

# SENATE BILL 902

R5

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CF 7lr1851

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By: **Senator Ferguson**

Introduced and read first time: February 3, 2017

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Safe Autonomous Vehicle (SAVE) Act**

3 FOR the purpose of authorizing certain manufacturers of autonomous and connected  
4 (AV/CV) vehicles to establish a safe autonomous vehicle (SAVE) project authorizing  
5 the manufacturer to supervise the driving of AV/CV vehicles on highways in the  
6 State; establishing that this Act applies to certain AV/CV vehicle manufacturers;  
7 requiring an AV/CV vehicle manufacturer to certify to the Motor Vehicle  
8 Administration that the AV/CV vehicles in its fleet under a SAVE project meet  
9 certain standards; authorizing an AV/CV vehicle manufacturer to implement  
10 multiple projects; establishing that an AV/CV vehicle may be driven on a highway in  
11 the State only if the AV/CV vehicle is properly titled and registered and is part of a  
12 SAVE project; requiring an AV/CV vehicle manufacturer to determine certain  
13 geographical boundaries for a SAVE project; providing for certain recordkeeping and  
14 reporting requirements for a SAVE project; providing for the application of certain  
15 provisions of the Maryland Vehicle Law to AV/CV vehicles; establishing a certain  
16 maximum penalty for a violation of this Act; providing for the registration  
17 classification and a special registration plate for an AV/CV vehicle; defining certain  
18 terms and altering a certain definition; and generally relating to the Safe  
19 Autonomous Vehicle (SAVE) Act.

20 BY adding to

21 Article – Transportation  
22 Section 11–103.4, 11–103.5, 13–939.3, and 21–1130  
23 Annotated Code of Maryland  
24 (2012 Replacement Volume and 2016 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – Transportation  
27 Section 11–135  
28 Annotated Code of Maryland  
29 (2012 Replacement Volume and 2016 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, without amendments,  
2 Article – Transportation  
3 Section 13–101.1 and 13–402(a)(1)  
4 Annotated Code of Maryland  
5 (2012 Replacement Volume and 2016 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
7 That the Laws of Maryland read as follows:

8 **Article – Transportation**

9 **11–103.4.**

10 **“AUTOMATED DRIVING SYSTEM” MEANS TECHNOLOGY INSTALLED ON A**  
11 **MOTOR VEHICLE THAT, ON A PART–TIME OR FULL–TIME BASIS, DRIVES THE VEHICLE**  
12 **WITHOUT THE NEED FOR SUPERVISION BY OR THE PRESENCE OF AN INDIVIDUAL.**

13 **11–103.5.**

14 **“AUTONOMOUS AND CONNECTED VEHICLE” AND “AV/CV VEHICLE” MEAN A**  
15 **MOTOR VEHICLE EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM.**

16 11–135.

17 (a) (1) “Motor vehicle” means, except as provided in subsection (b) of this  
18 section, a vehicle that:

19 (i) Is self–propelled or propelled by electric power obtained from  
20 overhead electrical wires; and

21 (ii) Is not operated on rails.

22 (2) “Motor vehicle” includes [a]:

23 (I) A low speed vehicle; AND

24 (II) AN AV/CV VEHICLE.

25 (b) “Motor vehicle” does not include:

26 (1) A moped, as defined in § 11–134.1 of this subtitle;

27 (2) A motor scooter, as defined in § 11–134.5 of this subtitle; or

28 (3) An electric bicycle, as defined in § 11–117.1 of this subtitle.

1 13-101.1.

2 Except as provided in § 13-102 of this subtitle, the owner of each vehicle that is in  
3 this State and for which the Administration has not issued a certificate of title shall apply  
4 to the Administration for a certificate of title of the vehicle.

5 13-402.

6 (a) (1) Except as otherwise provided in this section or elsewhere in the  
7 Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven on  
8 a highway shall be registered under this subtitle.

9 **13-939.3.**

10 (A) **WHEN REGISTERED WITH THE ADMINISTRATION, EVERY AUTONOMOUS**  
11 **AND CONNECTED VEHICLE IS A CLASS S (AV/CV) VEHICLE.**

12 (B) **FOR EACH CLASS S (AV/CV) VEHICLE, THE ANNUAL REGISTRATION FEE**  
13 **IS \$50.50.**

14 (C) **THE ADMINISTRATION SHALL ISSUE A SPECIAL AV/CV VEHICLE**  
15 **REGISTRATION PLATE OF THE SIZE AND DESIGN THAT THE ADMINISTRATION**  
16 **DETERMINES.**

17 **21-1130.**

18 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
19 **INDICATED.**

20 (2) **“AUTOMATIC CRASH NOTIFICATION TECHNOLOGY” MEANS A**  
21 **VEHICLE SERVICE THAT INTEGRATES WIRELESS COMMUNICATIONS AND VEHICLE**  
22 **LOCATION TECHNOLOGY TO DETERMINE THE NEED FOR OR FACILITATE**  
23 **EMERGENCY MEDICAL OR LAW ENFORCEMENT RESPONSE TO A VEHICLE CRASH.**

24 (3) **“ON-DEMAND AUTOMATED MOTOR VEHICLE NETWORK” MEANS A**  
25 **DIGITAL NETWORK, SOFTWARE APPLICATION, OR OTHER MEANS TO CONNECT**  
26 **PASSENGERS TO AV/CV VEHICLES TO FACILITATE TRANSPORTATION BETWEEN**  
27 **POINTS SELECTED BY THE PASSENGER.**

28 (4) **“PARTICIPATING FLEET” MEANS THE AV/CV VEHICLES**  
29 **OPERATING ON HIGHWAYS IN THE STATE AS PART OF A SAVE PROJECT**  
30 **IMPLEMENTED BY AN AV/CV VEHICLE MANUFACTURER.**





1                   **(II) NOTIFIES THE ADMINISTRATION OF THE GEOGRAPHIC**  
2 **BOUNDARIES FOR THE SAVE PROJECT.**

3                   **(2) AN AV/CV VEHICLE MANUFACTURER SHALL DETERMINE THE**  
4 **GEOGRAPHIC BOUNDARIES FOR A SAVE PROJECT, WHICH MAY BE IN THE FORM OF:**

5                   **(I) HIGHWAYS WITHIN A DESIGNATED AREA OF THE STATE;**

6                   **(II) A COUNTY OR MUNICIPALITY;**

7                   **(III) AREAS MAINTAINED BY REGIONAL AUTHORITIES;**

8                   **(IV) CAMPUSES OF INSTITUTIONS OF HIGHER EDUCATION;**

9                   **(V) COMMUNITIES THAT CATER TO SENIOR CITIZENS; OR**

10                   **(VI) THE BOUNDARIES FOR ANY OTHER SIMILAR GEOGRAPHIC**  
11 **OR DEMOGRAPHIC AREA.**

12                   **(3) AN AV/CV VEHICLE IN A PARTICIPATING FLEET MAY BE**  
13 **OPERATED ONLY WITHIN THE BOUNDARIES SELECTED BY THE AV/CV VEHICLE**  
14 **MANUFACTURER FOR THE SAVE PROJECT.**

15                   **(4) (I) FOR THE DURATION OF THE SAVE PROJECT, THE AV/CV**  
16 **VEHICLE MANUFACTURER SHALL MAINTAIN CRASH AND SAFETY RECORDS AND**  
17 **PROVIDE QUARTERLY SUMMARIES OF THESE RECORDS FOR THE PARTICIPATING**  
18 **FLEET TO THE ADMINISTRATION AND THE NATIONAL HIGHWAY TRAFFIC SAFETY**  
19 **ADMINISTRATION.**

20                   **(II) AN INDIVIDUAL WHO PARTICIPATES IN A SAVE PROJECT IS**  
21 **DEEMED TO HAVE CONSENTED TO THE COLLECTION OF DATA WHILE THE**  
22 **INDIVIDUAL IS IN AN AV/CV VEHICLE AS PART OF THE SAVE PROJECT AND TO THE**  
23 **LATER DISSEMINATION OF ANONYMIZED VERSIONS OF THE DATA TO THE**  
24 **ADMINISTRATION AND THE NATIONAL HIGHWAY TRAFFIC SAFETY**  
25 **ADMINISTRATION.**

26                   **(III) AN AV/CV VEHICLE MANUFACTURER THAT IMPLEMENTS A**  
27 **SAVE PROJECT SHALL PUBLICLY DISCLOSE ITS DATA-HANDLING POLICIES AND**  
28 **PRACTICES IN CONNECTION WITH THE SAVE PROJECT BEFORE IMPLEMENTING**  
29 **AND FOR THE DURATION OF THE SAVE PROJECT.**

1           **(E) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THE MARYLAND**  
2 **VEHICLE LAW, IF THE AUTOMATED DRIVING SYSTEM OF AN AV/CV VEHICLE IN A**  
3 **PARTICIPATING FLEET IS ACTIVATED:**

4                   **(I) THE AUTOMATED DRIVING SYSTEM SHALL BE DEEMED TO**  
5 **BE:**

6                           **1. THE DRIVER OF THE AV/CV VEHICLE FOR THE**  
7 **PURPOSE OF DETERMINING COMPLIANCE WITH THE MARYLAND VEHICLE LAW; AND**

8                           **2. VALIDLY LICENSED TO DRIVE A MOTOR VEHICLE ON A**  
9 **HIGHWAY IN THE STATE; AND**

10                   **(II) A LICENSED HUMAN DRIVER DOES NOT NEED TO BE**  
11 **PRESENT IN OR DRIVING THE AV/CV VEHICLE.**

12           **(2) AN AV/CV VEHICLE MANUFACTURER SHALL INSURE EACH**  
13 **VEHICLE IN A PARTICIPATING FLEET AS REQUIRED UNDER STATE LAW.**

14           **(3) AN AV/CV VEHICLE MANUFACTURER:**

15                   **(I) IS LIABLE, IN ACCORDANCE WITH STATE LAW, FOR ALL**  
16 **DAMAGES ARISING OUT OF INCIDENTS FOR WHICH THE AUTOMATED DRIVING**  
17 **SYSTEM WAS ACTIVATED AND AT FAULT; AND**

18                   **(II) IS IMMUNE FROM LIABILITY FOR DAMAGES THAT ARISE OUT**  
19 **OF ANY MODIFICATION MADE BY ANOTHER PERSON TO THE AV/CV VEHICLE OR A**  
20 **SYSTEM OR COMPONENT OF THE AV/CV VEHICLE WITHOUT THE WRITTEN CONSENT**  
21 **OF THE MANUFACTURER.**

22           **(4) AN AV/CV VEHICLE FOR WHICH THE AUTOMATIC CRASH**  
23 **NOTIFICATION TECHNOLOGY PROMPTLY CONNECTS A REPRESENTATIVE OF THE**  
24 **AV/CV VEHICLE MANUFACTURER WITH THE APPROPRIATE LAW ENFORCEMENT**  
25 **AGENCY TO REPORT A CRASH IS DEEMED IN COMPLIANCE WITH §§ 20–102 THROUGH**  
26 **20–106 OF THIS ARTICLE.**

27           **(5) THE SEAT BELT AND CHILD SAFETY SEAT REQUIREMENTS UNDER**  
28 **§§ 22–412.2 AND 22–412.3 OF THIS ARTICLE APPLY ONLY TO HUMAN OCCUPANTS OF**  
29 **AN AV/CV VEHICLE.**

30           **(6) THE PROHIBITIONS GOVERNING UNATTENDED MOTOR VEHICLES**  
31 **UNDER § 21–1101 OF THIS SUBTITLE DO NOT APPLY TO AN AV/CV VEHICLE.**

1           **(F) A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO**  
2 **A FINE NOT EXCEEDING \$10,000.**

3           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2017.