

SENATE BILL No. 996

May 25, 2016, Introduced by Senators KOWALL, JONES, STAMAS, BRANDENBURG, WARREN, HERTEL, COLBECK, SCHMIDT, MARLEAU, HORN and ANANICH and referred to the Committee on Economic Development and International Investment.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 665b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 665B. (1) A MOTOR VEHICLE MANUFACTURER MAY PARTICIPATE IN
2 A SAVE PROJECT IF IT SELF-CERTIFIES TO ALL OF THE FOLLOWING:

3 (A) THAT IT IS A MOTOR VEHICLE MANUFACTURER. A PERSON THAT IS
4 NOT A MOTOR VEHICLE MANUFACTURER MAY NOT PARTICIPATE IN A SAVE
5 PROJECT.

6 (B) THAT EACH VEHICLE IN THE PARTICIPATING FLEET IS OWNED OR
7 CONTROLLED BY THE MOTOR VEHICLE MANUFACTURER AND IS EQUIPPED WITH
8 ALL OF THE FOLLOWING:

9 (i) AN AUTOMATED DRIVING SYSTEM.

1 (ii) AUTOMATIC CRASH NOTIFICATION TECHNOLOGY.

2 (iii) A DATA RECORDING SYSTEM THAT HAS THE CAPACITY TO RECORD
3 THE AUTOMATED DRIVING SYSTEM'S STATUS AND OTHER VEHICLE ATTRIBUTES
4 INCLUDING, BUT NOT LIMITED TO, SPEED, DIRECTION, AND LOCATION
5 DURING A SPECIFIED TIME PERIOD BEFORE A CRASH AS DETERMINED BY THE
6 MOTOR VEHICLE MANUFACTURER.

7 (C) THAT THE PARTICIPATING FLEET COMPLIES WITH ALL APPLICABLE
8 STATE AND FEDERAL LAWS.

9 (D) THAT EACH VEHICLE IN THE PARTICIPATING FLEET IS CAPABLE OF
10 BEING OPERATED IN COMPLIANCE WITH APPLICABLE TRAFFIC AND MOTOR
11 VEHICLE LAWS OF THIS STATE.

12 (2) A MOTOR VEHICLE MANUFACTURER'S ELIGIBILITY TO PARTICIPATE
13 IN A SAVE PROJECT UNDER THIS SECTION IS CONDITIONED SOLELY UPON
14 MEETING THE REQUIREMENTS OF THIS SECTION. A MOTOR VEHICLE
15 MANUFACTURER SHALL VERIFY ITS SATISFACTION OF THE REQUIREMENTS OF
16 THIS SECTION USING THE SELF-CERTIFICATION DESCRIBED IN SUBSECTION
17 (1).

18 (3) ALL OF THE FOLLOWING APPLY TO A MOTOR VEHICLE MANUFACTURER
19 THAT PARTICIPATES IN A SAVE PROJECT:

20 (A) THE MOTOR VEHICLE MANUFACTURER MAY COMMENCE A SAVE PROJECT
21 AT ANY TIME AFTER IT NOTIFIES THE DEPARTMENT THAT IT HAS SELF-
22 CERTIFIED AS PROVIDED IN SUBSECTION (1). THE NOTIFICATION REQUIRED
23 BY THIS SUBDIVISION SHALL ALSO SET FORTH THE GEOGRAPHICAL
24 BOUNDARIES FOR THE SAVE PROJECT. A MOTOR VEHICLE MANUFACTURER MAY
25 MAKE MULTIPLE NOTIFICATIONS UNDER THIS SUBSECTION.

26 (B) THE MOTOR VEHICLE MANUFACTURER MAY PARTICIPATE IN A SAVE
27 PROJECT UNDER ANY TERMS IT DEEMS APPROPRIATE SO LONG AS THE TERMS

1 ARE CONSISTENT WITH THIS SECTION AND OTHER APPLICABLE LAW.

2 (C) THE MOTOR VEHICLE MANUFACTURER SHALL DETERMINE THE
3 GEOGRAPHICAL BOUNDARIES FOR A SAVE PROJECT, WHICH MAY INCLUDE, BUT
4 ARE NOT LIMITED TO, ANY OF THE FOLLOWING:

5 (i) A DESIGNATED AREA WITHIN A MUNICIPALITY.

6 (ii) AN AREA MAINTAINED BY A REGIONAL AUTHORITY.

7 (iii) A UNIVERSITY CAMPUS.

8 (iv) A DEVELOPMENT THAT CATERS TO SENIOR CITIZENS.

9 (v) A GEOGRAPHIC OR DEMOGRAPHIC AREA THAT IS SIMILAR TO THE
10 AREAS DESCRIBED IN SUBPARAGRAPHS (i) TO (iv) .

11 (D) PUBLIC OPERATION OF A PARTICIPATING FLEET SHALL BE
12 CONFINED TO THE BOUNDARIES SELECTED BY THE MOTOR VEHICLE
13 MANUFACTURER UNDER SUBDIVISION (C) .

14 (E) FOR THE DURATION OF A SAVE PROJECT, THE MOTOR VEHICLE
15 MANUFACTURER SHALL MAINTAIN INCIDENT RECORDS AND PROVIDE PERIODIC
16 SUMMARIES RELATED TO THE SAFETY AND EFFICACY OF TRAVEL OF THE
17 PARTICIPATING FLEET TO THE DEPARTMENT AND THE NATIONAL HIGHWAY
18 TRAFFIC SAFETY ADMINISTRATION.

19 (F) AN INDIVIDUAL WHO PARTICIPATES IN A SAVE PROJECT IS DEEMED
20 BY HIS OR HER PARTICIPATION TO HAVE CONSENTED TO THE COLLECTION OF
21 THE INFORMATION DESCRIBED IN SUBDIVISION (E) WHILE HE OR SHE IS IN
22 A VEHICLE THAT IS PART OF THE PARTICIPATING FLEET AND TO THE
23 PROVISION OF THE SUMMARIES TO THE DEPARTMENT AND THE NATIONAL
24 HIGHWAY TRAFFIC SAFETY ADMINISTRATION AS DESCRIBED IN SUBDIVISION
25 (E) . BEFORE COMMENCING A SAVE PROJECT, AND FOR THE DURATION OF THE
26 SAVE PROJECT, THE MOTOR VEHICLE MANUFACTURER SHALL MAKE PUBLICLY
27 AVAILABLE A PRIVACY STATEMENT DISCLOSING ITS DATA HANDLING

1 PRACTICES IN CONNECTION WITH THE APPLICABLE PARTICIPATING FLEET.

2 (4) WHEN ENGAGED, AN AUTOMATED DRIVING SYSTEM OR ANY REMOTE OR
3 EXPERT-CONTROLLED ASSIST ACTIVITY SHALL BE CONSIDERED THE DRIVER OR
4 OPERATOR OF THE VEHICLE FOR PURPOSES OF DETERMINING CONFORMANCE TO
5 ANY APPLICABLE TRAFFIC OR MOTOR VEHICLE LAWS AND SHALL BE DEEMED TO
6 SATISFY ELECTRONICALLY ALL PHYSICAL ACTS REQUIRED BY A DRIVER OR
7 OPERATOR OF THE VEHICLE. A MOTOR VEHICLE MANUFACTURER SHALL INSURE
8 EACH VEHICLE IN A PARTICIPATING FLEET AS REQUIRED UNDER THIS ACT
9 AND CHAPTER 31 OF THE INSURANCE CODE OF 1956, 1956 PA 218, MCL
10 500.3101 TO 500.3179. FOR EACH SAVE PROJECT IN WHICH IT
11 PARTICIPATES, DURING THE TIME THAT AN AUTOMATED DRIVING SYSTEM IS
12 IN CONTROL OF A VEHICLE IN THE PARTICIPATING FLEET, A MOTOR VEHICLE
13 MANUFACTURER SHALL ASSUME LIABILITY FOR EACH INCIDENT IN WHICH THE
14 AUTOMATED DRIVING SYSTEM IS AT FAULT, SUBJECT TO CHAPTER 31 OF THE
15 INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.3101 TO 500.3179.

16 (5) A MANUFACTURER OF AUTOMATED TECHNOLOGY IS IMMUNE FROM
17 CIVIL LIABILITY FOR DAMAGES THAT ARISE OUT OF ANY MODIFICATION MADE
18 TO A MOTOR VEHICLE, AN AUTOMATED MOTOR VEHICLE, AN AUTOMATED
19 DRIVING SYSTEM, OR AUTOMATED TECHNOLOGY BY ANOTHER PERSON WITHOUT
20 THE MANUFACTURER OF AUTOMATED TECHNOLOGY'S CONSENT, AS PROVIDED IN
21 SECTION 2949B OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236,
22 MCL 600.2949B.