

# MAINE STATE LEGISLATURE

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L.D. 1724

Date: 3/15/18

(Filing No. H-649)

TRANSPORTATION

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1204, L.D. 1724, Bill, "An Act To Authorize Municipalities To Develop and Operate Pilot Programs for the Use of Autonomous Vehicles for Public Transportation"

Amend the bill by striking out the title and substituting the following:

**'Resolve, To Establish the Commission on Autonomous Vehicles and To Allow the Testing, Demonstration and Deployment of Automated Driving Systems'**

Amend the bill by striking out everything after the title and before the summary and inserting the following:

**'Sec. 1. Commission established. Resolved:** That the Commission on Autonomous Vehicles, referred to in this resolve as "the commission," is established to coordinate efforts among state agencies and knowledgeable stakeholders to inform the development of a process to allow an autonomous vehicle tester to demonstrate and deploy for testing purposes an automated driving system on a public way.

**1. Membership.** The commission consists of, at a minimum, 11 members as follows:

- A. The Commissioner of Transportation or the commissioner's designee, who serves as chair;
- B. The Secretary of State or the secretary's designee from the Department of the Secretary of State, Bureau of Motor Vehicles;
- C. The Commissioner of Public Safety or the commissioner's designee from the Department of Public Safety, Bureau of State Police;
- D. The Chief Information Officer or the officer's designee from the Department of Administrative and Financial Services, Office of Information Technology;
- E. A representative of the Department of Public Safety, Bureau of Highway Safety, appointed by the Commissioner of Public Safety;

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1 F. A representative of the Department of Professional and Financial Regulation,  
2 Bureau of Insurance, appointed by the Commissioner of Professional and Financial  
3 Regulation;

4 G. A representative of the office of aging and disability services within the  
5 Department of Health and Human Services, appointed by the Commissioner of  
6 Health and Human Services;

7 H. The Executive Director of the Maine Turnpike Authority or the executive  
8 director's designee;

9 I. One member who has expertise in autonomous vehicle technologies, appointed by  
10 the Commissioner of Transportation;

11 J. One member representing a nonprofit transit provider, appointed by the  
12 Commissioner of Transportation; and

13 K. One member representing the motor carrier industry, appointed by the  
14 Commissioner of Transportation.

15 The chair may make other appointments to the commission as necessary.

16 **2. Definitions.** For the purposes of this resolve, the following terms have the  
17 following meanings.

18 A. "Automated driving system" means the hardware and software that are  
19 collectively capable of performing the entire dynamic driving task on a sustained  
20 basis regardless of whether it is limited to a specific operational design domain.  
21 "Automated driving system" is used specifically to describe a level 3, 4 or 5 driving  
22 automation system in accordance with standards and specifications outlined in  
23 standard J3016 adopted by the Society of Automotive Engineers in September 2016.

24 B. "Autonomous vehicle" means any vehicle or motor vehicle equipped with a  
25 driving automation system.

26 C. "Autonomous vehicle manufacturer" means a person or entity that builds or sells  
27 autonomous vehicles or that develops or installs automated driving systems in motor  
28 vehicles that are not originally built as autonomous vehicles.

29 D. "Autonomous vehicle tester" means an autonomous vehicle manufacturer,  
30 institution of higher education, fleet service provider or automotive equipment or  
31 technology provider that tests autonomous vehicles.

32 E. "Driving automation system" means a system in a motor vehicle that performs all  
33 or part of the dynamic driving task on a sustained basis.

34 F. "Dynamic driving task" means all of the real time operational and tactical  
35 functions required to operate a vehicle in on-road traffic.

36 G. "Operational design domain" means the specific conditions under which a given  
37 driving automation system or feature is designed to function, including but not  
38 limited to driving modes.

39 **3. Duties.** The commission shall:

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COMMITTEE AMENDMENT "A" to H.P. 1204, L.D. 1724

- 1           A. Develop a recommendation for a process to evaluate and authorize an
- 2           autonomous vehicle tester to demonstrate and deploy for testing purposes an
- 3           automated driving system on a public way;
- 4           B. Review existing state laws and, if necessary, recommend legislation for the
- 5           purposes of governing autonomous vehicle testers and the testing, demonstration,
- 6           deployment and operation of automated driving systems on public ways;
- 7           C. Monitor state compliance with federal regulations as they relate to autonomous
- 8           vehicles;
- 9           D. Consult with public sector and private sector experts on autonomous vehicle
- 10          technologies, as appropriate; and
- 11          E. Invite the participation of knowledgeable stakeholders to provide written and oral
- 12          comments on the commission's assigned duties. Knowledgeable stakeholders may
- 13          include representatives from the Maine Municipal Association, the Maine
- 14          Automobile Dealers Association, the American Council of Engineering Companies
- 15          of Maine, the Maine Better Transportation Association and the Maine Motor
- 16          Transport Association and a person representing labor interests.

17           **4. Report.** By January 15, 2020, the Commissioner of Transportation shall submit

18           an initial written report on the progress of the commission and by January 15, 2022, the

19           Commissioner of Transportation shall submit a final written report that includes findings

20           and recommendations, including suggested legislation, for presentation to the joint

21           standing committee of the Legislature having jurisdiction over transportation matters.

22           The joint standing committee of the Legislature having jurisdiction over transportation

23           matters may submit a bill to the Second Regular Session of the 129th Legislature relating

24           to the subject matter of the initial report and to the Second Regular Session of the 130th

25           Legislature relating to the subject matter of the final report; and be it further

26           **Sec. 2. Rulemaking. Resolved:** That, notwithstanding the Maine Revised

27           Statutes, Title 29-A, section 470, the Commissioner of Transportation, in consultation

28           with the commission, shall establish a process to evaluate and authorize an autonomous

29           vehicle tester to demonstrate and deploy for testing purposes an automated driving system

30           on a public way.

31           **1. Rules.** The Commissioner of Transportation shall adopt rules, in consultation

32           with the Department of Public Safety and the Department of the Secretary of State, to

33           establish a process to evaluate and authorize an autonomous vehicle tester to demonstrate

34           and deploy for testing purposes an automated driving system on a public way. Rules

35           adopted pursuant to this subsection are routine technical rules as defined in Title 5,

36           chapter 375, subchapter 2-A.

37           **2. Enforcement.** The Commissioner of Transportation may immediately prohibit an

38           operator or autonomous vehicle tester from testing an automated driving system if the

39           Commissioner of Transportation, in consultation with the Commissioner of Public Safety

40           and the Secretary of State, determines that testing poses a risk to public safety or that the

41           operator or autonomous vehicle tester fails to comply with the requirements as

42           established by rule adopted pursuant to subsection 1.'

**COMMITTEE AMENDMENT**

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**SUMMARY**

This amendment, which replaces the bill, establishes the Commission on Autonomous Vehicles to coordinate efforts among state agencies and knowledgeable stakeholders to inform the development of a process to allow an autonomous vehicle tester to demonstrate and deploy for testing purposes an automated driving system on a public way.

The amendment also requires that the Commissioner of Transportation, in consultation with the Commission on Autonomous Vehicles, establish a process to evaluate and authorize an autonomous vehicle tester to demonstrate and deploy for testing purposes an automated driving system on a public way.

**FISCAL NOTE REQUIRED**  
**(See attached)**



# 128th MAINE LEGISLATURE

LD 1724

LR 2611(02)

An Act To Authorize Municipalities To Develop and Operate Pilot Programs for the Use of  
Autonomous Vehicles for Public Transportation

Fiscal Note for Bill as Amended by Committee Amendment *A(H-649)*

Committee: Transportation

Fiscal Note Required: Yes

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## Fiscal Note

Minor cost increase - General Fund  
Minor cost increase - Highway Fund  
Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Any additional costs to the departments of Professional and Financial Regulation, Administrative and Financial Services, Health and Human Services, Public Safety, Secretary of State, Transportation and the Maine Turnpike Authority from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.