

HOUSE BILL No. 5897

April 26, 2018, Introduced by Reps. Green, Elder, Yanez, Gay-Dagnogo, Chang, Lasinski, Cambensy, Scott and Jones and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 665 (MCL 257.665), as amended by 2016 PA 332.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 665. (1) Before beginning research or testing on a
2 highway or street in this state of an automated motor vehicle,
3 technology that allows a motor vehicle to operate without a human
4 operator, or any automated driving system installed in a motor
5 vehicle under this section, the manufacturer of automated driving
6 systems or upfitter performing that research or testing shall
7 submit proof satisfactory to the secretary of state that the
8 vehicle is insured under chapter 31 of the insurance code of 1956,
9 1956 PA 218, MCL 500.3101 to 500.3179.

10 (2) A manufacturer of automated driving systems or upfitter
11 shall ensure that all of the following circumstances exist when

1 researching or testing the operation, including operation without a
2 human operator, of an automated motor vehicle or any automated
3 technology or automated driving system installed in a motor vehicle
4 upon a highway or street:

5 (a) The vehicle is operated only by an employee, contractor,
6 or other person designated or otherwise authorized by that
7 manufacturer of automated driving systems or upfitter. This
8 subdivision does not apply to a university researcher or an
9 employee of the state transportation department or the department
10 described in subsection (3).

11 (b) An individual described in subdivision (a) has the ability
12 to monitor the vehicle's performance while it is being operated on
13 a highway or street in this state and, if necessary, promptly take
14 control of the vehicle's movements. If the individual does not, or
15 is unable to, take control of the vehicle, the vehicle shall be
16 capable of achieving a minimal risk condition.

17 (c) The individual operating the vehicle under subdivision (a)
18 and the individual who is monitoring the vehicle for purposes of
19 subdivision (b) may lawfully operate a motor vehicle in the United
20 States.

21 (3) A university researcher or an employee of the state
22 transportation department or the department who is engaged in
23 research or testing of automated motor vehicles may operate an
24 automated motor vehicle if the operation is in compliance with
25 subsection (2).

26 (4) An automated motor vehicle may be operated on a street or
27 highway in this state.

1 (5) When engaged, an automated driving system allowing for
2 operation without a human operator shall be considered the driver
3 or operator of a vehicle for purposes of determining conformance to
4 any applicable traffic or motor vehicle laws and shall be deemed to
5 satisfy electronically all physical acts required by a driver or
6 operator of the vehicle.

7 (6) The Michigan council on future mobility is created within
8 the state transportation department. The council shall provide to
9 the governor, legislature, department, state transportation
10 department, department of insurance and financial services,
11 department of technology, management, and budget, and department of
12 state police recommendations for changes in state policy to ensure
13 that this state continues to be the world leader in **THE DEVELOPMENT**
14 **OF TECHNOLOGIES ASSOCIATED WITH** autonomous, driverless, and **HIGHLY**
15 **AUTOMATED AND** connected ~~vehicle technology.~~ **VEHICLES AND WITH THE**
16 **ENHANCEMENT OF PERSONAL MOBILITY ACROSS ALL MODES OF**
17 **TRANSPORTATION.** The council created under this subsection shall
18 consist of all of the following members, who shall serve without
19 compensation:

20 (a) Eleven individuals appointed by the governor who represent
21 the interests of local government or are business, policy,
22 research, or technological leaders in future mobility. The
23 individuals appointed under this subdivision shall be voting
24 members.

25 (b) One individual appointed by the governor who is
26 representative of insurance interests. The individual appointed
27 under this subdivision shall be a voting member.

1 (c) Two state senators appointed by the senate majority leader
2 to serve as nonvoting ex officio members. One of the senators
3 appointed under this subdivision shall be a member of the majority
4 party, and 1 of the senators appointed under this subdivision shall
5 be a member of the minority party.

6 (d) Two state representatives appointed by the speaker of the
7 house of representatives to serve as nonvoting ex officio members.
8 One of the representatives appointed under this subdivision shall
9 be a member of the majority party, and 1 of the representatives
10 appointed under this subdivision shall be a member of the minority
11 party.

12 (e) The secretary of state or his or her designee. The
13 individual appointed under this subdivision shall be a voting
14 member.

15 (f) The director of the state transportation department or his
16 or her designee. The individual appointed under this subdivision
17 shall be a voting member.

18 (g) The director of the department of state police or his or
19 her designee. The individual appointed under this subdivision shall
20 be a voting member.

21 (h) The director of the department of insurance and financial
22 services or his or her designee. The individual appointed under
23 this subdivision shall be a voting member.

24 (i) The director of the department of technology, management,
25 and budget or his or her designee. The individual appointed under
26 this subdivision shall be a voting member.

27 (7) The governor shall designate 1 or more of the members of

1 the commission to serve as chairperson of the commission who shall
2 serve at the governor's pleasure.

3 (8) The council created under subsection (6) shall submit
4 recommendations for statewide policy changes and updates no later
5 than March 31, 2017 and shall continue to make recommendations
6 annually thereafter, or more frequently in the ~~commission's~~
7 **COUNCIL'S** discretion.

8 (9) A person may operate a platoon on a street or highway of
9 this state if the person files a plan for general platoon
10 operations with the department of state police and the state
11 transportation department before starting platoon operations. If
12 the plan is not rejected by either the department of state police
13 or the state transportation department within 30 days after receipt
14 of the plan, the person shall be allowed to operate the platoon.

15 (10) All of the following apply to a platoon:

16 (a) Vehicles in a platoon shall not be considered a
17 combination of vehicles for purposes of this act.

18 (b) The lead vehicle in a platoon shall not be considered to
19 draw the other vehicles.

20 (c) If the platoon includes a commercial motor vehicle, an
21 appropriately endorsed driver who holds a valid commercial driver
22 license shall be present behind the wheel of each commercial motor
23 vehicle in the platoon.

24 Enacting section 1. This amendatory act takes effect 90 days
25 after the date it is enacted into law.