

AMENDMENT

OFFERED BY MR. DESAULNIER OF CALIFORNIA

At the end of subtitle C of title V of division B of the bill, add the following:

1 **SEC. 5305. REPORTING OF TESTING AND OPERATION OF**
2 **AUTOMATED COMMERCIAL MOTOR VEHICLES**
3 **ON PUBLIC ROADWAYS.**

4 (a) ESTABLISHMENT.—

5 (1) IN GENERAL.—Not later than one year
6 after the enactment of this Act, the Secretary shall
7 establish a repository for motor carriers, shippers,
8 technology companies, and other entities to report
9 any testing or operations of an automated commer-
10 cial motor vehicle on public roads.

11 (2) INFORMATION.—In developing the reposi-
12 tory required under subsection (a), the Secretary
13 shall incorporate information required under sub-
14 section (b) and subsection (e).

15 (b)(1) SUBMISSIONS.—The Secretary shall require an
16 entity to provide the following information prior to per-
17 forming any tests, demonstrations, or commercial oper-
18 ations of automated commercial motor vehicles on public
19 roads—

1 (A) the name of the entity responsible for
2 ensuring the safe operation of the vehicle;

3 (B) the make and model of the vehicle or
4 vehicles being utilized;

5 (C) details on the operational design do-
6 main and capabilities of the automated system;

7 (D) expected weight of vehicle during oper-
8 ation or test;

9 (E) any applicable Department of Trans-
10 portation number and operating authority;

11 (F) the route of the vehicle, including any
12 planned stops, and total miles traveled;

13 (G) a list of any cargo or passengers being
14 carried and any entities that such cargo or pas-
15 sengers are being carried on behalf of;

16 (H) an overview of the training and certifi-
17 cations of any drivers, monitors, or others in-
18 volved in the operation or control of the vehicle;

19 (I) any fatigue management plans or work
20 hour limitations imposed on vehicle drivers or
21 monitors;

22 (J) notices provided to local law enforce-
23 ment, State departments of transportation, and
24 related entities, if applicable; and

1 (K) proof of insurance coverage, including
2 policies that may be in excess of the required
3 minimum coverage.

4 (2) UPDATES TO INFORMATION.—If an entity
5 responsible for the operation of an automated com-
6 mercial motor vehicle submits inaccurate information
7 pursuant to subsection (d), the entity shall be given
8 an opportunity to amend or correct their submission
9 within a reasonable timeframe.

10 (c) NOTIFICATION.—Upon submission of the infor-
11 mation under subsection (b), the Secretary shall provide
12 written notification acknowledging that the submitting en-
13 tity will perform tests, demonstrations, or commercial op-
14 erations on public roads as applicable.

15 (d) PUBLIC AVAILABILITY OF INFORMATION.—

16 (1) IN GENERAL.—The Secretary shall make
17 available summary information on testing and com-
18 mercial operations of automated commercial motor
19 vehicles on a publicly accessible website of the De-
20 partment of Transportation information. .

21 (2) PROTECTION OF INFORMATION.—Any data
22 made available pursuant to this section shall be
23 made available in a manner that—

1 (A) precludes the connection of the data to
2 any individual motor carrier, shipper, company,
3 or other entity submitting data; and

4 (B) protects privacy and confidentiality of
5 individuals, operators, and entities submitting
6 the data.

7 (e) CRASH DATA.—

8 (1) IN GENERAL.—Not later than 1 year after
9 the date of enactment of this Act, the Secretary
10 shall create a system to require entities to submit in-
11 formation regarding safety critical incidents which
12 occur during the testing or operation of an auto-
13 mated commercial motor vehicle on public roads.

14 (2) CONTENTS.—The system under this sub-
15 section shall include data on—

16 (A) injuries and fatalities involving the
17 automated commercial motor vehicle;

18 (B) collisions or damage to persons or
19 property as a result of an automated commer-
20 cial motor vehicle test or operation;

21 (C) any malfunction or issue with a safety
22 critical element of an automated commercial
23 motor vehicle which compromises the safety of
24 the automated commercial motor vehicle or
25 other road users; and

1 (D) the mode of transportation used by
2 any road users involved in a safety critical inci-
3 dent, including general road users as defined
4 under section 5304 of this Act.

5 (f) DEFINITIONS.—In this section:

6 (1) AUTOMATED COMMERCIAL MOTOR VEHI-
7 CLE.—The term “automated commercial motor vehi-
8 cle” means—

9 (A) any vehicle used on the highways in
10 commerce principally to transport cargo, if the
11 vehicle has a gross vehicle weight rating or
12 gross vehicle weight of at least 10,001 pounds,
13 whichever is greater; and

14 (B) that is designed to be operated exclu-
15 sively by a Level 3, Level 4, or Level 5 auto-
16 mated driving system for all trips according to
17 the recommended practice standards published
18 on June 15, 2018, by the Society of Automotive
19 Engineers International (J3016__201806) or
20 equivalent standards adopted by the Secretary
21 with respect to automated motor vehicles, while
22 operating on public roads.

23 (2) SAFETY CRITICAL ELEMENT.—The term
24 “safety critical element” means both the hardware
25 and software designed to prevent, limit, control,

1 mitigate or respond to a change in the vehicle's envi-
2 ronment thereby allowing the vehicle to prevent,
3 avoid, or minimize a potential collision or other safe-
4 ty incident on an automated commercial motor vehi-
5 cle.

