolidated Statutes is amended by adding definitions to read:
29 § 102. Definitions.

1 Subject to additional definitions contained in subsequent
2 provisions of this title which are applicable to specific
3 provisions of this title, the following words and phrases when
4 used in this title shall have, unless the context clearly
5 indicates otherwise, the meanings given to them in this section:

6 * * *

7 "Automated driving system" or "ADS." The hardware and
8 software collectively capable of performing the entire dynamic
9 driving task on a sustained basis, regardless of whether it is
10 limited within a specific operational design domain. The term
11 describes a Level 3, 4 or 5 driving automation system under SAE
12 J3016.

13 * * *

14 "Highly automated vehicle." A motor vehicle equipped with an
15 ADS.

16 "Highly automated vehicle driver." An individual who:

17 (1) Drives or is in actual physical control of a highly
18 automated vehicle located on board the highly automated
19 vehicle in the driver's position or in a remote location.

20 (2) Is an authorized affiliate, employee or contractor
21 of the owner of the highly automated vehicle.

22 * * *

23 "SAE J3016." Surface Vehicle Recommended Practice Taxonomy
24 and Definitions for Terms Related to Driving Automation Systems
25 for On-Road Motor Vehicles published by the Society of
26 Automotive Engineers (SAE) International in April 2021.

27 * * *

28 Section 2. Section 1106(b)(10) and (11) of Title 75 are
29 amended and the subsection is amended by adding a paragraph to
30 read:

1 § 1106. Content and effect of certificate of title.

2 * * *

3 (b) Indication of special use or condition.--No person shall
4 assign a certificate of title to any vehicle unless the
5 certificate clearly contains notice of the use or condition if
6 the vehicle is or has been:

7 * * *

8 (10) bearing a VIN plate differing from its original;

9 [or]

10 (11) a motor vehicle returned to a vehicle dealer or
11 manufacturer pursuant to the act of March 28, 1984 (P.L.150,
12 No.28), known as the Automobile Lemon Law[.]; or

13 (12) a highly automated vehicle.

14 Indication of the use or condition shall be deemed part of the
15 description of the vehicle. Any person violating this subsection
16 commits a summary offense and shall, upon conviction, be
17 sentenced to pay a fine of \$200.

18 * * *

19 Section 3. Section 3317(d)(4) and (e) of Title 75 are
20 amended and subsection (d) is amended by adding a paragraph to
21 read:

22 § 3317. Platooning.

23 * * *

24 (d) Restrictions.--A platoon shall observe the following
25 restrictions:

26 * * *

27 (4) [A] Except as provided under paragraph (5), a driver
28 shall be in each vehicle of a platoon.

29 (5) Consistent with applicable Federal and State laws,
30 the lead vehicle may operate with a driver and one nonlead

1 vehicle may operate with an ADS engaged, with a highly
2 automated vehicle driver or without a highly automated
3 vehicle driver.

4 (e) Plan for general platoon operations.--A person may
5 operate a platoon on a highway of this Commonwealth if the
6 person files and reviews a plan for general platoon operations
7 with the department[. The department shall review the plan] in
8 consultation with the Pennsylvania State Police and the
9 Pennsylvania Turnpike Commission, as applicable. [If the plan is
10 not rejected by the department within 30 days after receipt of
11 the plan, the person may operate the platoon.]

12 Section 4. Sections 3742, 3743, 3744, 3745, 3746, 4103, 4702
13 and 4921 of Title 75 are amended by adding subsections to read:
14 § 3742. Accidents involving death or personal injury.

15 * * *

16 (a.1) Highly automated vehicles.--If a vehicle under
17 subsection (a) is a highly automated vehicle operating with an
18 ADS engaged or without a highly automated vehicle driver on
19 board, the requirements of this section are satisfied if the
20 highly automated vehicle stops at the scene of an accident or as
21 close thereto as possible and remains at the scene of the
22 accident until the requirements of section 3744 have been
23 fulfilled.

24 * * *

25 § 3743. Accidents involving damage to attended vehicle or
26 property.

27 * * *

28 (a.1) Highly automated vehicles.--The following shall apply:
29 (1) If a vehicle under subsection (a) is a highly
30 automated vehicle operating with an ADS engaged or without a

1 highly automated vehicle driver on board, the requirements of
2 this section are satisfied if the highly automated vehicle
3 stops at the scene of the accident or as close thereto as
4 possible and the owner or registrant of the highly automated
5 vehicle, a person on behalf of the owner or registrant or the
6 highly automated vehicle immediately contacts the nearest
7 office of a duly authorized police department to report the
8 accident.

9 (2) The highly automated vehicle shall remain at the
10 scene of the accident or as close thereto as possible until
11 the owner or registrant of the highly automated vehicle or a
12 person on behalf of the owner or registrant is informed by a
13 police officer that the requirements of section 3744 are
14 fulfilled.

15 * * *

16 § 3744. Duty to give information and render aid.

17 * * *

18 (a.1) Highly automated vehicles.--The following shall apply:

19 (1) If a vehicle under subsection (a) is a highly
20 automated vehicle operating with an ADS engaged or without a
21 highly automated vehicle driver on board, the requirements of
22 this section are satisfied if the owner or registrant of the
23 highly automated vehicle, a person on behalf of the owner or
24 registrant or the highly automated vehicle immediately
25 contacts the nearest office of a duly authorized police
26 department to report the accident and communicates the
27 registration and financial responsibility information for the
28 highly automated vehicle to the police department.

29 (2) The highly automated vehicle shall remain at the
30 scene of the accident or as close thereto as possible until a

1 police officer confirms to the owner or registrant of the
2 highly automated vehicle, or a person on behalf of the owner
3 or registrant, that the requirements of this section are
4 fulfilled.

5 * * *

6 § 3745. Accidents involving damage to unattended vehicle or
7 property.

8 * * *

9 (a.1) Highly automated vehicles.--The following shall apply:

10 (1) If a vehicle under subsection (a) is a highly
11 automated vehicle operating with an ADS engaged or without a
12 highly automated vehicle driver on board, the requirements of
13 this section are satisfied if the highly automated vehicle
14 immediately stops at the scene of the accident or as close
15 thereto as possible and the owner or registrant of the highly
16 automated vehicle, a person on behalf of the owner or
17 registrant or the highly automated vehicle immediately
18 contacts the nearest office of a duly authorized police
19 department to report the accident and communicates the
20 registration and financial responsibility information for the
21 highly automated vehicle to the police department.

22 (2) The highly automated vehicle shall remain at the
23 scene of the accident or as close thereto as possible until a
24 police officer confirms to the owner or registrant of the
25 highly automated vehicle, or a person on behalf of the owner
26 or registrant, that the requirements of section 3744 are
27 fulfilled.

28 * * *

29 § 3746. Immediate notice of accident to police department.

30 * * *

1 (a.1) Highly automated vehicles.--If a vehicle under
2 subsection (a) is a highly automated vehicle operating with an
3 ADS engaged or without a highly automated vehicle driver on
4 board, the requirements of this section are satisfied if the
5 owner or registrant of the highly automated vehicle, a person on
6 behalf of the owner or registrant or the highly automated
7 vehicle immediately contacts the nearest office of a duly
8 authorized police department to report the accident.

9 * * *

10 § 4103. Promulgation of vehicle equipment standards.

11 * * *

12 (f) Highly automated vehicles.--A highly automated vehicle
13 that is designed to operate exclusively by the ADS or a highly
14 automated driver in a remote location for all trips is not
15 subject to motor vehicle equipment laws or regulations of this
16 Commonwealth which:

17 (1) relate to or support motor vehicle operation by a
18 driver seated in the vehicle; and

19 (2) are not relevant for an ADS.

20 § 4702. Requirement for periodic inspection of vehicles.

21 * * *

22 (c.2) Safety inspection criteria for highly automated
23 vehicles.--The standards established by the department under
24 subsection (a) shall apply to highly automated vehicles only in
25 a manner consistent with the provisions of section 4103(f)
26 (relating to promulgation of vehicle equipment standards).

27 * * *

28 § 4921. Width of vehicles.

29 * * *

30 (e.3) Highly automated vehicles.--If a highly automated

1 vehicle is operating on highways of this Commonwealth, a rear
2 visibility system comprised of a set of devices or components,
3 which together perform the function of producing the rearview
4 image, shall be considered a mirror or a similar device to a
5 mirror, and shall be excluded from the measurement of the width
6 of the highly automated vehicle consistent with applicable
7 Federal and State laws.

8 * * *

9 Section 5. Section 8501 of Title 75 is amended by adding
10 definitions to read:

11 § 8501. Definitions.

12 The following words and phrases when used in this chapter
13 shall have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 * * *

16 "DDT fallback." The response by a highly automated vehicle
17 driver or ADS to either perform the DDT or achieve a minimal
18 risk condition after occurrence of a DDT performance-relevant
19 system failure or upon operational design domain exit.

20 "Dynamic driving task" or "DDT." The real-time operational
21 and tactical functions required to operate a motor vehicle on a
22 highway, excluding strategic functions, such as trip scheduling
23 and selection of destinations and waypoints, and including,
24 without limitation:

25 (1) Lateral vehicle motion control via steering.

26 (2) Longitudinal motion control via acceleration and
27 deceleration.

28 (3) Monitoring the driving environment via object and
29 event detection, recognition, classification and response
30 preparation.

- 1 (4) Object and event response execution.
2 (5) Maneuver planning.
3 (6) Enhancing conspicuity via lighting, signaling and
4 gesturing.

5 "Minimal risk condition." A stable, stopped condition to
6 which an individual, a highly automated vehicle driver or ADS
7 may bring a highly automated vehicle after performing the DDT
8 fallback in order to reduce the risk of a crash when a given
9 trip cannot or should not be continued.

10 "Operational design domain" or "ODD." Operating conditions
11 under which a given ADS is specifically designed to function,
12 including, but not limited to, environmental, geographical and
13 time-of-day restrictions and the requisite presence or absence
14 of certain traffic or highway characteristics.

15 "Request to intervene." Notification by an ADS to a highly
16 automated vehicle driver that the highly automated vehicle
17 driver should promptly begin or resume performance of part or
18 all of the DDT or achieve a minimal risk condition.

19 Section 6. Title 75 is amended by adding sections to read:
20 § 8501.1. Construction.

21 Nothing in this chapter shall be construed to prohibit a
22 highly automated vehicle driver from operating a highly
23 automated vehicle to control all or part of the DDT.

24 § 8504. Operation of highly automated vehicles without a highly
25 automated vehicle driver on board.

26 A highly automated vehicle with an ADS engaged or without a
27 highly automated vehicle driver on board may operate on highways
28 if the following apply:

29 (1) The highly automated vehicle is capable of operating
30 in compliance with the applicable provisions of and

1 regulations promulgated under this title, unless an exemption
2 has been granted by the department or the National Highway
3 Traffic Safety Administration.

4 (2) If required under Federal law, the highly automated
5 vehicle bears the required manufacturer's certification label
6 indicating that the highly automated vehicle has been
7 certified to be in compliance with all applicable Federal
8 Motor Vehicle Safety Standards, including reference to any
9 exemption granted by the National Highway Traffic Safety
10 Administration.

11 (3) If a failure of an ADS occurs which renders the ADS
12 unable to perform the entire DDT relevant to its intended
13 ODD, the highly automated vehicle will achieve or a highly
14 automated vehicle driver will cause the highly automated
15 vehicle to achieve a minimal risk condition.

16 (4) The highly automated vehicle driver in a remote
17 location is licensed to operate a motor vehicle under this
18 title.

19 § 8505. Operation of highly automated vehicles with a highly
20 automated vehicle driver on board.

21 The highly automated vehicle driver on board must be properly
22 licensed under this title to operate the appropriate type and
23 class of motor vehicle on highways.

24 § 8506. Operation of highly automated motor carrier vehicles.

25 A highly automated vehicle that is also a motor carrier
26 vehicle requiring a commercial driver's license under section
27 1606 (relating to requirement for commercial driver's license)
28 may operate on highways with an ADS engaged or without a highly
29 automated vehicle driver on board. The highly automated vehicle
30 shall operate under Federal and State laws governing commercial

1 drivers, except any provision which by its nature reasonably
2 applies only to a driver shall not apply to a highly automated
3 vehicle with an ADS engaged or without a highly automated
4 vehicle driver on board. This section shall not apply to a
5 school bus.

6 § 8507. Operation of highly automated transportation network
7 service.

8 If a transportation network service is authorized under the
9 laws of this Commonwealth, a highly automated vehicle with an
10 ADS engaged or without a highly automated vehicle driver on
11 board may operate in a transportation network service or in
12 combination with other authorized vehicles in the transportation
13 network service. Any provision of law which by its nature
14 reasonably applies only to a driver shall not apply to a highly
15 automated vehicle with an ADS engaged or without a highly
16 automated vehicle driver on board while logged onto a digital
17 network of a transportation network service.

18 § 8508. Licensing and registration.

19 The following shall apply:

20 (1) The ADS is considered the driver of a highly
21 automated vehicle when the ADS is engaged for the purpose of
22 assessing compliance under this title and is considered to be
23 a driver licensed to operate the motor vehicle under section
24 1501 (relating to drivers required to be licensed). If a
25 police officer must issue a citation, a police officer shall
26 cite the owner or registrant of the highly automated vehicle.

27 (2) The highly automated vehicle driver in a remote
28 location is considered the driver of a highly automated
29 vehicle for the purpose of assessing compliance under this
30 title and is considered to be a driver licensed to operate

1 the motor vehicle under section 1501. If a police officer
2 issues a citation, a police officer shall cite the highly
3 automated vehicle driver.

4 (3) The requirements under this title relating to
5 exhibiting a driver's license and registration card are
6 satisfied if a vehicle registration card is in the highly
7 automated vehicle, physically or electronically and available
8 for inspection by a police officer.

9 § 8509. Insurance.

10 Before a highly automated vehicle with an ADS engaged or
11 without a highly automated vehicle driver on board operates on
12 highways, the owner of the highly automated vehicle shall submit
13 proof of financial responsibility to the department self-
14 certifying that the highly automated vehicle is covered by
15 insurance or proof of self-insurance in an amount not to exceed
16 \$5,000,000, which shall satisfy the applicable laws of this
17 Commonwealth.

18 § 8510. Control.

19 In accordance with section 6101 (relating to applicability
20 and uniformity of title), this chapter preempts and supersedes
21 all ordinances relating to highly automated vehicles. A
22 political subdivision of the Commonwealth may not adopt or
23 enforce a policy, rule or ordinance that sets standards or
24 otherwise burdens, prohibits, limits or regulates the operation
25 of a highly automated vehicle.

26 § 8510.1. Regulations.

27 (a) General rule.--In order to facilitate the prompt
28 implementation of this subchapter, the department may promulgate
29 regulations or publish guidelines which are consistent with this
30 title.

1 (b) Temporary regulations.--Notwithstanding any other
2 provision of law, regulations promulgated by the department
3 under this subchapter during the two years following the
4 effective date of this section shall be deemed temporary
5 regulations, which shall expire no later than three years
6 following the effective date of this section or upon
7 promulgation of final regulations. The temporary regulations
8 shall not be subject to:

9 (1) Sections 201, 202, 203, 204 and 205 of the act of
10 July 31, 1968 (P.L.769, No.240), referred to as the
11 Commonwealth Documents Law.

12 (2) Sections 204(b) and 301(10) of the act of October
13 15, 1980 (P.L.950, No.164), known as the Commonwealth
14 Attorneys Act.

15 (3) The act of June 25, 1982 (P.L.633, No.181), known as
16 the Regulatory Review Act.

17 (c) Publication.--The department shall transmit any
18 temporary regulations promulgated under subsection (b) to the
19 Legislative Reference Bureau for publication in the Pennsylvania
20 Bulletin.

21 Section 7. This act shall take effect in 90 days.