

Effective 5/10/2016

Chapter 26 Autonomous Vehicles

41-26-101 Title.

This chapter is known as "Autonomous Vehicles."

Enacted by Chapter 212, 2016 General Session

41-26-102.1 Definitions.

- (1) "ADS-dedicated vehicle" means a vehicle designed to be operated exclusively by a level four or five ADS for all trips within the given operational design domain limitations of the ADS, if any.
- (2)
 - (a) "Automated driving system" or "ADS" means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether the ADS is limited to a specific operational design domain, if any.
 - (b) "Automated driving system" or "ADS" is used specifically to describe a level three, four, or five driving automation system.
- (3) "Commission" means the State Tax Commission as defined in Section 59-1-101.
- (4) "Conventional driver" means a human driver who is onboard the motor vehicle and manually performs some or all of the following actions in order to operate a vehicle:
 - (a) braking;
 - (b) accelerating;
 - (c) steering; and
 - (d) transmission gear selection input devices.
- (5)
 - (a) "Dispatch" means to place an ADS-equipped vehicle into service in driverless operation by engaging the ADS.
 - (b) "Dispatch" includes software-enabled dispatch of multiple ADS-equipped motor vehicles in driverless operation that may complete multiple trips involving pick-up and drop-off of passengers or goods throughout a day or other pre-defined periods of service, and which may involve multiple agents performing various tasks related to the dispatch function.
- (6) "Division" means the Motor Vehicle Division of the commission, created in Section 41-1a-106.
- (7) "Driverless operation" means the operation of an ADS-equipped vehicle in which:
 - (a) no on-board user is present; or
 - (b) no on-board user is a human driver with a valid driver license or fallback-ready user.
- (8) "Driverless operation dispatcher" means a user who dispatches an ADS-equipped vehicle in driverless operation.
- (9) "Driving automation system" means the hardware and software collectively capable of performing part or all of the dynamic driving task on a sustained basis.
- (10) "Driving automation system feature" means a specific function of a driving automation system.
- (11)
 - (a) "Dynamic driving task" means all of the real-time operational and tactical functions required to operate a motor vehicle in on-road traffic, including:
 - (i) lateral vehicle motion control through steering;
 - (ii) longitudinal motion control through acceleration and deceleration;

- (iii) monitoring the driving environment through object and event detection, recognition, classification, and response preparation;
 - (iv) object and event response execution;
 - (v) maneuver planning; and
 - (vi) enhancing conspicuity with lighting, signaling, and gesturing.
- (b) "Dynamic driving task" does not include strategic functions such as trip scheduling and selection of destinations and waypoints.
- (12) "Engage" as it pertains to the operation of a vehicle by a driving automation system means to cause a driving automation system feature to perform part or all of the dynamic driving task on a sustained basis.
- (13) "External event" is a situation in the driving environment that necessitates a response by a human driver with a valid driver license or driving automation system.
- (14) "Fallback-ready user" means the user of a vehicle equipped with an engaged level three ADS who is:
- (a) a human driver with a valid driver license; and
 - (b) ready to operate the vehicle if:
 - (i) a system failure occurs; or
 - (ii) the ADS issues a request to intervene.
- (15)
- (a) "Human driver" means a natural person who performs in real-time all or part of the dynamic driving task.
 - (b) "Human driver" includes a:
 - (i) conventional driver; and
 - (ii) remote driver.
- (16) "Level five automated driving system" or "level five ADS" means an ADS feature that has the capability to perform on a sustained basis the entire dynamic driving task under all conditions that can reasonably be managed by a human driver, as well as any maneuvers necessary to respond to a system failure, without any expectation that a human user will respond to a request to intervene.
- (17) "Level four automated driving system" or "level four ADS" means an ADS feature that, without any expectation that a human user will respond to a request to intervene, has:
- (a) the capability to perform on a sustained basis the entire dynamic driving task within its operational design domain; and
 - (b) the capability to perform any maneuvers necessary to achieve a minimal risk condition in response to:
 - (i) an exit from the operational design domain of the ADS; or
 - (ii) a system failure.
- (18) "Level three automated driving system" or "level three ADS" means an ADS feature that:
- (a) has the capability to perform on a sustained basis the entire dynamic driving task within its operational design domain; and
 - (b) requires a fallback-ready user to operate the vehicle after receiving a request to intervene or in response to a system failure.
- (19) "Minimal risk condition" means a condition to which a user or an ADS may bring a motor vehicle in order to reduce the risk of a crash when a given trip cannot or should not be completed.
- (20) "Object and event detection and response" means the subtasks of the dynamic driving task that include:
- (a) monitoring the driving environment; and

- (b) executing an appropriate response in order to perform the dynamic driving task.
- (21) "On-demand autonomous vehicle network" means a transportation service network that uses a software application or other digital means to dispatch or otherwise enable the prearrangement of transportation with motor vehicles that have a level four or five ADS in driverless operation for purposes of transporting persons, including for-hire transportation and transportation for compensation.
- (22) "Operate" means the same as that term is defined in Section 41-1a-102.
- (23) "Operational design domain" means the operating conditions under which a given ADS or feature thereof is specifically designed to function, including:
 - (a) speed range, environmental, geographical, and time-of-day restrictions; or
 - (b) the requisite presence or absence of certain traffic or roadway characteristics.
- (24) "Operator" means the same as that term is defined in Section 41-6a-102.
- (25) "Passenger" means a user on board a vehicle who has no role in the operation of that vehicle.
- (26) "Person" means the same as that term is defined in Section 41-6a-102.
- (27) "Remote driver" means a human driver with a valid driver license who is not located in a position to manually exercise in-vehicle braking, accelerating, steering, or transmission gear selection input devices, but operates the vehicle.
- (28) "Request to intervene" means the notification by an ADS to a fallback-ready user indicating that the fallback-ready user should promptly begin or resume operation of the vehicle.
- (29) "Sustained operation of a motor vehicle" means the performance of part or all of the dynamic driving task both between and across external events, including response to external events and continued performance of part or all of the dynamic driving task in the absence of external events.
- (30) "System failure" means a malfunction in a driving automation system or other vehicle system that prevents the ADS from reliably performing the portion of the dynamic driving task on a sustained basis, including the complete dynamic driving task, that the ADS would otherwise perform.
- (31) "User" means a:
 - (a) human driver;
 - (b) passenger;
 - (c) fallback-ready user; or
 - (d) driverless operation dispatcher.

Amended by Chapter 134, 2022 General Session

41-26-103 Operation of motor vehicles equipped with an automated driving system.

- (1) A motor vehicle equipped with a level three ADS may operate on a highway in this state if:
 - (a) the motor vehicle is operated, whether by the ADS or human driver with a valid driver license, in compliance with the applicable traffic and motor vehicle safety laws and regulations of this state, unless an exemption has been granted;
 - (b) when required by federal law, the motor vehicle:
 - (i) has been certified as being in compliance with all applicable motor vehicle safety standards; and
 - (ii) bears the required certification label, including reference to any exemption granted under federal law;
 - (c) when operated by an ADS, if a system failure occurs that renders the ADS unable to perform the entire dynamic driving task relevant to the intended operational design domain of the ADS, the ADS will achieve a minimal risk condition or make a request to intervene; and

- (d) the motor vehicle is titled and registered in compliance with Section 41-26-107.
- (2) A motor vehicle equipped with a level four or level five ADS may operate in driverless operation on a highway in this state if:
 - (a) the ADS is capable of operating in compliance with applicable traffic and motor vehicle laws and regulations of this state, unless an exemption has been granted;
 - (b) when required by federal law, the motor vehicle:
 - (i) has been certified as being in compliance with all applicable Federal Motor Vehicle Safety Standards and regulations; and
 - (ii) bears the required certification label including reference to any exemption granted under federal law;
 - (c) a system failure occurs that renders the ADS unable to perform the entire dynamic driving task relevant to the intended operational design domain of the ADS, a minimal risk condition will be achieved; and
 - (d) the motor vehicle is titled and registered in compliance with Section 41-26-107.
- (3) A vehicle being operated by an ADS or a remote driver is not considered unattended.
- (4) The division may revoke the registration and privilege for a vehicle equipped with an ADS to operate on a highway of the state if the Department of Transportation or the Department of Public Safety determines and notifies the division that:
 - (a) the ADS is operating in an unsafe manner; or
 - (b) the vehicle's ADS is being engaged in an unsafe manner.
- (5) Special mobile equipment, as defined in Section 41-1a-102, equipped with a level three, four, or five ADS, may be moved or operated incidentally over a highway.
- (6) Nothing in this chapter prohibits or restricts a human driver with a valid driver license from operating a vehicle equipped with an ADS and equipped with controls that allow for the human driver to perform all or part of the dynamic driving task.

Amended by Chapter 134, 2022 General Session

41-26-104 Licensing -- Responsibility for compliant operation of ADS-equipped vehicles.

For the purpose of assessing compliance with applicable traffic or motor vehicle laws:

- (1)
 - (a) When an ADS is operating a motor vehicle, the ADS is the operator, and shall satisfy electronically all physical acts required by a conventional driver in operation of the vehicle.
 - (b) The ADS is responsible for the compliant operation of the vehicle and is not required to be licensed to operate the vehicle.
- (2)
 - (a) If a vehicle with an engaged level three ADS issues a request to intervene, the ADS is responsible for the compliant operation of the vehicle until disengagement of the ADS.
 - (b) If a vehicle with an engaged level four or five ADS issues a request to intervene, the ADS is responsible for the compliant operation of the vehicle until or unless a human user begins to operate the vehicle.
- (3) The ADS is responsible for compliant operation of an ADS-dedicated vehicle.

Enacted by Chapter 459, 2019 General Session

41-26-105 Duties following crashes involving motor vehicles equipped with an automated driving system.

- (1) In the event of a crash involving a vehicle with the ADS engaged:

- (a) the ADS-equipped vehicle shall remain on the scene of the crash when required to do so under Section 41-6a-401, consistent with the vehicle's ability to achieve a minimal risk condition as described in Section 41-26-103; and
 - (b) the owner of the ADS-equipped vehicle, or a person on behalf of the vehicle owner, shall report any crashes or collisions consistent with Chapter 6a, Part 4, Accident Responsibilities.
- (2) If the owner or person on behalf of the owner is not on board the vehicle at the time of the crash, the owner shall ensure that the following information is immediately communicated or made available to the persons involved or to a peace officer upon request:
- (a) the contents of the vehicle's registration card; and
 - (b) the name of the insurance provider for the vehicle, including the phone number of the agent or provider.
- (3) The department may require that an accident report filed under Section 41-6a-402 include:
- (a) whether a vehicle equipped with an ADS was involved in the accident; and
 - (b) whether the ADS was engaged at the time of the accident.

Enacted by Chapter 459, 2019 General Session

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

- (1) Subject to Subsection (2), an on-demand autonomous vehicle network may only operate pursuant to state laws governing the operation of ground transportation for-hire under state law, including:
- (a) a transportation network company pursuant to Title 13, Chapter 51, Transportation Network Company Registration Act;
 - (b) a public transit district as defined in Section 17B-2a-802; or
 - (c) a private passenger carrier as defined in Section 53-3-102.
- (2) Any provision of state law described in Subsection (1) that reasonably applies only to a human driver, including Subsection 13-51-105(5)(b), shall not apply to the operation of a vehicle by an engaged level four or five ADS that is part of an on-demand autonomous vehicle network.

Enacted by Chapter 459, 2019 General Session

41-26-107 Registration, title, and insurance of motor vehicles equipped with an automated driving system.

- (1) If the owner of a vehicle equipped with an ADS is a resident of this state, the owner shall properly register the vehicle in accordance with Chapter 1a, Part 2, Registration.
- (2) If the owner of a vehicle equipped with an ADS is a resident of this state, the owner shall properly title the vehicle in accordance with Chapter 1a, Part 5, Titling Requirement.
- (3) Before an ADS may operate a vehicle on a highway in this state, the owner of the vehicle shall ensure that the vehicle complies with Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act.

Enacted by Chapter 459, 2019 General Session

41-26-108 Controlling authority.

No local agency, political subdivision, or other entity may prohibit the operation of a vehicle equipped with a driving automation system, an ADS, or an on-demand autonomous vehicle network, or otherwise enact or keep in force a rule or ordinance that would impose a tax, fee, performance standard, or other requirement specific to the operation of a vehicle equipped with a

driving automation system, an ADS, or an on-demand autonomous vehicle network in addition to the requirements of this title.

Enacted by Chapter 459, 2019 General Session