

**AUTONOMOUS VEHICLE REGULATIONS**

2019 GENERAL SESSION

STATE OF UTAH

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**LONG TITLE**

**General Description:**

This bill amends provisions regarding traffic laws, licensing, and titling requirements, and adds new provisions regarding the operation of autonomous vehicles.

**Highlighted Provisions:**

This bill:

- ▶ defines terms related to autonomous vehicles;
- ▶ allows the operation of a fully autonomous vehicle in the state;
- ▶ provides that a fully autonomous vehicle is licensed to operate in the state;
- ▶ provides protocol in case of an accident involving an autonomous vehicle;
- ▶ requires an autonomous vehicle to be properly titled, registered, and insured;
- ▶ preempts political subdivisions from regulating autonomous vehicles in addition to regulation provided in state statute; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

- 13-51-102**, as enacted by Laws of Utah 2015, Chapter 461
- 13-51-103**, as last amended by Laws of Utah 2016, Chapter 359
- 41-6a-102**, as last amended by Laws of Utah 2018, Chapters 166 and 205
- 53-3-202**, as last amended by Laws of Utah 2017, Chapter 297

ENACTS:

- 41-26-102.1**, Utah Code Annotated 1953
- 41-26-103**, Utah Code Annotated 1953
- 41-26-104**, Utah Code Annotated 1953

- 33           **41-26-105**, Utah Code Annotated 1953  
 34           **41-26-106**, Utah Code Annotated 1953  
 35           **41-26-107**, Utah Code Annotated 1953  
 36           **41-26-108**, Utah Code Annotated 1953  
 37           **41-26-109**, Utah Code Annotated 1953

38 REPEALS:

- 39           **41-26-102**, as enacted by Laws of Utah 2016, Chapter 212

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41 *Be it enacted by the Legislature of the state of Utah:*

42           Section 1. Section **13-51-102** is amended to read:

43           **13-51-102. Definitions.**

44           (1) "Division" means the Division of Consumer Protection within the Department of  
 45 Commerce.

46           (2) "Prearranged ride" means a period of time that:

47           (a) begins when the transportation network driver has accepted a passenger's request  
 48 for a ride through the transportation network company's software application; and

49           (b) ends when the passenger exits the transportation network driver's vehicle.

50           (3) "Software application" means an Internet-connected software platform, including a  
 51 mobile application, that a transportation network company uses to:

52           (a) connect a transportation network driver to a passenger; and

53           (b) process passenger requests.

54           (4) "Transportation network company" means an entity that:

55           (a) uses a software application to connect a passenger to a transportation network  
 56 driver providing transportation network services;

57           (b) is not:

58           (i) a taxicab, as defined in Section 53-3-102; or

59           (ii) a motor carrier, as defined in Section 72-9-102; and

60           (c) except in certain cases involving a fully autonomous vehicle as defined in Section  
 61 41-26-102.1, does not own, control, operate, or manage the vehicle used to provide the  
 62 transportation network services.

63           (5) "Transportation network driver" means [~~an individual who~~]:

64 (a) an individual who:  
 65 ~~[(a)]~~ (i) pays a fee to a transportation network company, and, in exchange, receives a  
 66 connection to a potential passenger from the transportation network company;

67 ~~[(b)]~~ (ii) operates a motor vehicle that:

68 ~~[(+)]~~ (A) the individual owns, leases, or is authorized to use; and

69 ~~[(+)]~~ (B) the individual uses to provide transportation network services; and

70 ~~[(+)]~~ (iii) receives, in exchange for providing a passenger a ride, compensation that  
 71 exceeds the individual's cost to provide the ride~~[-];~~ or

72 (b) an automated driving system of a fully autonomous vehicle as defined in Section  
 73 41-26-102.1, operated without a human operator, used to provide a passenger a ride in  
 74 exchange for compensation.

75 (6) "Transportation network services" means, for a transportation network driver  
 76 providing services through a transportation network company:

77 (a) providing a prearranged ride; or

78 (b) being engaged in a waiting period.

79 (7) "Waiting period" means a period of time when:

80 (a) a transportation network driver is logged into a transportation network company's  
 81 software application; and

82 (b) the transportation network driver is not engaged in a prearranged ride.

83 Section 2. Section **13-51-103** is amended to read:

84 **13-51-103. Exemptions -- Transportation network company and transportation**  
 85 **network driver.**

86 (1) A transportation network company or a transportation network driver is not subject  
 87 to the requirements applicable to:

88 (a) a motor carrier, under Title 72, Chapter 9, Motor Carrier Safety Act;

89 (b) a common carrier, under Title 59, Chapter 12, Sales and Use Tax Act; or

90 (c) a taxicab, under Title 53, Chapter 3, Uniform Driver License Act.

91 (2) A transportation network driver is:

92 (a) (i) an independent contractor of a transportation network company; and

93 ~~[(b)]~~ (ii) not an employee of a transportation network company~~[-];~~ or

94 (b) for a fully autonomous vehicle operated without a human operator, an automated

95 driving system operated:

96 (i) at the direction of, on behalf of, or as an agent of a transportation network company;

97 or

98 (ii) at the direction of, on behalf of, or as an agent of a third party pursuant to an

99 agreement between the third party and a transportation network company, operated on behalf of

100 and as an agent of the transportation network company.

101 Section 3. Section **41-6a-102** is amended to read:

102 **41-6a-102. Definitions.**

103 As used in this chapter:

104 (1) "Alley" means a street or highway intended to provide access to the rear or side of  
105 lots or buildings in urban districts and not intended for through vehicular traffic.

106 (2) "All-terrain type I vehicle" means the same as that term is defined in Section  
107 41-22-2.

108 (3) "Authorized emergency vehicle" includes:

109 (a) fire department vehicles;

110 (b) police vehicles;

111 (c) ambulances; and

112 (d) other publicly or privately owned vehicles as designated by the commissioner of the  
113 Department of Public Safety.

114 (4) "Autocycle" means the same as that term is defined in Section 53-3-102.

115 (5) (a) "Bicycle" means a wheeled vehicle:

116 (i) propelled by human power by feet or hands acting upon pedals or cranks;

117 (ii) with a seat or saddle designed for the use of the operator;

118 (iii) designed to be operated on the ground; and

119 (iv) whose wheels are not less than 14 inches in diameter.

120 (b) "Bicycle" includes an electric assisted bicycle.

121 (c) "Bicycle" does not include scooters and similar devices.

122 (6) (a) "Bus" means a motor vehicle:

123 (i) designed for carrying more than 15 passengers and used for the transportation of  
124 persons; or

125 (ii) designed and used for the transportation of persons for compensation.

126 (b) "Bus" does not include a taxicab.

127 (7) (a) "Circular intersection" means an intersection that has an island, generally  
128 circular in design, located in the center of the intersection where traffic passes to the right of  
129 the island.

130 (b) "Circular intersection" includes:

131 (i) roundabouts;

132 (ii) rotaries; and

133 (iii) traffic circles.

134 (8) "Class 1 electric assisted bicycle" means an electric assisted bicycle described in  
135 Subsection (17)(d)(i).

136 (9) "Class 2 electric assisted bicycle" means an electric assisted bicycle described in  
137 Subsection (17)(d)(ii).

138 (10) "Class 3 electric assisted bicycle" means an electric assisted bicycle described in  
139 Subsection (17)(d)(iii).

140 (11) "Commissioner" means the commissioner of the Department of Public Safety.

141 (12) "Controlled-access highway" means a highway, street, or roadway:

142 (a) designed primarily for through traffic; and

143 (b) to or from which owners or occupants of abutting lands and other persons have no  
144 legal right of access, except at points as determined by the highway authority having  
145 jurisdiction over the highway, street, or roadway.

146 (13) "Crosswalk" means:

147 (a) that part of a roadway at an intersection included within the connections of the  
148 lateral lines of the sidewalks on opposite sides of the highway measured from:

149 (i) (A) the curbs; or

150 (B) in the absence of curbs, from the edges of the traversable roadway; and

151 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway  
152 included within the extension of the lateral lines of the existing sidewalk at right angles to the  
153 centerline; or

154 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for  
155 pedestrian crossing by lines or other markings on the surface.

156 (14) "Department" means the Department of Public Safety.

- 157 (15) "Direct supervision" means oversight at a distance within which:  
158 (a) visual contact is maintained; and  
159 (b) advice and assistance can be given and received.
- 160 (16) "Divided highway" means a highway divided into two or more roadways by:  
161 (a) an unpaved intervening space;  
162 (b) a physical barrier; or  
163 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 164 (17) "Electric assisted bicycle" means a bicycle with an electric motor that:  
165 (a) has a power output of not more than 750 watts;  
166 (b) has fully operable pedals on permanently affixed cranks;  
167 (c) is fully operable as a bicycle without the use of the electric motor; and  
168 (d) is one of the following:  
169 (i) an electric assisted bicycle equipped with a motor or electronics that:  
170 (A) provides assistance only when the rider is pedaling; and  
171 (B) ceases to provide assistance when the bicycle reaches the speed of 20 miles per  
172 hour;  
173 (ii) an electric assisted bicycle equipped with a motor or electronics that:  
174 (A) may be used exclusively to propel the bicycle; and  
175 (B) is not capable of providing assistance when the bicycle reaches the speed of 20  
176 miles per hour; or  
177 (iii) an electric assisted bicycle equipped with a motor or electronics that:  
178 (A) provides assistance only when the rider is pedaling;  
179 (B) ceases to provide assistance when the bicycle reaches the speed of 28 miles per  
180 hour; and  
181 (C) is equipped with a speedometer.
- 182 (18) (a) "Electric personal assistive mobility device" means a self-balancing device  
183 with:  
184 (i) two nontandem wheels in contact with the ground;  
185 (ii) a system capable of steering and stopping the unit under typical operating  
186 conditions;  
187 (iii) an electric propulsion system with average power of one horsepower or 750 watts;

188 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and  
189 (v) a deck design for a person to stand while operating the device.

190 (b) "Electric personal assistive mobility device" does not include a wheelchair.

191 (19) "Explosives" means any chemical compound or mechanical mixture commonly  
192 used or intended for the purpose of producing an explosion and that contains any oxidizing and  
193 combustive units or other ingredients in proportions, quantities, or packing so that an ignition  
194 by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture  
195 may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are  
196 capable of producing destructive effects on contiguous objects or of causing death or serious  
197 bodily injury.

198 (20) "Farm tractor" means a motor vehicle designed and used primarily as a farm  
199 implement, for drawing plows, mowing machines, and other implements of husbandry.

200 (21) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,  
201 as determined by a tagliabue or equivalent closed-cup test device.

202 (22) "Freeway" means a controlled-access highway that is part of the interstate system  
203 as defined in Section 72-1-102.

204 (23) "Gore area" means the area delineated by two solid white lines that is between a  
205 continuing lane of a through roadway and a lane used to enter or exit the continuing lane  
206 including similar areas between merging or splitting highways.

207 (24) "Gross weight" means the weight of a vehicle without a load plus the weight of  
208 any load on the vehicle.

209 (25) "Highway" means the entire width between property lines of every way or place of  
210 any nature when any part of it is open to the use of the public as a matter of right for vehicular  
211 travel.

212 (26) "Highway authority" means the same as that term is defined in Section 72-1-102.

213 (27) (a) "Intersection" means the area embraced within the prolongation or connection  
214 of the lateral curblines, or, if none, then the lateral boundary lines of the roadways of two or  
215 more highways which join one another.

216 (b) Where a highway includes two roadways 30 feet or more apart:

217 (i) every crossing of each roadway of the divided highway by an intersecting highway  
218 is a separate intersection; and

219 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then  
220 every crossing of two roadways of the highways is a separate intersection.

221 (c) "Intersection" does not include the junction of an alley with a street or highway.

222 (28) "Island" means an area between traffic lanes or at an intersection for control of  
223 vehicle movements or for pedestrian refuge designated by:

224 (a) pavement markings, which may include an area designated by two solid yellow  
225 lines surrounding the perimeter of the area;

226 (b) channelizing devices;

227 (c) curbs;

228 (d) pavement edges; or

229 (e) other devices.

230 (29) "Law enforcement agency" means the same as that term is as defined in Section  
231 53-1-102.

232 (30) "Limited access highway" means a highway:

233 (a) that is designated specifically for through traffic; and

234 (b) over, from, or to which neither owners nor occupants of abutting lands nor other  
235 persons have any right or easement, or have only a limited right or easement of access, light,  
236 air, or view.

237 (31) "Local highway authority" means the legislative, executive, or governing body of  
238 a county, municipal, or other local board or body having authority to enact laws relating to  
239 traffic under the constitution and laws of the state.

240 (32) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

241 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

242 (ii) has a capacity of not more than four passengers, including the driver.

243 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

244 (33) "Metal tire" means a tire, the surface of which in contact with the highway is  
245 wholly or partly of metal or other hard nonresilient material.

246 (34) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or  
247 saddle that is less than 24 inches from the ground as measured on a level surface with properly  
248 inflated tires.

249 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.



- 250 (c) "Mini-motorcycle" does not include a motorcycle that is:
- 251 (i) designed for off-highway use; and
- 252 (ii) registered as an off-highway vehicle under Section 41-22-3.
- 253 (35) "Mobile home" means:
- 254 (a) a trailer or semitrailer that is:
- 255 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
- 256 place either permanently or temporarily; and
- 257 (ii) equipped for use as a conveyance on streets and highways; or
- 258 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and
- 259 constructed for use as a mobile home, as defined in Subsection (35)(a), but that is instead used
- 260 permanently or temporarily for:
- 261 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 262 (ii) any other commercial purpose except the transportation of property for hire or the
- 263 transportation of property for distribution by a private carrier.
- 264 (36) (a) "Moped" means a motor-driven cycle having:
- 265 (i) pedals to permit propulsion by human power; and
- 266 (ii) a motor that:
- 267 (A) produces not more than two brake horsepower; and
- 268 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on
- 269 level ground.
- 270 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
- 271 centimeters and the moped shall have a power drive system that functions directly or
- 272 automatically without clutching or shifting by the operator after the drive system is engaged.
- 273 (c) "Moped" includes a motor assisted scooter.
- 274 (d) "Moped" does not include an electric assisted bicycle.
- 275 (37) (a) "Motor assisted scooter" means a self-propelled device with:
- 276 (i) at least two wheels in contact with the ground;
- 277 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 278 (iii) a gas or electric motor not exceeding 40 cubic centimeters;
- 279 (iv) either:
- 280 (A) a deck design for a person to stand while operating the device; or

281 (B) a deck and seat designed for a person to sit, straddle, or stand while operating the  
282 device; and

283 (v) a design for the ability to be propelled by human power alone.

284 (b) "Motor assisted scooter" does not include an electric assisted bicycle.

285 (38) (a) "Motor vehicle" means a vehicle that is self-propelled and every vehicle which  
286 is propelled by electric power obtained from overhead trolley wires, but not operated upon  
287 rails.

288 (b) "Motor vehicle" does not include vehicles moved solely by human power,  
289 motorized wheelchairs, an electric personal assistive mobility device, an electric assisted  
290 bicycle, or a personal delivery device, as defined in Section 41-6a-1119.

291 (39) "Motorcycle" means:

292 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider  
293 and designed to travel with not more than three wheels in contact with the ground; or

294 (b) an auticycle.

295 (40) (a) "Motor-driven cycle" means every motorcycle, motor scooter, moped, motor  
296 assisted scooter, and every motorized bicycle having:

297 (i) an engine with less than 150 cubic centimeters displacement; or

298 (ii) a motor that produces not more than five horsepower.

299 (b) "Motor-driven cycle" does not include:

300 (i) an electric personal assistive mobility device; or

301 (ii) an electric assisted bicycle.

302 (41) "Off-highway implement of husbandry" means the same as that term is defined  
303 under Section 41-22-2.

304 (42) "Off-highway vehicle" means the same as that term is defined under Section  
305 41-22-2.

306 (43) "Operator" means a person who is in actual physical control of a vehicle.

307 (44) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is  
308 occupied or not.

309 (b) "Park" or "parking" does not include the standing of a vehicle temporarily for the  
310 purpose of and while actually engaged in loading or unloading property or passengers.

311 (45) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace

312 Officer Classifications, to direct or regulate traffic or to make arrests for violations of traffic  
313 laws.

314 (46) "Pedestrian" means a person traveling:

315 (a) on foot; or

316 (b) in a wheelchair.

317 (47) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate  
318 pedestrians.

319 (48) "Person" means [~~every natural person, firm, copartnership, association, or~~  
320 ~~corporation~~] a natural person, corporation, business trust, estate, trust, partnership, limited  
321 liability company, association, joint venture, governmental agency, public corporation, or any  
322 other legal or commercial entity.

323 (49) "Pole trailer" means every vehicle without motive power:

324 (a) designed to be drawn by another vehicle and attached to the towing vehicle by  
325 means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and

326 (b) that is ordinarily used for transporting long or irregular shaped loads including  
327 poles, pipes, or structural members generally capable of sustaining themselves as beams  
328 between the supporting connections.

329 (50) "Private road or driveway" means every way or place in private ownership and  
330 used for vehicular travel by the owner and those having express or implied permission from the  
331 owner, but not by other persons.

332 (51) "Railroad" means a carrier of persons or property upon cars operated on stationary  
333 rails.

334 (52) "Railroad sign or signal" means a sign, signal, or device erected by authority of a  
335 public body or official or by a railroad and intended to give notice of the presence of railroad  
336 tracks or the approach of a railroad train.

337 (53) "Railroad train" means a locomotive propelled by any form of energy, coupled  
338 with or operated without cars, and operated upon rails.

339 (54) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful  
340 manner in preference to another vehicle or pedestrian approaching under circumstances of  
341 direction, speed, and proximity that give rise to danger of collision unless one grants  
342 precedence to the other.

343 (55) (a) "Roadway" means that portion of highway improved, designed, or ordinarily  
344 used for vehicular travel.

345 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of  
346 them are used by persons riding bicycles or other human-powered vehicles.

347 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if  
348 a highway includes two or more separate roadways.

349 (56) "Safety zone" means the area or space officially set apart within a roadway for the  
350 exclusive use of pedestrians and that is protected, marked, or indicated by adequate signs as to  
351 be plainly visible at all times while set apart as a safety zone.

352 (57) (a) "School bus" means a motor vehicle that:

353 (i) complies with the color and identification requirements of the most recent edition of  
354 "Minimum Standards for School Buses"; and

355 (ii) is used to transport school children to or from school or school activities.

356 (b) "School bus" does not include a vehicle operated by a common carrier in  
357 transportation of school children to or from school or school activities.

358 (58) (a) "Semitrailer" means a vehicle with or without motive power:

359 (i) designed for carrying persons or property and for being drawn by a motor vehicle;  
360 and

361 (ii) constructed so that some part of its weight and that of its load rests on or is carried  
362 by another vehicle.

363 (b) "Semitrailer" does not include a pole trailer.

364 (59) "Shoulder area" means:

365 (a) that area of the hard-surfaced highway separated from the roadway by a pavement  
366 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";  
367 or

368 (b) that portion of the road contiguous to the roadway for accommodation of stopped  
369 vehicles, for emergency use, and for lateral support.

370 (60) "Sidewalk" means that portion of a street between the curb lines, or the lateral  
371 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

372 (61) "Solid rubber tire" means a tire of rubber or other resilient material that does not  
373 depend on compressed air for the support of the load.

374 (62) "Stand" or "standing" means the temporary halting of a vehicle, whether occupied  
375 or not, for the purpose of and while actually engaged in receiving or discharging passengers.

376 (63) "Stop" when required means complete cessation from movement.

377 (64) "Stop" or "stopping" when prohibited means any halting even momentarily of a  
378 vehicle, whether occupied or not, except when:

379 (a) necessary to avoid conflict with other traffic; or

380 (b) in compliance with the directions of a peace officer or traffic-control device.

381 (65) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I  
382 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet the  
383 requirements of Section 41-6a-1509 to operate on highways in the state in accordance with  
384 Section 41-6a-1509.

385 (66) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other  
386 conveyances either singly or together while using any highway for the purpose of travel.

387 (67) "Traffic signal preemption device" means an instrument or mechanism designed,  
388 intended, or used to interfere with the operation or cycle of a traffic-control signal.

389 (68) "Traffic-control device" means a sign, signal, marking, or device not inconsistent  
390 with this chapter placed or erected by a highway authority for the purpose of regulating,  
391 warning, or guiding traffic.

392 (69) "Traffic-control signal" means a device, whether manually, electrically, or  
393 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

394 (70) (a) "Trailer" means a vehicle with or without motive power designed for carrying  
395 persons or property and for being drawn by a motor vehicle and constructed so that no part of  
396 its weight rests upon the towing vehicle.

397 (b) "Trailer" does not include a pole trailer.

398 (71) "Truck" means a motor vehicle designed, used, or maintained primarily for the  
399 transportation of property.

400 (72) "Truck tractor" means a motor vehicle:

401 (a) designed and used primarily for drawing other vehicles; and

402 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck  
403 tractor.

404 (73) "Two-way left turn lane" means a lane:

405 (a) provided for vehicle operators making left turns in either direction;  
406 (b) that is not used for passing, overtaking, or through travel; and  
407 (c) that has been indicated by a lane traffic-control device that may include lane  
408 markings.

409 (74) "Urban district" means the territory contiguous to and including any street, in  
410 which structures devoted to business, industry, or dwelling houses are situated at intervals of  
411 less than 100 feet, for a distance of a quarter of a mile or more.

412 (75) "Vehicle" means a device in, on, or by which a person or property is or may be  
413 transported or drawn on a highway, except devices used exclusively on stationary rails or  
414 tracks.

415 Section 4. Section **41-26-102.1** is enacted to read:

416 **41-26-102.1. Definitions.**

417 (1) (a) "Automated driving system" means that the hardware and software of a motor  
418 vehicle are collectively capable of performing the entire dynamic driving task on a sustained  
419 basis, regardless of whether it is limited to a specific operational design domain.

420 (b) "Automated driving system" includes a level 3, level 4, or level 5 automated  
421 driving system.

422 (2) "Division" means the Motor Vehicle Division of the commission, created in  
423 Section 41-1a-106.

424 (3) (a) "Driving automation system" means hardware and software of a motor vehicle  
425 that are collectively capable of performing one or more aspects of the dynamic driving task.

426 (b) "Driving automation system" includes a level 1 and level 2 advanced driver  
427 assistance system.

428 (4) (a) "Dynamic driving task" means all of the real-time operational and tactical  
429 functions required to operate a motor vehicle in on-road traffic, including:

430 (i) lateral vehicle motion control through steering;

431 (ii) longitudinal motion control through acceleration and deceleration;

432 (iii) monitoring the driving environment through object and event detection,  
433 recognition, classification, and response preparation;

434 (iv) object and event response execution;

435 (v) maneuver planning; and

436 (vi) enhancing conspicuity with lighting, signaling, and gesturing.

437 (b) "Dynamic driving task" does not include strategic functions such as trip scheduling  
438 or selection of destinations and waypoints.

439 (5) "Fully autonomous vehicle" means a motor vehicle equipped with a level 4 or level  
440 5 automated driving system designed to function without a human operator.

441 (6) "Human operator" means an operator of a motor vehicle:

442 (a) that is a natural person with a valid license to operate a motor vehicle; and

443 (b) who controls all or part of the dynamic driving task.

444 (7) "Level 1 driving automation system" means a system that has the capability within  
445 its operational design domain to execute on a sustained basis one of the following functions,  
446 but not both simultaneously, with the expectation that the human operator performs the  
447 remainder of the dynamic driving task:

448 (a) steering; or

449 (b) either braking or accelerating.

450 (8) "Level 2 driving automation system" means a system that has the capability within  
451 its operational design domain to simultaneously execute on a sustained basis the following  
452 functions, with the expectation that the human operator completes object and event detection  
453 and response, and supervises the system:

454 (a) steering; and

455 (b) either braking or accelerating.

456 (9) "Level 3 automated driving system" means a driving system that:

457 (a) has the capability to perform all aspects of the dynamic driving task within its  
458 operational design domain; and

459 (b) requires a human operator to be ready to take control of the vehicle after receiving a  
460 request to intervene or in response to a system failure.

461 (10) "Level 4 automated driving system" means a driving system that has the capability  
462 to perform all of the aspects of the dynamic driving task within its operational design domain,  
463 as well as any fallback maneuvers necessary to respond to the system's failure, without any  
464 expectation that a human operator will respond to a request to intervene.

465 (11) "Level 5 automated driving system" means a driving system that has the capability  
466 to perform all the aspects of the dynamic driving task under all roadway and environmental

467 conditions that can reasonably be managed by a human operator, as well as any fallback  
468 maneuvers necessary to respond to the system's failure, without any expectation that a human  
469 operator will respond to a request to intervene.

470 (12) "Minimal risk condition" means a low-risk operating mode in which a fully  
471 autonomous vehicle operating without a human operator achieves a reasonably safe state, such  
472 as bringing the vehicle to a complete stop, upon experiencing a failure of the vehicle's  
473 automated driving system that renders the vehicle unable to perform the entire dynamic driving  
474 task.

475 (13) "On-demand autonomous vehicle network" means a transportation service  
476 network that uses a software application or other digital means to dispatch or otherwise enable  
477 the prearrangement of transportation with fully autonomous vehicles for purposes of  
478 transporting persons, including for-hire transportation and transportation for compensation.

479 (14) "Operational design domain" means a description of the specific operating domain  
480 in which an automated driving system is designed to properly operate, including but not limited  
481 to roadway types, speed range, environmental conditions, and other domain constraints.

482 (15) "Operator" means the same as that term is defined in Section 41-6a-102.

483 (16) "Person" means the same as that term is defined in Section 41-6a-102.

484 (17) "Request to intervene" means notification by an automated driving system to a  
485 human operator that the human operator should promptly begin or resume performance of part  
486 or all of the dynamic driving task.

487 Section 5. Section **41-26-103** is enacted to read:

488 **41-26-103. Operation of fully autonomous vehicles without a human operator.**

489 A person may operate a fully autonomous vehicle on the public roads of this state  
490 without a human operator if:

491 (1) the automated driving system is engaged; and

492 (2) the vehicle meets the following conditions:

493 (a) if a failure of the automated driving system occurs that renders the automated  
494 driving system unable to perform the entire dynamic driving task relevant to the intended  
495 operational design domain of the automated driving system, the fully autonomous vehicle will  
496 achieve a minimal risk condition;

497 (b) the fully autonomous vehicle is capable of operating in compliance with the



498 applicable traffic and motor vehicle safety laws and regulations of this state when reasonable to  
499 do so, unless an exemption has been granted; and

500 (c) the vehicle bears the required manufacturer's certification label indicating that at the  
501 time of its manufacture the vehicle was certified to be in compliance with all applicable federal  
502 motor vehicle safety standards.

503 Section 6. Section **41-26-104** is enacted to read:

504 **41-26-104. Licensing.**

505 When an automated driving system installed on a motor vehicle is engaged:

506 (1) for the purpose of assessing compliance with applicable traffic or motor vehicle  
507 laws, the automated driving system is considered the driver or operator, and shall be considered  
508 to satisfy electronically all physical acts required by a driver or operator of the vehicle; and

509 (2) the automated driving system is considered to be licensed to operate the vehicle.

510 Section 7. Section **41-26-105** is enacted to read:

511 **41-26-105. Duties following crashes involving fully autonomous vehicles.**

512 In the event of a crash:

513 (1) the fully autonomous vehicle shall remain on the scene of the crash when required  
514 to do so under Section 41-6a-401, consistent with the fully autonomous vehicle's capability  
515 under Section 41-26-103; and

516 (2) the owner of the fully autonomous vehicle, or a person on behalf of the vehicle  
517 owner, shall report any crashes or collisions consistent with Section 41-6a-401.

518 Section 8. Section **41-26-106** is enacted to read:

519 **41-26-106. On-demand autonomous vehicle network.**

520 (1) Subject to Subsection (2), an on-demand autonomous vehicle network may only  
521 operate pursuant to state laws governing the operation of ground transportation for-hire under  
522 state law, including:

523 (a) a transportation network company pursuant to Title 13, Chapter 51, Transportation  
524 Network Company Registration Act; or

525 (b) a private passenger carrier as defined in Section 53-3-102.

526 (2) Any provision of state law described in Subsection (1) that reasonably applies only  
527 to a human operator shall not apply to the operation of a fully autonomous vehicle with the  
528 automated driving system engaged on an on-demand autonomous vehicle network.

529 Section 9. Section **41-26-107** is enacted to read:

530 **41-26-107. Registration, title, and insurance of fully autonomous vehicles.**

531 (1) The owner of a fully autonomous vehicle shall properly register the vehicle in  
532 accordance with Title 41, Chapter 1a, Part 2, Registration.

533 (2) The owner of a fully autonomous vehicle shall properly title the vehicle in  
534 accordance with Title 41, Chapter 1a, Part 5, Titling Requirement.

535 (3) Before operating a fully autonomous vehicle on a highway in this state without a  
536 human driver, the owner of the vehicle shall ensure that the vehicle complies with Title 41,  
537 Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act.

538 Section 10. Section **41-26-108** is enacted to read:

539 **41-26-108. Controlling authority.**

540 (1) Unless otherwise provided in this chapter and notwithstanding any other provision  
541 of law, a fully autonomous vehicle and automated driving systems are governed exclusively by  
542 this chapter.

543 (2) No agency, political subdivision, or other entity may prohibit the operation of a  
544 fully autonomous vehicle, an automated driving system, or an on-demand autonomous vehicle  
545 network, or otherwise enact or keep in force a rule or ordinance that would impose a tax, fee,  
546 performance standard, or other requirement specific to the operation of a fully autonomous  
547 vehicle, an automated driving system, or an on-demand autonomous vehicle network in  
548 addition to the requirements of this chapter.

549 Section 11. Section **41-26-109** is enacted to read:

550 **41-26-109. Operation of a motor vehicle with an automated driving system by a**  
551 **human operator.**

552 (1) A human operator may operate a motor vehicle equipped with an automated driving  
553 system capable of performing the entire dynamic driving task but that is not a fully autonomous  
554 vehicle if:

555 (a) such automated driving system is designed:

556 (i) with the expectation that the human operator will respond appropriately to a request  
557 to intervene; and

558 (ii) to issue such a request whenever the automated driving system is not capable of  
559 performing the entire dynamic driving task; and

560 (b) the automated driving system is capable of being operated in compliance with Title  
561 41, Chapter 6a, Traffic Code.

562 (2) Nothing in this chapter prohibits or restricts a human operator from operating a  
563 fully autonomous vehicle equipped with controls that allow for the human operator to control  
564 all or part of the dynamic driving task.

565 Section 12. Section **53-3-202** is amended to read:

566 **53-3-202. Drivers must be licensed -- Violation.**

567 (1) A person may not drive a motor vehicle or an autocycle on a highway in this state  
568 unless the person is:

569 (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the  
570 division under this chapter;

571 (b) driving an official United States Government class D motor vehicle with a valid  
572 United States Government driver permit or license for that type of vehicle;

573 (c) (i) driving a road roller, road machinery, or any farm tractor or implement of  
574 husbandry temporarily drawn, moved, or propelled on the highways; and

575 (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a  
576 construction or agricultural activity;

577 (d) a nonresident who is at least 16 years of age and younger than 18 years of age who  
578 has in the nonresident's immediate possession a valid license certificate issued to the  
579 nonresident in the nonresident's home state or country and is driving in the class or classes  
580 identified on the home state license certificate, except those persons referred to in Part 6,  
581 Drivers' License Compact, of this chapter;

582 (e) a nonresident who is at least 18 years of age and who has in the nonresident's  
583 immediate possession a valid license certificate issued to the nonresident in the nonresident's  
584 home state or country if driving in the class or classes identified on the home state license  
585 certificate, except those persons referred to in Part 6, Drivers' License Compact, of this chapter;

586 (f) driving under a learner permit in accordance with Section 53-3-210.5;

587 (g) driving with a temporary license certificate issued in accordance with Section  
588 53-3-207; ~~or~~

589 (h) exempt under Title 41, Chapter 22, Off-Highway Vehicles[-]; or

590 (i) operating a fully autonomous vehicle through an automated driving system as

591 described in Section 41-26-104.

592 (2) A person may not drive or, while within the passenger compartment of a motor  
593 vehicle, exercise any degree or form of physical control of a motor vehicle being towed by a  
594 motor vehicle upon a highway unless the person:

595 (a) holds a valid license issued under this chapter for the type or class of motor vehicle  
596 being towed; or

597 (b) is exempted under either Subsection (1)(b) or (1)(c).

598 (3) (a) A person may not drive a motor vehicle as a taxicab on a highway of this state  
599 unless the person has a valid class D driver license issued by the division.

600 (b) A person may not drive a motor vehicle as a private passenger carrier on a highway  
601 of this state unless the person has:

602 (i) a taxicab endorsement issued by the division on the person's license certificate; or

603 (ii) a commercial driver license with:

604 (A) a taxicab endorsement;

605 (B) a passenger endorsement; or

606 (C) a school bus endorsement.

607 (c) Nothing in Subsection (3)(b) is intended to exempt a person driving a motor vehicle  
608 as a private passenger carrier from regulation under other statutory and regulatory schemes,  
609 including:

610 (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;

611 (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor  
612 Commission in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;  
613 and

614 (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor  
615 Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
616 Act.

617 (4) (a) Except as provided in Subsections (4)(b), (c), (d), and (e) a person may not  
618 operate:

619 (i) a motorcycle unless the person has a valid class D driver license and a motorcycle  
620 endorsement issued under this chapter;

621 (ii) a street legal all-terrain vehicle unless the person has a valid class D driver license;

622 or

623 (iii) a motor-driven cycle unless the person has a valid class D driver license and a  
624 motorcycle endorsement issued under this chapter.

625 (b) A person operating a moped, as defined in Section 41-6a-102, is not required to  
626 have a motorcycle endorsement issued under this chapter.

627 (c) A person operating an electric assisted bicycle, as defined in Section 41-6a-102, is  
628 not required to have a valid class D driver license or a motorcycle endorsement issued under  
629 this chapter.

630 (d) A person is not required to have a valid class D driver license if the person is:

631 (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance  
632 with Section 41-6a-1115; or

633 (ii) operating an electric personal assistive mobility device, as defined in Section  
634 41-6a-102, in accordance with Section 41-6a-1116.

635 (e) A person operating an auticycle is not required to have a motorcycle endorsement  
636 issued under this chapter.

637 (5) A person who violates this section is guilty of an infraction.

638 Section 13. **Repealer.**

639 This bill repeals:

640 Section **41-26-102, Autonomous motor vehicle study.**