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SYNOPSIS
Permits testing and use of autonomous vehicles on State roadways under certain circumstances.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning the testing and use of autonomous vehicles and
supplementing Title 39 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1. As used in P.L. , c. (C. ) (pending before the
Legislature as this bill):
“Autonomous mode” means the operation of an autonomous
vehicle without the active control of a human being.
“Autonomous technology” means technology that has the
capability to drive a motor vehicle without active physical control
or monitoring by an operator.
“Autonomous vehicle” means a motor vehicle that uses
autonomous technology, including sensors, global positioning
system coordinates, or any other technology to perform the
mechanical operations of driving.
“Commission” means the New Jersey Motor Vehicle
Commission, or successor agency.
“Manufacturer” means the person that originally manufactures
the autonomous technology and equips autonomous technology on a
non-autonomous motor vehicle or, in the case of a motor vehicle not
originally equipped with autonomous technology by the motor
vehicle manufacturer, the person that modifies the motor vehicle by
installing autonomous technology to convert the motor vehicle to an
autonomous vehicle.
“Operator” means a person who is seated in the driver’s seat of
an autonomous vehicle, or if there is no person in the driver’s seat,
causes the autonomous technology to engage.
“Sensors” include, without limitation, any cameras, lasers, radar,
or other technology used in the operation of an autonomous vehicle.

2. An autonomous vehicle may be operated on any public
highway, road, or street within this State for testing purposes by an
operator who possesses the proper class of license, as determined by
the commission, for the type of vehicle being operated, provided
that the following requirements are met:
  a. the autonomous vehicle is being operated on a public
highway, road, or street in this State solely by employees,
contractors, or other persons designated by the manufacturer of the
autonomous technology or autonomous vehicle;
b. the operator is seated in the driver’s seat, monitoring the safe
operation of the autonomous vehicle, and is capable of taking over
immediate manual control of the autonomous vehicle in the event of
an autonomous technology failure or other emergency; and
c. prior to the start of testing in this State, the manufacturer
performing the testing obtains an instrument of insurance, surety
bond, or proof of self-insurance in the amount of $5,000,000, and
shall provide evidence of the insurance, surety bond, or self-
insurance to the commission, in a form and manner determined by
the commission.

3. An autonomous vehicle shall not be operated on a public
highway, road, or street in this State for testing purposes until the
commission approves an application submitted by the manufacturer
to the commission, in a form and manner determined by the
commission. The application shall contain requirements that
include, but are not limited to:

(1) a certification by the manufacturer that the autonomous
technology satisfies the following requirements:
(a) the autonomous technology has the ability to be easily
engaged or disengaged by the operator;
(b) the autonomous vehicle has a visual indicator inside the
cabin of the vehicle to indicate when the autonomous technology is
engaged;
(c) the autonomous vehicle has a system to safely alert the
operator if an autonomous technology failure is detected while the
autonomous technology is engaged, and when an alert is given, the
autonomous vehicle shall do either:
(i) require the operator to take control of the autonomous
vehicle; or
(ii) be capable of coming to a complete stop if the operator does
not or is unable to take control of the autonomous vehicle.
(d) the autonomous vehicle shall allow the operator to take
control in multiple ways, including, but not limited to, the use of the
brake, the accelerator pedal, or the steering wheel, and shall alert
the operator that the autonomous technology has been disengaged;
(e) the autonomous vehicle and autonomous technology meet
the safety and performance standards provided in State and federal
law for the vehicle’s model year; and
(f) the autonomous vehicle has a separate mechanism, in
addition to, and separate from, any other mechanism required by
law, to capture and store the autonomous technology sensor data for
at least 30 seconds before a collision occurs between the
autonomous vehicle and another vehicle, object, or person while the
vehicle is operating in autonomous mode. The autonomous
technology sensor data shall be stored for three years from the date
of the collision and captured and stored in a read-only format by the
mechanism so that the data is retained until extracted from the
mechanism by an external device capable of downloading and
storing the data.

(2) A certification that the manufacturer has tested the
autonomous technology on private roads, lots, or tracks, or out-of-
State public highways, roads, and streets, and has complied with
other testing standards, if any, established by the commission.
(3) A certification that the manufacturer will maintain a surety bond, or proof of self-insurance as specified in regulations adopted by the commission, in an amount of $5,000,000.

4. The commission shall approve an application submitted by a manufacturer pursuant to section 2 of P.L. , c. (C. ) (pending before the Legislature as this bill) if the commission finds that the applicant has submitted all required information and completed testing necessary to satisfy the commission that the autonomous vehicle is safe to operate on the public highways, roads, and streets of this State for testing purposes and the applicant has complied with the regulations adopted by the commission pursuant to P.L. , c. (C. ) (pending before the Legislature as this bill).

5. The manufacturer of the autonomous technology installed on an autonomous vehicle shall provide a written disclosure to the purchaser of the autonomous vehicle that describes what information, including personal information, is collected by the autonomous technology equipped on the vehicle.

6. The commission shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to effectuate the purposes of P.L. , c. (C. ) (pending before the Legislature as this bill).

7. This act shall take effect immediately.

STATEMENT

This bill permits the testing and use of autonomous vehicles on the public highways, roads, and streets of this State. An autonomous vehicle may be operated on any highway, road, or street within this State for testing purposes by a driver who possesses the proper class of license, as determined by the New Jersey Motor Vehicle Commission (commission), for the type of vehicle being operated if: the autonomous vehicle is being operated on a public highway, road, or street in this State solely by employees, contractors, or other persons designated by the manufacturer of the autonomous technology; the operator is seated in the driver’s seat, monitoring the safe operation of the autonomous vehicle, and capable of taking over immediate manual control of the autonomous vehicle in the event of an autonomous technology failure or other emergency; and, prior to the start of testing in this State, the manufacturer performing the testing obtains an instrument of insurance, surety bond, or proof of self-insurance in the amount of $5,000,000, and is to provide evidence of the
insurance, surety bond, or self-insurance to the commission, in a form and manner determined by the commission.

The bill provides that an autonomous vehicle is not to be operated on a highway, road, or street in this State for testing purposes until the manufacturer submits an application to the commission in a form and manner determined by the commission. The application is to contain requirements that include: a certification by the manufacturer that the autonomous technology satisfies all of the following requirements: the autonomous technology that is easily engaged or disengaged by the operator; the autonomous vehicle has a visual indicator inside the cabin to indicate when the autonomous technology is engaged; and the autonomous vehicle has a system to safely alert the operator if an autonomous technology failure is detected while the autonomous technology is engaged, and when an alert is given, the system is to either require the operator to take control of the autonomous vehicle or be capable of coming to a complete stop if the operator does not or is unable to take control of the autonomous vehicle.

The application is to also include that: the autonomous vehicle is to allow the operator to take control of the vehicle in multiple ways, including, but not limited to, use of the brake, the accelerator pedal, or the steering wheel, and it is to alert the operator that the autonomous technology has been disengaged; the autonomous vehicle and autonomous technology meet the safety and performance standards provided in State and federal law for the vehicle’s model year; and the autonomous vehicle has a separate mechanism, in addition to, and separate from, any other mechanism required by law, to capture and store the autonomous technology sensor data for at least 30 seconds before a collision occurs between the autonomous vehicle and another vehicle, object, or person while the vehicle is operating in autonomous mode. The autonomous technology sensor data is to be stored for three years from the date of the collision and be captured and stored in a read-only format by the mechanism so that the data is retained until extracted from the mechanism by an external device capable of downloading and storing the data.

The commission is to also require a certification that the manufacturer has tested the autonomous technology on private roads, lots, or tracks, or out-of-State public highways, roads, and streets, has complied with any other testing standards established by the commission, and a certification that the manufacturer will maintain a surety bond, or proof of self-insurance as specified in regulations adopted by the commission, in an amount of $5,000,000.

This bill provides that the commission is to approve an application submitted by a manufacturer pursuant this bill if the commission finds that the applicant has submitted all information and completed testing necessary to satisfy the commission that the
autonomous vehicle is safe to operate on the highways, roads, and streets of this State for testing purposes and the applicant has complied with the regulations adopted by the commission. Finally, this bill requires the manufacturer of the autonomous technology installed on a vehicle to provide a written disclosure to the purchaser of an autonomous vehicle that describes what information, including personal information, is collected by the autonomous technology equipped on the vehicle.