

**MINUTES OF THE
SENATE COMMITTEE ON TRANSPORTATION**

**Seventy-ninth Session
June 2, 2017**

The Senate Committee on Transportation was called to order by Chair Patricia Farley at 7:53 p.m. on Friday, June 2, 2017, in Room 2135 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Patricia Farley, Chair
Senator Kelvin Atkinson, Vice Chair
Senator Mark A. Manendo
Senator Don Gustavson
Senator Scott Hammond

STAFF MEMBERS PRESENT:

Michelle Van Geel, Policy Analyst
Darcy Johnson, Counsel
Tammy Lubich, Committee Secretary

OTHERS PRESENT:

Cory Hunt, Deputy Director, Economic Development, Office of the Governor
Paul Enos, CEO, Nevada Trucking Association
Alisa Nave-Worth, Waymo
Andy MacKay, Nevada Franchised Auto Dealers Association
Heather Dornberger, General Motors

CHAIR FARLEY:

We will begin the hearing on Assembly Bill (A.B.) 69.

ASSEMBLY BILL 69 (1st Reprint): Revises provisions relating to autonomous vehicles. (BDR 43-246)

CORY HUNT (Deputy Director, Economic Development, Office of the Governor): Nevada was the first state to authorize legislation related to autonomous vehicles, and A.B. 69 brings the State up-to-speed with the current state of the art in terms of regulation for fully autonomous vehicles and regulation for autonomous vehicles.

Assembly Bill 69 updates Nevada law, provides clarity for testing as well as the operation of fully autonomous vehicles, and explicitly authorizes autonomous vehicles for commercial use. Assembly Bill 69 provides access to Nevadans for increased mobility for persons who have trouble getting around. Assembly Bill 69 also provides additional opportunities for new entities and enterprises to start in the State.

Assembly Bill 69 defines and authorizes driver-assisted commercial platooning putting Nevada in a leading position. Ninety-four percent of vehicle fatalities are human-caused, and it has already been shown that with the early adoption of this technology, the State can significantly decrease fatalities. Assembly Bill 69 will increase mobility for the disadvantaged population, reduce potential road congestion, increase productivity, add additional jobs and benefit the environment.

Assembly Bill 69 pertains to fully autonomous vehicles only. There are five levels of autonomy, and A.B. 69 deals with levels three, four and five. At a level three, a human is responsible for taking over the vehicle if the computer cannot achieve its destination. At a level four, this vehicle is restricted to travel in a certain area, must have a backup system to take over the vehicle to put it into a minimum risk condition and bring it to a safe stop should the main computer fail. A level five vehicle can travel anywhere, and the computer will take over the vehicle and bring it to a safe stop should it run into a condition that it cannot encounter.

Because we are adopting international language around autonomous vehicles, A.B. 69 sets out a number of definitions vetted through the Society of Automotive Engineers, who are very well regarded.

Assembly Bill 69 replaces some regulatory authority of the Department of Motor Vehicles. In 2011, Nevada took a leadership role and was the first of the states to adopt regulations related to autonomous vehicles. With the state of the art evolving, the regulatory authority is being scaled back, including some safety

standards that were previously established. This is being done to establish a more appropriate role for State regulation.

Assembly Bill 69 requires any fully autonomous vehicle be certified in operating within all of the traffic laws, motor vehicle laws and rules of the road in this State. It is important that any fully autonomous vehicle be capable of being operated fully autonomously unless the Department grants an exemption. It is required that the computer of the automated driving system be certified as being safe and in good functioning condition. It must also be certified that the vehicle meets the minimal risk condition of pulling over and coming to a safe stop.

Assembly Bill 69 also creates an autonomous vehicle network company (AVNC) by creating a new *Nevada Revised Statutes* (NRS) 706B chapter. The NRS will allow both a transportation network company (TNC) and cab companies to equally operate an AVNC under the same rules, apply for the permit and operate the vehicle under the same rules. The AVNC would operate under the regulatory authority of the Nevada Transportation Authority (NTA). There is a provision in the bill that states a cab company, common motor carrier or a TNC can operate an autonomous vehicle company, but would have to get two permits. One permit is to operate the TNC or cab company and one permit is to operate the AVNC.

The driver system platooning technology is for drafting of trucks using electronic systems that link the vehicles together. This system will realize significant fuel savings and safety benefits. The platooning vehicles have been exempted from the provision in law that regulates following too close because with the new technology they can follow more closely and safely.

SENATOR GUSTAVSON:

Which levels will require a driver's license, and which levels will not require a driver's license? Will a special driver's license be required when a driver has to be present in the car?

MR. HUNT:

A level three vehicle will require a human to take over the vehicle if the computer fails. So for level three vehicles or lower, a driver's license is needed.

Levels one and two are vehicles with cruise control and an automatic transmission; those are levels of automation that are already in vehicles and have been for many years. A level three is when the computer takes some of the driving task over as does level two. Assembly Bill 69 regulates level three, and a driver's license is required. At levels four and five the vehicle does all of the driving.

A level four vehicle is restricted to operating only on urban roads in a certain area and in certain weather conditions. This is called the operational design. A level five vehicle has an unlimited operational design domain and a driver's license would not be required.

For any vehicle that has a steering wheel and for which there is an expectation a person might take control of the vehicle would require a driver's license. There may be some level four and level five vehicles that have a driver's license requirement for the people who like to drive.

SENATOR GUSTAVSON:

I thought that was the case but wanted to be sure everyone else knows.

SENATOR MANENDO:

How many states have similar legislation like this?

MR. HUNT:

The National Conference of State Legislators has a summary on their Website with that information. In 2017, 33 states introduced legislation; in 2016, 20 states introduced legislation. Forty-one states have considered legislation with 16 states passing legislation related to autonomous vehicles.

The language in A.B. 69 resembles the regulations considered in Colorado, Michigan, Florida and Georgia.

SENATOR MANENDO:

Section 5.8 and section 6 refer to fines. Where did you get the fine amounts, and were they copied from another state?

MR. HUNT:

Due to the minimal property damage reported in other states, section 5.8 has a \$750 property damage fine to set a basic threshold. The administrative fines in

section 6 come from existing fines afforded by the Department for falsifying an application to obtain a license. Therefore, in A.B. 69 there are both civil and criminal penalties for falsifying your self-certification for an autonomous vehicle registration.

The cleanup language in the proposed amendment ([Exhibit C](#)) is straightforward and has been agreed to by all parties.

PAUL ENOS (CEO, Nevada Trucking Association):

We are in support of A.B. 69 along with the proposed amendment, [Exhibit C](#).

ALISA NAVE-WORTH (Waymo):

We are in support of A.B. 69.

ANDY MACKAY (Nevada Franchised Auto Dealers Association):

We are in support of A.B. 69.

HEATHER DORNBERGER (General Motors):

We are in full support of A.B. 69.

SENATOR MANENDO MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 69.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR FARLEY:

There being no public comment or further business before this Committee, this meeting is adjourned at 8:18 p.m.

RESPECTFULLY SUBMITTED:

Tammy Lubich,
Committee Secretary

APPROVED BY:

Senator Patricia Farley, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
A.B. 69	C	3	Cory Hunt / Office of the Governor	Proposed Amendment