[Committee Print]

115TH CONGRESS
1ST SESSION

H. R. ______

To amend title 49, United States Code, to provide the National Highway Traffic Safety Administration with authority over highly automated vehicles, to provide safety measures for such vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

introduced the following bill; which was referred to the Committee on

A BILL

To amend title 49, United States Code, to provide the National Highway Traffic Safety Administration with authority over highly automated vehicles, to provide safety measures for such vehicles, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.
Sec. 2. NHTSA authority and State preemption for autonomous motor vehicle.
Sec. 3. Updated or new motor vehicle safety standards for highly automated vehicles.
Sec. 4. Cybersecurity of automated driving systems.
Sec. 5. General exemptions.
Sec. 6. Motor vehicle testing or evaluation.
Sec. 7. Information on highly automated driving systems required on stickers made available to prospective buyers.
Sec. 9. Rear Seat Occupant Alert System.
Sec. 10. Headlamps.
Sec. 11. Definitions.

1 **SEC. 2. NHTSA AUTHORITY AND STATE PREEMPTION FOR AUTONOMOUS MOTOR VEHICLES.**

Section 30103(b) of title 49, United States Code, is amended—

[(1) by striking paragraph (2);]

[(2) in paragraph (1)—]

[(A) in the first sentence, by striking “When” and inserting “Except as provided in subsection (b)(1), when”;]

[(B) by striking “(1) When” and inserting “(2) MOTOR VEHICLE STANDARD. When”; and]

[(C) by striking “However,” and inserting “(4) HIGHER PERFORMANCE REQUIREMENT. However,”;]

[(3) by inserting before paragraph (2), as so redesignated, the following new paragraph:]

[“(1) HIGHLY AUTOMATED VEHICLES.—No State or political subdivision of a State may adopt, maintain, enforce, impose, or continue in effect any law, rule, regulation, duty, requirement, standard, or other provision having the force and effect of law related to the design, construction, mechanical sys-
tems, hardware and software systems, or commun-
ications systems of highly automated vehicles or
automated driving system equipment unless such
law, rule, regulation, duty, requirement, standard, or
other provision having the force and effect of law is
identical to a standard prescribed under this chap-
ter.”;]

[(4) by inserting after paragraph (2), as so re-
designated, the following new paragraph:]

“"(3) RULE OF CONSTRUCTION.—Nothing in
this subsection may be construed to prohibit a State
from prescribing a law or regulation regarding any
registration, licensing, liability, driving education
and training, insurance, safety inspections, or traffic
law or regulation unless the law or regulation is an
unreasonable restriction on the design, construction,
mechanical systems, hardware and software systems,
or communications systems of highly automated ve-
hicles.”; and]

[(5) in paragraph (4), as so redesignated, by
striking “or motor vehicle equipment obtained for its
own use that imposes a higher performance require-
ment than that required by the otherwise applicable
standard under this chapter” and inserting the fol-
lowing: “motor vehicle equipment, highly automated
vehicle, or automated driving system equipment obtained for its own use”.

SEC. 3. UPDATED OR NEW MOTOR VEHICLE SAFETY STANDARDS FOR HIGHLY AUTOMATED VEHICLES.

Chapter 301 of subtitle VI of title 49, United States Code, is amended by inserting after section 30128 the following new section:

“§ 30129. Updated or new motor vehicle safety standards for highly automated vehicles

“(a) SAFETY ASSESSMENT CERTIFICATION.—

“(1) FINAL RULE.—Not later than 30 months after the date of the enactment of this section, the Secretary of Transportation shall issue a final rule requiring the submission of safety assessment certifications regarding how safety is being addressed by each entity developing a highly automated vehicle or an automated driving system. Such rule shall include—

“(A) a specification of which entities are required to submit such certifications;

“(B) a clear description of the relevant test results, data, and other contents required to be submitted by such entity, in order to demonstrate that such entity’s vehicles are likely to
function as intended and contain fail safe features, to be included in such certifications; and

“(C) a specification of the circumstances under which such certifications are required to be updated or resubmitted.

“(2) INTERIM REQUIREMENT.—Until the final rule issued under paragraph (1) takes effect, safety assessment letters shall be submitted to the National Highway Traffic Safety Administration as contemplated by the Federal Automated Vehicles Policy issued in September 2016, or any successor guidance issued on highly automated vehicles in effect on the date of the enactment of this section.

“(3) PERIODIC REVIEW AND UPDATING.—Not later than [5 years] after the date on which the final rule is issued under paragraph (1), and not less frequently than every [5 years] thereafter, the Secretary shall—

“(A) review such rule; and

“(B) update such rule if the Secretary considers it necessary.

“(4) RULES OF CONSTRUCTION.—

“(A) NO CONDITIONS ON DEPLOYMENT.—Nothing in this subsection may be construed to limit or affect the Secretary’s authority under
any other provision of law. The Secretary may not condition deployment or testing of highly automated vehicles on review of safety assessment certifications.

“(B) NO NEW AUTHORITIES.—No new authorities are granted to the Secretary under this section other than the promulgation of the rule pursuant to subsection (a)(1).]

“(5) REVIEW [AND RESEARCH].—To accommodate the development and deployment of highly automated vehicles and to ensure the safety and security of highly automated vehicles and motor vehicles and others that will share the roads with highly automated vehicles, not later than [180 days] after the date of the enactment of this section, the Secretary shall—

“(A) initiate or continue a review of the Federal motor vehicle safety standards in effect on such date of enactment; and

“(B) initiate or continue [research] regarding new Federal motor vehicle safety standards.

“(b) RULEMAKING AND SAFETY PRIORITY PLAN.—

“(1) IN GENERAL.—Not later than [1 year] after the date of enactment of this section, the Sec-
retary shall make available to the public and submit
to the Committee on Energy and Commerce of the
House of Representatives and the Committee on
Commerce, Science, and Transportation of the Sen-
ate a rulemaking and safety priority plan, as nec-
essary to accommodate the development and deploy-
ment of highly automated vehicles and to ensure the
safety and security of highly automated vehicles and
motor vehicles and others that will share the roads
with highly automated vehicles, to—

“(A) update the motor vehicle safety
standards in effect on such date of enactment;
“(B) issue new motor vehicle safety stand-
ards; and
“(C) consider how objective ranges in
performance standards could be used to test
motor vehicle safety standards, which safety
standards would be appropriate for such test-
ing, and whether additional authority would fa-
cilitate such testing.
“(2) INCLUSION OF PRIORITIES.—
“(A) PRIORITIES.—The plan required by
paragraph (1) shall detail the overall priorities
of the National Highway Traffic Safety Admin-
istration for the 5 years following the issuance
of the plan, including both priorities with respect to highly automated vehicles and priorities with respect to other safety initiatives of the Administration, in order to meet the Nation’s motor vehicle safety challenges.

“(B) Identification of elements that may require performance standards.—For highly automated vehicles, the National Highway Traffic Safety Administration should identify elements that may require performance standards including human machine interface and sensors, processors, and actuators, and consider process and procedure standards for software and cybersecurity as necessary.

“(3) Periodic updating.—The plan required by paragraph (1) shall be updated every 2 years, or more frequently if the Secretary considers it necessary.

“(4) Rulemaking proceedings on updated or new motor vehicle safety standards.—

“(A) In general.—Not later than [18 months] after the date of enactment of this Act, the Secretary shall initiate the first rule-making proceeding in accordance with the rule-
making and research priority plan required by subsection (e).

“(B) PRIORITIZATION OF SUBSEQUENT PROCEEDINGS.—The Secretary shall continue initiating rulemaking proceedings in accordance with such plan. The Secretary may change at any time those priorities to address matters the Secretary considers of greater priority. The Secretary shall complete an interim update of the priority plan and makes such update available to the public and submit such update to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.”.

SEC. 4. CYBERSECURITY OF AUTOMATED DRIVING SYSTEMS.

(a) IN GENERAL.—Chapter 301 of subtitle VI of title 49, United States Code, is amended by inserting after section 30129 (as added by section 3) the following new section:

“§30130. Cybersecurity of automated driving systems

“(a) CYBERSECURITY PLAN.—A person may not manufacture for sale, sell, offer for sale, introduce or deliver for introduction in interstate commerce, or import
into the United States, any highly automated vehicle or a vehicle that performs partial driving automation unless the person has developed a cybersecurity plan that includes the following:

“(1) A written cybersecurity policy with respect to the practices of the entity for detecting and responding to cyber attacks, unauthorized intrusions, and false and spurious messages or vehicle control commands. This policy shall include—

“(A) a process for identifying, assessing, and mitigating any reasonably foreseeable vulnerabilities from cyber attacks or unauthorized intrusions, including false and spurious messages and malicious vehicle control commands

“(B) a process for taking preventive and corrective action to mitigate against vulnerabilities in a highly automated vehicle or a vehicle that performs partial driving automation, including incident response plans, intrusion detection and prevention systems that safeguard key controls, systems, and procedures through regular testing or monitoring, and updates to such process based on changed circumstances;
“(2) The identification of an officer or other individual of the entity as the point of contact with responsibility for the management of cybersecurity;

“(3) A process for controlling access to automated driving systems; and

“(4) A process for employee training and supervision for implementation and maintenance of the policies and procedures required by this section including controls on employee access to automated driving systems.

“(b) EFFECTIVE DATE.—This section shall take effect 180 days after the date of enactment of this Act.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 301 of subtitle VI of title 49, United States Code, is amended by inserting after the item relating to section 30128 the following new item:

“30129. Cybersecurity of automated driving systems.”.

SEC. 5. GENERAL EXEMPTIONS.

Section 30113 of title 49, United States Code, is amended—

(1) in subsection (b)(3)(B)—

(A) in clause (iii) by striking “; or” and inserting a semicolon;

(B) in clause (iv), by inserting “or” after the semicolon; and

(C) by adding at the end the following:
“(v) the exemption would make easier
the development or field evaluation of—
“(I) a feature of a highly automated vehicle providing a safety level
at least equal to the safety level of the
purpose of the standard for which ex-
emption is sought; or
“(II) a highly automated vehicle
providing an overall safety level at
least equal to the overall safety level
of nonexempt vehicles.”;

(2) in subsection (c), by adding at the end the
following:
“(5) if the application is made under subsection
(b)(3)(B)(v) of this section—
“(A) such development, testing, and other
data necessary to demonstrate that the motor
vehicle is a highly automated vehicle; and
“(B) a detailed analysis that includes sup-
porting test data, including both on-road and
validation and testing data showing (as applica-
ble) that—
“(i) the safety level of the feature at
least equals the safety level of the purpose
of the standard for which exemption is sought; or

“(ii) the vehicle provides an overall safety level at least equal to the overall safety level of nonexempt vehicles.”;

(3) in subsection (d), by striking “A manufacturer is eligible” and all that follows and inserting:

“(1) Eligibility under subsection (b)(3)(B)(i).—A manufacturer is eligible for an exemption under subsection (b)(3)(B)(i) of this section (including an exemption under subsection (b)(3)(B)(i) relating to a bumper standard referred to in subsection (b)(1)) only if the Secretary determines that the manufacturer’s total motor vehicle production in the most recent year of production is not more than 10,000.

“(2) Eligibility under subsection (b)(3)(B)(iii).—A manufacturer is eligible for an exemption under subsection (b)(3)(B)(iii), of this section only if the Secretary determines the exemption is for not more than 2,500 vehicles to be sold in the United States in any 12-month period.

“(3) Eligibility under subsection (b)(3)(B)(ii), (iv), or (v).—A manufacturer is eligible for an exemption under subsection (b)(3)(B)(ii),
(iv), or (v) of this section only if the Secretary deter-
mines the exemption is for not more than 100,000 vehicles per manufacturer to be sold, leased, or oth-
otherwise introduced into commerce in the United States in any 12-month period.

“(4) LIMITATION ON NUMBER OF VEHICLES EXEMPTED.—All exemptions granted to a manufac-
turer under subsections (b)(3)(B)(v) shall not exceed a total of 100,000 vehicles within 12-month pe-
period.”;

(4) in subsection (e), by striking “An exemption or renewal” and all that follows and inserting

“(1) EXEMPTION UNDER SUBSECTION (b)(3)(B)(i).—An exemption or renewal under sub-
section (b)(3)(B)(i) of this section may be granted for not more than 3 years.

“(2) EXEMPTION UNDER SUBSECTION (b)(3)(B)(iii).— An exemption or renewal under subsection (b)(3)(B)(iii) this section may be granted for not more than 2 years.

“(3) EXEMPTION UNDER SUBSECTION (b)(3)(B)(ii), (iv), or (v).— An exemption or renewal under subsection (b)(3)(B)(ii), (iv), or (v) of this section may be granted for not more than 5 years.”.
(5) by adding at the end the following:

“(i) LIMITATION ON CERTAIN EXEMPTIONS.—No exemption from crashworthiness standards of motor vehicle safety standards shall be granted under subsection (b)(3)(B)(v) until the Secretary issues the safety assessment certification rule pursuant to section 30129(a) and the rulemaking and safety priority plan pursuant to section 30129(b) and one year has passed from the date of enactment of the [__________ Act [refers to this bill]].

“(j) AUTHORITY TO STAY EXEMPTION.—If a vehicle that was granted an exemption under subsection (b)(3)(B)(ii), (iv), or (v) is found to contain a defect subject to section 30118 of this chapter, the Secretary may stay the exemption for any manufacturer utilizing the exemption until a remedy is provided. Nothing in this subsection may be construed to limit or affect the authority of the Secretary under any other provision of law, including the authority of the Secretary regarding recalls.

“(k) REPORTING REQUIREMENT.—A manufacturer granted an exemption under subsection (b)(3)(B)(ii), (iv), or (v), shall provide information about all crashes involving such exempted vehicles, regardless of whether a claim is submitted to the manufacturer, in accordance with the requirements of 49 C.F.R. 579.

“(l) PROCESS AND ANALYSIS.—
“(1) IN GENERAL.—Not later than [180 days] after the date of the enactment of the [______________]

Act [refers to this bill], the Secretary of Transportation shall publish in the Federal Register a notice that details the process and analysis used for the consideration of exemption or renewal applications under subsection (b)(3)(B)(v) of section 30113 of title 49, United States Code, as amended by this section.

“(2) PERIODIC REVIEW AND UPDATING.—The Notice required by paragraph (1) shall be reviewed every [5 years] and updated if the Secretary considers it necessary.

“(m) EXEMPTION DATABASE.—

“(1) IN GENERAL.—The Secretary shall establish a publically available and searchable electronic database of each motor vehicle for which an exemption from a motor vehicle safety standards prescribed under this chapter or a bumper standard prescribed under chapter 325 has been granted.

“(2) VEHICLE IDENTIFICATION NUMBER.—The database established under subsection (1) shall be searchable by Vehicle Identification Number.”.
SEC. 6. MOTOR VEHICLE TESTING OR EVALUATION.

Section 30112 of title 49, United States Code, is amended—

(1) in subsection (b)(10)—

(A) by striking “that prior to the date of enactment of this paragraph”;

(B) in subparagraph (A), by striking “motor vehicles into the United States that are certified” and inserting “into the United States motor vehicles that are certified, or motor vehicle equipment utilized in a motor vehicle that is certified,”;

(C) in subparagraph (C), by striking the period at the end and inserting “; or”;

(D) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and moving their margins 2 ems to the right;

(E) by striking “evaluation by a manufacturer that agrees not to sell, lease, or offer for sale or lease” and inserting the following: “evaluation by—

“(A) a manufacturer that agrees not to sell, lease, or offer for sale or lease,”; and

(F) by adding at the end the following:
“(B) a manufacturer of highly automated vehicles or automated driving system equipment that agrees not to sell, lease, or offer for sale or lease, the highly automated vehicle or automated driving system equipment at the conclusion of the testing or evaluation and—

“(i) has submitted to the Secretary—

“(I) the name of the individual, partnership, corporation, or institution of higher education and a point of contact;

“(II) the residence address of the individual, partnership, corporation, or institution of higher education and State of incorporation if applicable;

“(III) a description of each type of motor vehicle used during development of a highly automated vehicle or automated driving system [equipment] manufactured by the individual, partnership, corporation, or institution of higher education; and

“(IV) proof of insurance for any State in which the individual, partnership, corporation, or institution of
higher education intends to test or
evaluate highly automated vehicles;
and
“(ii) if applicable, has identified an
agent for service of process in accordance
with part 551 of title 49, Code of Federal
Regulations.”.

SEC. 7. INFORMATION ON HIGHLY AUTOMATED DRIVING
SYSTEMS REQUIRED ON STICKERS MADE
AVAILABLE TO PROSPECTIVE BUYERS.

(a) Research.— Not later than 3 years after the
date of enactment of this Act, the Secretary shall complete
research to determine the most effective method and termi-
nology for informing consumers for each highly auto-
mated vehicle or motor vehicle equipped with a level 2
driving automation system and capabilities and limitations
of that vehicle. The Secretary shall determine whether
such information is based upon or includes the termi-
nology as defined by SAE International in Recommended
Practice Report J3016 (published September 2016) or
whether such description should include alternative termi-
nology.

(b) Rulemaking.—After the completion of the study
required under subsection (a), the Secretary shall initiate
a rulemaking proceeding to require manufacturers to in-
form consumers of the capabilities and limitations of a ve-

cile’s driving automation system or feature for any highly
automated vehicle or any motor vehicle with level 2 driving
automation.

(c) DEFINITIONS.—For purposes of this section—

(1) the term “level 2 driving automation sys-
tem” has the meaning given that term in Taxonomy
and Definitions for Terms Related to Driving Auto-
mation Systems for On-Road Motor Vehicles Rec-
ommended Practice Report J3016 published by SAE
International in September 2016; and

(2) the term “highly automated vehicle” has the
meanings given such terms in subsection (a) of sec-
tion 30102 of title 49, United States Code.

SEC. 8. HIGHLY AUTOMATED VEHICLE ADVISORY COUNCIL.

(a) ESTABLISHMENT.—Subject to the availability of
appropriations, not later than 6 months after the date pf
enactment of this Act, the Secretary of Transportation
shall establish in the National Highway and Traffic Safety
Administration a Highly Automated Vehicle Advisory
Council (hereinafter referred to as the “Council”).

(b) MEMBERSHIP.—Members of the Council shall in-
clude a diverse group representative of business, academia
and independent researchers, safety and consumer advi-
cates, engineers, labor organizations, environmental ex-
erts, a representative of the National Highway Traffic Safety Administration, and other members determined to be appropriate by the Secretary. Members shall be appointed by the Secretary and shall serve for a term of three years. Each subcommittee of the Council shall be composed of not less than [15] and not more than [30] members appointed by the Secretary.

(c) TERMS.—Members of the Council shall be appointed by the Secretary of Transportation and shall serve for a term of three years.

(d) VACANCIES.—Any vacancy occurring in the membership of the Council shall be filled in the same manner as the original appointment for the position being vacated. The vacancy shall not affect the power of the remaining members to execute the duties of the Council.

(e) DUTIES AND COMMITTEES.—The Council may form committees as needed to undertake information gathering activities, develop technical advice, and present best practices or recommendations to the Secretary regarding—

(1) advancing mobility access for the disabled community with respect to the deployment of automated driving systems to ensure an awareness of the needs of the disability community as these vehicles are being designed for distribution in commerce;
(2) mobility access for senior citizens and populations underserved by traditional public transportation services and educational outreach efforts with respect to the testing and distribution of highly automated vehicles in commerce;

(3) cybersecurity for the testing, deployment, and updating of automated driving systems with respect to supply chain risk management, interactions with Information Sharing and Analysis Centers and Information Sharing and Analysis Organizations, and a framework for identifying and implementing recalls of motor vehicles or motor vehicle equipment;

(4) the development of a framework that allows manufacturers of highly automated vehicles to share with each other and the National Highway Traffic Safety Administration relevant, situational information related to any testing or deployment event on public streets resulting or that reasonably could have resulted in damage to the vehicle or any occupant thereof and validation of such vehicles in a manner that does not risk public disclosure of such information or disclosure of confidential business information;
(5) labor and employment issues that may be affected by the deployment of highly automated vehicles;

(6) the impact of the development and deployment of highly automated vehicles on the environment;

(7) protection of consumer privacy and security of information collected by highly automated vehicles; and

(8) cabin safety for highly automated vehicle passengers, and how automated driving systems may impact collision vectors, overall crashworthiness, and the use and placement of airbags, seatbelts, anchor belts, head restraints and other protective features in the cabin.

(f) REPORT TO CONGRESS.—The recommendations of the Council shall also be reported to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(g) FEDERAL ADVISORY COMMITTEE ACT.—The establishment and operation of the Council shall conform to the requirements of the Federal Advisory Committee Act (5 U.S.C. App.).
(h) TECHNICAL ASSISTANCE.—On request of the Council, the Secretary shall provide such technical assistance to the Council as the Secretary determines to be necessary to carry out the Secretary’s duties.

(i) DETAIL OF FEDERAL EMPLOYEES.—On the request of the Council, the Secretary may detail, with or without reimbursement, any of the personnel of the Department of Transportation to the Council to assist the Council in carrying out its duties. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(j) PAYMENT AND EXPENSES.—Members of the Council shall serve without pay, except travel and per diem will be paid each member for meetings called by the Secretary.

(k) TERMINATION.—The Council shall terminate 6 years after the date of enactment of this Act.

(l) DEFINITIONS.—As used in this section the terms “automated driving system”, “dynamic driving task”, and “operational design domain” have the meanings given such terms in subsection (a) of section 30102 of title 49, United States Code, subject to any revisions made to the definition of such terms pursuant to subsection (c) of such section. The term “highly automated vehicle” has the
meaning given such term in such section, not subject to
any revision.

SEC. 9. REAR SEAT OCCUPANT ALERT SYSTEM.

(a) In General.—Chapter 323 of title 49, United
States Code, is amended by inserting after section 30130
(as added by section 4) the following new section:

“§ 30131. Rear seat occupant alert system

“(a) Rulemaking Required.—Not later than 2
years after the date of enactment of this section, the Sec-
retary shall issue a final rule requiring all new passenger
motor vehicles weighing less than 10,000 pounds gross ve-

cle weight to be equipped with a system for rear seating
positions to alert the operator to check rear designated
seating positions after the vehicle motor is deactivated by
the operator. The means shall include a distinct auditory
and visual alert that may be combined with a haptic alert,
and shall be activated after the vehicle motor is deacti-
vated by the operator.

“(b) Phase-In.—The rule issued pursuant to sub-
section (a) shall require full compliance with the rule be-

ginning on September 1st of the calendar year that begins
2 years after the date on which the final rule is issued.

“(c) Definitions.—For purposes of this section—

“(4) the term ‘passenger motor vehicle’ has the
meaning given that term in section 32101; and
“(5) the term ‘rear designated seating position’ means any designated seating position that is rearward of the front seat.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 323 of title 49, United States Code, is amended by striking the item relating to section 32304A and inserting the following new item:

“32304B. Rear seat occupant alert system.”.

SEC. 10. HEADLAMPS.

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall complete research into the development of updated motor vehicle safety standards or performance requirements for motor vehicle headlamps that would improve the performance of headlamps and improve overall safety.

(b) RULEMAKING OR REPORT.—

(1) RULEMAKING.—After the completion of the research required by subsection (a), the Secretary shall initiate a rulemaking proceeding to revise the motor vehicle safety standards regarding headlamps if the Secretary determines that a revision of the standards meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.
(2) REPORT.—If the Secretary determines that a revision to the standard described in paragraph (1) does not meet the requirements and considerations set forth in such subsections, the Secretary shall submit a report describing the reasons for not revising the standard to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 11. DEFINITIONS.

Section 30102 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) through (13) as paragraphs (2), (3), (4), (5), (8), (9), (10), (11), (12), (13), (15), (16), and (17), respectively;

(B) by inserting before paragraph (2) (as so redesignated) the following:

“(1) ‘automated driving system’ means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether such system is limited to a specific operational design domain.”.
(C) by inserting after paragraph (5) (as so redesignated) the following:

“(6) ‘dynamic driving task’ means all of the real time operational and tactical functions required to operate a vehicle in on-road traffic, excluding the strategic functions such as trip scheduling and selection of destinations and waypoints, and including—

“(A) lateral vehicle motion control via steering;

“(B) longitudinal vehicle motion control via acceleration and deceleration;

“(C) monitoring the driving environment via object and event detection, recognition, classification, and response preparation;

“(D) object and event response execution;

“(E) maneuver planning; and

“(F) enhancing conspicuity via lighting, signaling, and gesturing.

“(7) ‘highly automated vehicle’—

“(A) means a motor vehicle equipped with an automated driving system; and

“(B) does not include a commercial motor vehicle (as defined in section 31101).”; and

(D) by inserting after paragraph (13) (as so redesignated) the following:
“(14) ‘operational design domain’ means the specific conditions under which a given driving automation system or feature thereof is designed to function.”; and

(2) by adding at the end the following:

“(c) REVISIONS TO CERTAIN DEFINITIONS.—

“(1) If SAE International (or its successor organization) revises the definition of any of the terms defined in paragraph (1), (6), or (14) of subsection (a) in Recommended Practice Report J3016, it shall notify the Secretary of the revision. The Secretary shall publish a notice in the Federal Register to inform the public of the new definition unless, within 90 days after receiving notice of the new definition and after opening a period for public comment on the new definition, the Secretary notifies SAE International (or its successor organization) that the Secretary has determined that the new definition does not meet the need for motor vehicle safety, or is otherwise inconsistent with the purposes of this chapter. If the Secretary so notifies SAE International (or its successor organization), the existing definition in subsection (a) shall remain in effect.

“(2) If the Secretary does not reject a definition revised by SAE International (or its successor
organization) as described in paragraph (1), the Secretary shall promptly make any conforming amendments to the regulations and standards of the Secretary that are necessary. The revised definition shall apply for purposes of this chapter. The requirements of section 553 of title 5 shall not apply to the making of any such conforming amendments.

“(3) Pursuant to section 553 of title 5, the Secretary may update any of the definitions in paragraph (1), (6), or (14) of subsection (a) if the Secretary determines that materially changed circumstances regarding highly automated vehicles have impacted motor vehicle safety such that the definitions need to be updated to reflect such circumstances.”.