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BILL ANALYSIS



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Senate Bill 997 (Substitute S-2)
Sponsor: Senator Rebekah Warren
Committee: Economic Development and International Investment

Date Completed: 8-30-16

CONTENT

The bill would amend the Michigan Vehicle Code to exclude a road that was under the control of a mobility research center from provisions under the Code applicable to private roads that are open to the general public, regardless of whether a private research entity or a corporation was using the road under an agreement with the mobility research center.

The Code allows a county, city, township, or village to contract with a person who owns or is in charge of a private road that is open to the general public, at that person's request or with that person's consent, to enforce provisions of the Code on that private road. Subject to that provision and Section 906 of the Code, a peace officer may enter on a private road that is open to the general public to enforce provisions of the Code if signs meeting the requirements of the Michigan Manual of Uniform Traffic Control Devices are posted on the private road. The owner or person in charge of a private road open to the general public who enters into a contract as described above is responsible for the cost and the posting of signs.

(Section 906 allows a police officer to enter on a private road to enforce violations of the Code, notwithstanding any other provisions of law.)

The bill specifies that "private road that is open to the general public" would not include a road that was under the control of a mobility research center, regardless of whether a private research entity or a corporation was using the road under an agreement with the mobility center.

The bill would define "mobility research center" as a facility operated under an agreement between the State, a local unit of government, and a Michigan university that has the ability to receive and accept from any Federal, State, or municipal agency, foundation, public or private agency, entity, or individual a grant, contribution, or loan for or in aid of the planning, construction, operation, upgrade, or financing of a facility for testing advanced transportation systems, including connected or automated technology, automated driving systems, or automated motor vehicles to increase mobility options.

Additionally, the bill provides that a manufacturer of automated technology would be immune from civil liability for damages that arose out of any modification made to a motor vehicle, an automated motor vehicle, an automated driving system, or automated technology by another person without the consent of the manufacturer of automated technology, as provided in Section 2949b of the Revised Judicature Act. (Section 2949b specifies the criteria related to automated motor vehicle conversion under which the manufacturer of a vehicle or a subcomponent system producer is not liable for damages resulting from the conversion.)

The bill would define "automated driving system" as hardware and software that are collectively capable of performing all aspects of the dynamic driving task for a vehicle on a part-time or full-time basis without any supervision by a human operator. "Dynamic driving task" would mean all of the following, but would not include strategic aspects of a driving task, including determining destinations or waypoints:

--Operational aspects, including steering, braking, acceleration, and monitoring the vehicle and the roadway.

--Tactical aspects, including responding to events, determining when to change lanes, turning, using signals, and other related actions.

"Motor vehicle manufacturer" would mean a person that has manufactured and distributed motor vehicles in the United States that are certified to comply with all applicable Federal motor vehicle safety standards and that has submitted appropriate manufacturer identification information to the National Highway Traffic Safety Administration.

The bill also would define the terms "automatic crash notification technology", "on-demand automated motor vehicle network", "participating fleet", and "SAVE project".

MCL 257.2b et al.

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Michael Siracuse