

SUBSTITUTE FOR
SENATE BILL NO. 997

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 2b and 601a (MCL 257.2b and 257.601a), section
2b as added by 2013 PA 231 and section 601a as amended by 2011 PA
115, and by adding section 665a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2b. (1) "AUTOMATED DRIVING SYSTEM" MEANS HARDWARE AND
2 SOFTWARE THAT ARE COLLECTIVELY CAPABLE OF PERFORMING ALL ASPECTS OF
3 THE DYNAMIC DRIVING TASK FOR A VEHICLE ON A PART-TIME OR FULL-TIME
4 BASIS WITHOUT ANY SUPERVISION BY A HUMAN OPERATOR. AS USED IN THIS
5 SUBSECTION, "DYNAMIC DRIVING TASK" MEANS ALL OF THE FOLLOWING, BUT
6 DOES NOT INCLUDE STRATEGIC ASPECTS OF A DRIVING TASK, INCLUDING,
7 BUT NOT LIMITED TO, DETERMINING DESTINATIONS OR WAYPOINTS:

1 (A) OPERATIONAL ASPECTS, INCLUDING, BUT NOT LIMITED TO,
2 STEERING, BRAKING, ACCELERATING, AND MONITORING THE VEHICLE AND THE
3 ROADWAY.

4 (B) TACTICAL ASPECTS, INCLUDING, BUT NOT LIMITED TO,
5 RESPONDING TO EVENTS, DETERMINING WHEN TO CHANGE LANES, TURNING,
6 USING SIGNALS, AND OTHER RELATED ACTIONS.

7 (2) ~~(1)~~ "Automated motor vehicle" means a motor vehicle on
8 which **AN** automated ~~technology~~ **DRIVING SYSTEM** has been installed,
9 either by a manufacturer of automated ~~technology~~ **DRIVING SYSTEMS** or
10 an upfitter that enables the motor vehicle to be operated without
11 any control or monitoring by a human operator. Automated motor
12 vehicle does not include a motor vehicle enabled with 1 or more
13 active safety systems or operator assistance systems, including,
14 but not limited to, a system to provide electronic blind spot
15 assistance, crash avoidance, emergency braking, parking assistance,
16 adaptive cruise control, lane-keeping assistance, lane departure
17 warning, or traffic jam and queuing assistance, unless 1 or more of
18 these technologies alone or in combination with other systems
19 enable the vehicle on which the technology is installed to operate
20 without any control or monitoring by an operator.

21 (3) ~~(2)~~ "Automated technology" means technology installed on a
22 motor vehicle that has the capability to assist, make decisions
23 for, or replace ~~an~~ **A HUMAN** operator.

24 ~~—— (3) "Automatic mode" means the mode of operating an automated~~
25 ~~motor vehicle when automated technology is engaged to enable the~~
26 ~~motor vehicle to operate without any control or monitoring by an~~
27 ~~operator.~~

1 (4) "AUTOMATIC CRASH NOTIFICATION TECHNOLOGY" MEANS A VEHICLE
2 SERVICE THAT INTEGRATES WIRELESS COMMUNICATIONS AND VEHICLE
3 LOCATION TECHNOLOGY TO DETERMINE THE NEED FOR OR TO FACILITATE
4 EMERGENCY MEDICAL RESPONSE IN THE EVENT OF A VEHICLE CRASH.

5 (5) ~~(4)~~-"Manufacturer of automated ~~technology~~"-DRIVING
6 SYSTEMS" means a manufacturer or subcomponent system producer
7 recognized by the secretary of state that develops or produces
8 automated ~~technology~~-DRIVING SYSTEMS or automated vehicles.

9 (6) "MOBILITY RESEARCH CENTER" MEANS A FACILITY OPERATED UNDER
10 AN AGREEMENT BETWEEN THIS STATE, A LOCAL UNIT OF GOVERNMENT, AND A
11 MICHIGAN UNIVERSITY THAT HAS THE ABILITY TO RECEIVE AND ACCEPT FROM
12 ANY FEDERAL, STATE, OR MUNICIPAL AGENCY, FOUNDATION, PUBLIC OR
13 PRIVATE AGENCY, ENTITY, OR INDIVIDUAL A GRANT, CONTRIBUTION, OR
14 LOAN FOR OR IN AID OF THE PLANNING, CONSTRUCTION, OPERATION,
15 UPGRADE, OR FINANCING OF A FACILITY FOR TESTING ADVANCED
16 TRANSPORTATION SYSTEMS, INCLUDING, BUT NOT LIMITED TO, CONNECTED OR
17 AUTOMATED TECHNOLOGY, AUTOMATED DRIVING SYSTEMS, OR AUTOMATED MOTOR
18 VEHICLES TO INCREASE MOBILITY OPTIONS.

19 (7) "MOTOR VEHICLE MANUFACTURER" MEANS A PERSON THAT HAS
20 MANUFACTURED AND DISTRIBUTED MOTOR VEHICLES IN THE UNITED STATES
21 THAT ARE CERTIFIED TO COMPLY WITH ALL APPLICABLE FEDERAL MOTOR
22 VEHICLE SAFETY STANDARDS AND THAT HAS SUBMITTED APPROPRIATE
23 MANUFACTURER IDENTIFICATION INFORMATION TO THE NATIONAL HIGHWAY
24 TRAFFIC SAFETY ADMINISTRATION AS PROVIDED IN 49 CFR PART 566.

25 (8) "ON-DEMAND AUTOMATED MOTOR VEHICLE NETWORK" MEANS A
26 DIGITAL NETWORK OR SOFTWARE APPLICATION USED TO CONNECT PASSENGERS
27 TO AUTOMATED MOTOR VEHICLES, NOT INCLUDING COMMERCIAL MOTOR

1 VEHICLES, IN PARTICIPATING FLEETS FOR TRANSPORTATION BETWEEN POINTS
2 CHOSEN BY PASSENGERS, FOR TRANSPORTATION BETWEEN LOCATIONS CHOSEN
3 BY THE PASSENGER WHEN THE AUTOMATED MOTOR VEHICLE IS OPERATED
4 WITHOUT ANY CONTROL OR MONITORING BY A HUMAN OPERATOR.

5 (9) "PARTICIPATING FLEET" MEANS ANY OF THE FOLLOWING:

6 (A) VEHICLES THAT ARE EQUIPPED WITH AUTOMATED DRIVING SYSTEMS
7 THAT ARE OPERATING ON THE PUBLIC ROADS AND HIGHWAYS OF THIS STATE
8 IN A SAVE PROJECT AS PROVIDED IN SECTION 665B.

9 (B) VEHICLES THAT ARE EQUIPPED WITH AUTOMATED DRIVING SYSTEMS
10 THAT ARE OPERATING ON THE PUBLIC ROADS AND HIGHWAYS OF THIS STATE
11 IN AN ON-DEMAND AUTOMATED MOTOR VEHICLE NETWORK, THAT ARE SUPPLIED
12 OR CONTROLLED BY A MOTOR VEHICLE MANUFACTURER.

13 (10) "SAVE PROJECT" MEANS AN INITIATIVE THAT AUTHORIZES
14 ELIGIBLE MOTOR VEHICLE MANUFACTURERS TO MAKE AVAILABLE TO THE
15 PUBLIC ON-DEMAND AUTOMATED VEHICLE NETWORKS AS PROVIDED IN SECTION
16 665B.

17 (11) ~~(5)~~ "Upfitter" means a person that modifies a motor
18 vehicle after it was manufactured by installing **AN** automated
19 ~~technology~~ **DRIVING SYSTEM** in that motor vehicle to convert it to an
20 automated **MOTOR** vehicle. Upfitter includes a subcomponent system
21 producer recognized by the secretary of state that develops or
22 produces automated ~~technology~~ **DRIVING SYSTEMS**.

23 Sec. 601a. (1) A county, city, township, or village may
24 contract with a person who owns or is in charge of a private road
25 that is open to the general public, at that person's request or
26 with that person's consent, to enforce provisions of this act on
27 that private road.

1 (2) Subject to subsection (1) and section 906, a peace officer
2 may enter upon a private road that is open to the general public to
3 enforce provisions of this act if signs meeting the requirements of
4 the Michigan manual of uniform traffic control devices are posted
5 on the private road.

6 (3) The owner or person in charge of a private road open to
7 the general public who enters into a contract as described in
8 subsection (1) is responsible for the cost and the posting of signs
9 described in subsection (2).

10 (4) This section does not affect a contract entered into
11 between a county, city, township, or village and the person who
12 owns or is in charge of a private road open to the general public
13 before December 29, 2006.

14 (5) AS USED IN THIS SECTION, "PRIVATE ROAD THAT IS OPEN TO THE
15 GENERAL PUBLIC" DOES NOT INCLUDE A ROAD THAT IS UNDER THE CONTROL
16 OF A MOBILITY RESEARCH CENTER, REGARDLESS OF WHETHER A PRIVATE
17 RESEARCH ENTITY OR A CORPORATION IS USING THE ROAD UNDER AN
18 AGREEMENT WITH THE MOBILITY RESEARCH CENTER.

19 SEC. 665A. A MANUFACTURER OF AUTOMATED TECHNOLOGY IS IMMUNE
20 FROM CIVIL LIABILITY FOR DAMAGES THAT ARISE OUT OF ANY MODIFICATION
21 MADE TO A MOTOR VEHICLE, AN AUTOMATED MOTOR VEHICLE, AN AUTOMATED
22 DRIVING SYSTEM, OR AUTOMATED TECHNOLOGY BY ANOTHER PERSON WITHOUT
23 THE MANUFACTURER OF AUTOMATED TECHNOLOGY'S CONSENT, AS PROVIDED IN
24 SECTION 2949B OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236,
25 MCL 600.2949B.