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AUTONOMOUS VEHICLE AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Robert M. Spendlove

Senate Sponsor: _____

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 and registered;
- ▶ 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



28 **13-51-103**, as last amended by Laws of Utah 2016, Chapter 359
 29 **41-6a-102**, as last amended by Laws of Utah 2016, Chapters 40 and 173
 30 **53-3-202**, as last amended by Laws of Utah 2017, Chapter 297

31 ENACTS:

32 **41-26-102.1**, Utah Code Annotated 1953
 33 **41-26-103**, Utah Code Annotated 1953
 34 **41-26-104**, Utah Code Annotated 1953
 35 **41-26-105**, Utah Code Annotated 1953
 36 **41-26-106**, Utah Code Annotated 1953
 37 **41-26-107**, Utah Code Annotated 1953
 38 **41-26-108**, Utah Code Annotated 1953
 39 **41-26-109**, Utah Code Annotated 1953

40 REPEALS:

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



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

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

45 **13-51-102. Definitions.**

46 (1) "Division" means the Division of Consumer Protection within the Department of
 47 Commerce.

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

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

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

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

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

55 (b) process passenger requests.

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

57 (a) uses a software application to connect a passenger to a transportation network
 58 driver providing transportation network services;

59 (b) is not:
 60 (i) a taxicab, as defined in Section 53-3-102; or
 61 (ii) a motor carrier, as defined in Section 72-9-102; and
 62 (c) except in certain cases involving a fully autonomous vehicle as defined in Section
 63 41-26-102.1, does not own, control, operate, or manage the vehicle used to provide the
 64 transportation network services.

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

66 (a) an individual who:

67 ~~[(a)]~~ (i) pays a fee to a transportation network company, and, in exchange, receives a
 68 connection to a potential passenger from the transportation network company;

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

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

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

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

74 (b) an automated driving system of a fully autonomous vehicle as defined in Section
 75 41-26-102.1, operated without a human operator, used to provide a passenger a ride in
 76 exchange for compensation.

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

79 (a) providing a prearranged ride; or

80 (b) being engaged in a waiting period.

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

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

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

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

86 **13-51-103. Exemptions -- Transportation network company and transportation**
 87 **network driver.**

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

- 90 (a) a motor carrier, under Title 72, Chapter 9, Motor Carrier Safety Act;
- 91 (b) a common carrier, under Title 59, Chapter 12, Sales and Use Tax Act; or
- 92 (c) a taxicab, under Title 53, Chapter 3, Uniform Driver License Act.
- 93 (2) A transportation network driver is:
- 94 (a) (i) an independent contractor of a transportation network company; and
- 95 [~~(b)~~] (ii) not an employee of a transportation network company[-]; or
- 96 (b) for a fully autonomous vehicle operated without a human operator, an automated
- 97 driving system operated:
- 98 (i) at the direction of, on behalf of, or as an agent of a transportation network company;
- 99 or
- 100 (ii) at the direction of, on behalf of, or as an agent of a third party pursuant to an
- 101 agreement between the third party and a transportation network company, operated on behalf of
- 102 and as an agent of the transportation network company.

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

41-6a-102. Definitions.

As used in this chapter:

- 106 (1) "Alley" means a street or highway intended to provide access to the rear or side of
- 107 lots or buildings in urban districts and not intended for through vehicular traffic.
- 108 (2) "All-terrain type I vehicle" means the same as that term is defined in Section
- 109 [41-22-2](#).
- 110 (3) "Authorized emergency vehicle" includes:
- 111 (a) fire department vehicles;
- 112 (b) police vehicles;
- 113 (c) ambulances; and
- 114 (d) other publicly or privately owned vehicles as designated by the commissioner of the
- 115 Department of Public Safety.
- 116 (4) "Autocycle" means the same as that term is defined in Section [53-3-102](#).
- 117 (5) (a) "Bicycle" means a wheeled vehicle:
- 118 (i) propelled by human power by feet or hands acting upon pedals or cranks;
- 119 (ii) with a seat or saddle designed for the use of the operator;
- 120 (iii) designed to be operated on the ground; and

- 121 (iv) whose wheels are not less than 14 inches in diameter.
- 122 (b) "Bicycle" includes an electric assisted bicycle.
- 123 (c) "Bicycle" does not include scooters and similar devices.
- 124 (6) (a) "Bus" means a motor vehicle:
- 125 (i) designed for carrying more than 15 passengers and used for the transportation of
- 126 persons; or
- 127 (ii) designed and used for the transportation of persons for compensation.
- 128 (b) "Bus" does not include a taxicab.
- 129 (7) (a) "Circular intersection" means an intersection that has an island, generally
- 130 circular in design, located in the center of the intersection where traffic passes to the right of
- 131 the island.
- 132 (b) "Circular intersection" includes:
- 133 (i) roundabouts;
- 134 (ii) rotaries; and
- 135 (iii) traffic circles.
- 136 (8) "Class 1 electric assisted bicycle" means an electric assisted bicycle described in
- 137 Subsection (17)(d)(i).
- 138 (9) "Class 2 electric assisted bicycle" means an electric assisted bicycle described in
- 139 Subsection (17)(d)(ii).
- 140 (10) "Class 3 electric assisted bicycle" means an electric assisted bicycle described in
- 141 Subsection (17)(d)(iii).
- 142 (11) "Commissioner" means the commissioner of the Department of Public Safety.
- 143 (12) "Controlled-access highway" means a highway, street, or roadway:
- 144 (a) designed primarily for through traffic; and
- 145 (b) to or from which owners or occupants of abutting lands and other persons have no
- 146 legal right of access, except at points as determined by the highway authority having
- 147 jurisdiction over the highway, street, or roadway.
- 148 (13) "Crosswalk" means:
- 149 (a) that part of a roadway at an intersection included within the connections of the
- 150 lateral lines of the sidewalks on opposite sides of the highway measured from:
- 151 (i) (A) the curbs; or

152 (B) in the absence of curbs, from the edges of the traversable roadway; and
153 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
154 included within the extension of the lateral lines of the existing sidewalk at right angles to the
155 centerline; or

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

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

159 (15) "Direct supervision" means oversight at a distance within which:

160 (a) visual contact is maintained; and

161 (b) advice and assistance can be given and received.

162 (16) "Divided highway" means a highway divided into two or more roadways by:

163 (a) an unpaved intervening space;

164 (b) a physical barrier; or

165 (c) a clearly indicated dividing section constructed to impede vehicular traffic.

166 (17) "Electric assisted bicycle" means a bicycle with an electric motor that:

167 (a) has a power output of not more than 750 watts;

168 (b) has fully operable pedals on permanently affixed cranks;

169 (c) is fully operable as a bicycle without the use of the electric motor; and

170 (d) is one of the following:

171 (i) an electric assisted bicycle equipped with a motor or electronics that:

172 (A) provides assistance only when the rider is pedaling; and

173 (B) ceases to provide assistance when the bicycle reaches the speed of 20 miles per
174 hour;

175 (ii) an electric assisted bicycle equipped with a motor or electronics that:

176 (A) may be used exclusively to propel the bicycle; and

177 (B) is not capable of providing assistance when the bicycle reaches the speed of 20
178 miles per hour; or

179 (iii) an electric assisted bicycle equipped with a motor or electronics that:

180 (A) provides assistance only when the rider is pedaling;

181 (B) ceases to provide assistance when the bicycle reaches the speed of 28 miles per
182 hour; and

183 (C) is equipped with a speedometer.

184 (18) (a) "Electric personal assistive mobility device" means a self-balancing device
185 with:

186 (i) two nontandem wheels in contact with the ground;

187 (ii) a system capable of steering and stopping the unit under typical operating
188 conditions;

189 (iii) an electric propulsion system with average power of one horsepower or 750 watts;

190 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and

191 (v) a deck design for a person to stand while operating the device.

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

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

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

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

204 (22) "Freeway" means a controlled-access highway that is part of the interstate system
205 as defined in Section [72-1-102](#).

206 (23) (a) "Full-sized all-terrain vehicle" means any recreational vehicle designed for and
207 capable of travel over unimproved terrain:

208 (i) traveling on four or more tires;

209 (ii) having a width that, when measured at the widest point of the vehicle:

210 (A) is not less than 55 inches; or

211 (B) does not exceed 92 inches;

212 (iii) having an unladen dry weight of 6,500 pounds or less;

213 (iv) having a maximum seat height of 50 inches when measured at the forward edge of

214 the seat bottom; and

215 (v) having a steering wheel for control.

216 (b) "Full-sized all-terrain vehicle" does not include:

217 (i) all-terrain type I vehicle;

218 (ii) a utility type vehicle;

219 (iii) a motorcycle; or

220 (iv) a snowmobile as defined in Section [41-22-2](#).

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

224 (25) "Gross weight" means the weight of a vehicle without a load plus the weight of
225 any load on the vehicle.

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

229 (27) "Highway authority" means the same as that term is defined in Section [72-1-102](#).

230 (28) (a) "Intersection" means the area embraced within the prolongation or connection
231 of the lateral curblines, or, if none, then the lateral boundary lines of the roadways of two or
232 more highways which join one another.

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

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

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

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

239 (29) "Island" means an area between traffic lanes or at an intersection for control of
240 vehicle movements or for pedestrian refuge designated by:

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

243 (b) channelizing devices;

244 (c) curbs;

245 (d) pavement edges; or

246 (e) other devices.

247 (30) "Law enforcement agency" means the same as that term is as defined in Section
248 [53-1-102](#).

249 (31) "Limited access highway" means a highway:

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

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

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

257 (33) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

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

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

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

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

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

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

267 (c) "Mini-motorcycle" does not include a motorcycle that is:

268 (i) designed for off-highway use; and

269 (ii) registered as an off-highway vehicle under Section [41-22-3](#).

270 (36) "Mobile home" means:

271 (a) a trailer or semitrailer that is:

272 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
273 place either permanently or temporarily; and

274 (ii) equipped for use as a conveyance on streets and highways; or

275 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and

276 constructed for use as a mobile home, as defined in Subsection (36)(a), but that is instead used
277 permanently or temporarily for:

- 278 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 279 (ii) any other commercial purpose except the transportation of property for hire or the
280 transportation of property for distribution by a private carrier.

281 (37) (a) "Moped" means a motor-driven cycle having:

- 282 (i) pedals to permit propulsion by human power; and
- 283 (ii) a motor that:
 - 284 (A) produces not more than two brake horsepower; and
 - 285 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on
286 level ground.

287 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
288 centimeters and the moped shall have a power drive system that functions directly or
289 automatically without clutching or shifting by the operator after the drive system is engaged.

290 (c) "Moped" includes a motor assisted scooter.

291 (d) "Moped" does not include an electric assisted bicycle.

292 (38) (a) "Motor assisted scooter" means a self-propelled device with:

- 293 (i) at least two wheels in contact with the ground;
- 294 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 295 (iii) a gas or electric motor not exceeding 40 cubic centimeters;
- 296 (iv) either:
 - 297 (A) a deck design for a person to stand while operating the device; or
 - 298 (B) a deck and seat designed for a person to sit, straddle, or stand while operating the
299 device; and

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

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

302 (39) "Motorcycle" means:

- 303 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
304 and designed to travel with not more than three wheels in contact with the ground; or
- 305 (b) an auticycle.

306 (40) (a) "Motor-driven cycle" means every motorcycle, motor scooter, moped, motor

307 assisted scooter, and every motorized bicycle having:

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

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

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

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

312 (ii) an electric assisted bicycle.

313 (41) (a) "Motor vehicle" means a vehicle that is self-propelled and every vehicle which

314 is propelled by electric power obtained from overhead trolley wires, but not operated upon

315 rails.

316 (b) "Motor vehicle" does not include vehicles moved solely by human power,

317 motorized wheelchairs, an electric personal assistive mobility device, or an electric assisted

318 bicycle.

319 (42) "Off-highway implement of husbandry" means the same as that term is defined

320 under Section [41-22-2](#).

321 (43) "Off-highway vehicle" means the same as that term is defined under Section

322 [41-22-2](#).

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

324 (45) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is

325 occupied or not.

326 (b) "Park" or "parking" does not include the standing of a vehicle temporarily for the

327 purpose of and while actually engaged in loading or unloading property or passengers.

328 (46) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace

329 Officer Classifications, to direct or regulate traffic or to make arrests for violations of traffic

330 laws.

331 (47) "Pedestrian" means a person traveling:

332 (a) on foot; or

333 (b) in a wheelchair.

334 (48) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate

335 pedestrians.

336 (49) "Person" means [~~every natural person, firm, copartnership, association, or~~

337 ~~corporation~~] a natural person, corporation, business trust, estate, trust, partnership, limited

338 liability company, association, joint venture, governmental agency, public corporation, or any
339 other legal or commercial entity.

340 (50) "Pole trailer" means every vehicle without motive power:

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

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

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

349 (52) "Railroad" means a carrier of persons or property upon cars operated on stationary
350 rails.

351 (53) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
352 public body or official or by a railroad and intended to give notice of the presence of railroad
353 tracks or the approach of a railroad train.

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

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

360 (56) (a) "Roadway" means that portion of highway improved, designed, or ordinarily
361 used for vehicular travel.

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

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

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

- 369 (58) (a) "School bus" means a motor vehicle that:
370 (i) complies with the color and identification requirements of the most recent edition of
371 "Minimum Standards for School Buses"; and
372 (ii) is used to transport school children to or from school or school activities.
373 (b) "School bus" does not include a vehicle operated by a common carrier in
374 transportation of school children to or from school or school activities.
375 (59) (a) "Semitrailer" means a vehicle with or without motive power:
376 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
377 and
378 (ii) constructed so that some part of its weight and that of its load rests on or is carried
379 by another vehicle.
380 (b) "Semitrailer" does not include a pole trailer.
381 (60) "Shoulder area" means:
382 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
383 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";
384 or
385 (b) that portion of the road contiguous to the roadway for accommodation of stopped
386 vehicles, for emergency use, and for lateral support.
387 (61) "Sidewalk" means that portion of a street between the curb lines, or the lateral
388 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
389 (62) "Solid rubber tire" means a tire of rubber or other resilient material that does not
390 depend on compressed air for the support of the load.
391 (63) "Stand" or "standing" means the temporary halting of a vehicle, whether occupied
392 or not, for the purpose of and while actually engaged in receiving or discharging passengers.
393 (64) "Stop" when required means complete cessation from movement.
394 (65) "Stop" or "stopping" when prohibited means any halting even momentarily of a
395 vehicle, whether occupied or not, except when:
396 (a) necessary to avoid conflict with other traffic; or
397 (b) in compliance with the directions of a peace officer or traffic-control device.
398 (66) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
399 vehicle, utility type vehicle, or full-sized all-terrain vehicle that is modified to meet the

400 requirements of Section 41-6a-1509 to operate on highways in the state in accordance with
401 Section 41-6a-1509.

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

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

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

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

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

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

415 (72) "Truck" means a motor vehicle designed, used, or maintained primarily for the
416 transportation of property.

417 (73) "Truck tractor" means a motor vehicle:

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

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

421 (74) "Two-way left turn lane" means a lane:

422 (a) provided for vehicle operators making left turns in either direction;

423 (b) that is not used for passing, overtaking, or through travel; and

424 (c) that has been indicated by a lane traffic-control device that may include lane
425 markings.

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

429 (76) (a) "Utility type vehicle" means any recreational vehicle designed for and capable
430 of travel over unimproved terrain:

- 431 (i) traveling on four or more tires;
432 (ii) having a width that, when measured at the widest point of the vehicle:
433 (A) is not less than 30 inches; or
434 (B) does not exceed 70 inches;
435 (iii) having an unladen dry weight of 2,200 pounds or less;
436 (iv) having a seat height of 20 to 40 inches when measured at the forward edge of the
437 seat bottom; and
438 (v) having side-by-side seating with a steering wheel for control.
439 (b) "Utility type vehicle" does not include:
440 (i) an all-terrain type I vehicle;
441 (ii) a motorcycle; or
442 (iii) a snowmobile as defined in Section [41-22-2](#).
443 (77) "Vehicle" means a device in, on, or by which a person or property is or may be
444 transported or drawn on a highway, except devices used exclusively on stationary rails or
445 tracks.

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

447 **41-26-102.1. Definitions.**

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

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

453 (2) "Division" means the Motor Vehicle Division of the commission, created in
454 Section [41-1a-106](#).

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

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

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

461 (i) lateral vehicle motion control through steering;

- 462 (ii) longitudinal motion control through acceleration and deceleration;
- 463 (iii) monitoring the driving environment through object and event detection,
- 464 recognition, classification, and response preparation;
- 465 (iv) object and event response execution;
- 466 (v) maneuver planning; and
- 467 (vi) enhancing conspicuity with lighting, signaling, and gesturing.
- 468 (b) "Dynamic driving task" does not include strategic functions such as trip scheduling
- 469 or selection of destinations and waypoints.
- 470 (5) "Fully autonomous vehicle" means a motor vehicle equipped with a level 4 or level
- 471 5 automated driving system designed to function without a human operator.
- 472 (6) "Human operator" means an operator of a motor vehicle:
- 473 (a) that is a natural person with a valid license to operate a motor vehicle; and
- 474 (b) who controls all or part of the dynamic driving task.
- 475 (7) "Level 1 driving automation system" means a system that has the capability within
- 476 its operational design domain to execute on a sustained basis one of the following functions,
- 477 but not both simultaneously, with the expectation that the human operator performs the
- 478 remainder of the dynamic driving task:
- 479 (a) steering; or
- 480 (b) either braking or accelerating.
- 481 (8) "Level 2 driving automation system" means a system that has the capability within
- 482 its operational design domain to simultaneously execute on a sustained basis the following
- 483 functions, with the expectation that the human operator completes object and event detection
- 484 and response, and supervises the system:
- 485 (a) steering; and
- 486 (b) either braking or accelerating.
- 487 (9) "Level 3 automated driving system" means a driving system that:
- 488 (a) has the capability to perform all aspects of the dynamic driving task within its
- 489 operational design domain; and
- 490 (b) requires a human operator to be ready to take control of the vehicle after receiving a
- 491 request to intervene or in response to a system failure.
- 492 (10) "Level 4 automated driving system" means a driving system that has the capability

493 to perform all of the aspects of the dynamic driving task within its operational design domain,
494 as well as any fallback maneuvers necessary to respond to the system's failure, without any
495 expectation that a human operator will respond to a request to intervene.

496 (11) "Level 5 automated driving system" means a driving system that has the capability
497 to perform all the aspects of the dynamic driving task under all roadway and environmental
498 conditions that can reasonably be managed by a human operator, as well as any fallback
499 maneuvers necessary to respond to the system's failure, without any expectation that a human
500 operator will respond to a request to intervene.

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

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

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

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

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

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

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

519 **41-26-103. Operation of fully autonomous vehicles without a human operator.**

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

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

523 (2) the vehicle meets the following conditions:

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

528 (b) the fully autonomous vehicle is capable of operating in compliance with the
529 applicable traffic and motor vehicle safety laws and regulations of this state when reasonable to
530 do so, unless an exemption has been granted; and

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

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

535 **41-26-104. Licensing.**

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

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

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

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

542 **41-26-105. Duties following crashes involving fully autonomous vehicles.**

543 In the event of a crash:

544 (1) the fully autonomous vehicle shall remain on the scene of the crash when required
545 to do so under Section [41-6a-401](#), consistent with the fully autonomous vehicle's capability
546 under Section [41-26-103](#); and

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

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

550 **41-26-106. On-demand autonomous vehicle network.**

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

554 (a) a transportation network company pursuant to Title 13, Chapter 51, Transportation

555 Network Company Registration Act; or

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

557 (2) Any provision of state law described in Subsection (1) that reasonably applies only

558 to a human operator shall not apply to the operation of a fully autonomous vehicle with the

559 automated driving system engaged on an on-demand autonomous vehicle network.

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

561 **41-26-107. Registration and title of fully autonomous vehicles.**

562 (1) The owner of a fully autonomous vehicle shall properly register the vehicle in

563 accordance with Title 41, Chapter 1a, Part 2, Registration.

564 (2) The owner of a fully autonomous vehicle shall properly title the vehicle in

565 accordance with Title 41, Chapter 1a, Part 5, Titling Requirement.

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

567 **41-26-108. Controlling authority.**

568 (1) Unless otherwise provided in this chapter and notwithstanding any other provision

569 of law, a fully autonomous vehicle and automated driving systems are governed exclusively by

570 this chapter. The division is the sole and exclusive state agency that may implement the

571 provisions of this chapter.

572 (2) No agency, political subdivision, or other entity may prohibit the operation of a

573 fully autonomous vehicle, an automated driving system, or an on-demand autonomous vehicle

574 network, or otherwise enact or keep in force a rule or ordinance that would impose a tax, fee,

575 performance standard, or other requirement specific to the operation of a fully autonomous

576 vehicle, an automated driving system, or an on-demand autonomous vehicle network in

577 addition to the requirements of this chapter.

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

579 **41-26-109. Operation of a motor vehicle with an automated driving system by a**

580 **human operator.**

581 (1) A human operator may operate a motor vehicle equipped with an automated driving

582 system capable of performing the entire dynamic driving task but that is not a fully autonomous

583 vehicle if:

584 (a) such automated driving system is designed:

585 (i) with the expectation that the human operator will respond appropriately to a request

586 to intervene; and

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

589 (b) the automated driving system is capable of being operated in compliance with Title
590 41, Chapter 6a, Traffic Code.

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

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

595 **53-3-202. Drivers must be licensed -- Violation.**

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

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

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

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

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

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

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

615 (f) driving under a learner permit in accordance with Section [53-3-210.5](#);

616 (g) driving with a temporary license certificate issued in accordance with Section

617 [53-3-207](#); [or]

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

619 (i) operating a fully autonomous vehicle through an automated driving system as
620 described in Section [41-26-104](#).

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

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

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

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

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

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

632 (ii) a commercial driver license with:

633 (A) a taxicab endorsement;

634 (B) a passenger endorsement; or

635 (C) a school bus endorsement.

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

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

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

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

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

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

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

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

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

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

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

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

662 (ii) operating an electric personal assistive mobility device, as defined in Section
663 41-6a-102, in accordance with Section 41-6a-1116.

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

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

667 Section 13. **Repealer.**

668 This bill repeals:

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

Legislative Review Note
Office of Legislative Research and General Counsel