

Amendment No. 344

Assembly Amendment to Assembly Bill No. 23	(BDR 43-365)
Proposed by: Assembly Committee on Growth and Infrastructure	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

SJQ/AAK



Date: 4/16/2019

A.B. No. 23—Authorizes Department of Motor Vehicles to adopt regulations relating to certain electronically controlled vehicles and transportation devices. (BDR 43-365)



ASSEMBLY BILL NO. 23—COMMITTEE
ON GROWTH AND INFRASTRUCTURE

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED NOVEMBER 16, 2018

Referred to Committee on Growth and Infrastructure

SUMMARY—Authorizes Department of Motor Vehicles to adopt regulations relating to certain electronically controlled vehicles and transportation devices. (BDR 43-365)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to transportation; authorizing the Department of Motor Vehicles to adopt regulations related to the operation and testing of certain electronically controlled vehicles and transportation devices other than autonomous vehicles; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Department of Motor Vehicles to adopt regulations relating to the operation and testing of autonomous vehicles on highways within this State. (NRS 482A.100) This bill: (1) classifies certain vehicles and transportation devices that are remotely controlled or otherwise electronically controlled but do not fall within the definition of autonomous vehicle under existing law as alternative electronic transportation system vehicles; and (2) authorizes the Department to adopt regulations relating to the operation and testing of such vehicles and transportation devices. **Sections 3 and 4** of this bill define alternative electronic transportation system vehicles. **Section 9** of this bill authorizes the Department to adopt regulations relating to the operation and testing of alternative electronic transportation system vehicles on highways and premises to which the public has access in this State. **Section 9.5 of this bill authorizes the Department to impose an administrative fine for violations of laws and regulations relating to alternative electronic transportation system vehicles.**

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Title 43 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to ~~10~~ 9.5, inclusive, of this act.

Sec. 2. *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 to 8, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. 1. “Alternative electronic transportation system” means any hardware or software which is installed within a vehicle or a mobile transportation device that:

(a) *Allows a person in a vehicle on a highway to control, in real time, the mechanical operations of the vehicle, including, without limitation, braking, steering and adjusting the throttle, without the person physically touching the braking, steering, throttle or other controls of the vehicle;*

~~(b) Allows a person outside of a vehicle on a highway to remotely operate the mechanical operations of the vehicle, including, without limitation, braking, steering and adjusting the throttle;~~

~~—(c) Allows a person to remotely operate the mechanical operations of a vehicle or mobile transportation device on a highway or on premises to which the public has access, including, without limitation, braking, steering and adjusting the throttle, by means of a computer, mobile device, tablet or any other electronic device;~~

~~—(d) Allows a person to program a mobile transportation device to operate along various routes, without the active control or monitoring by the person on premises to which the public has access; for~~

~~—(e) (c) Allows for a vehicle for mobile transportation device on a highway for on premises to which the public has access to be operated remotely or without the active control or monitoring of a person in a way that is outside the scope of an automated driving system; or~~

(d) Allows for a mobile transportation device on premises to which the public has access to be controlled remotely or operated without the active control or monitoring of a person in a way that is outside the scope of an automated driving system.

2. *The term does not include an automated driving system.*

3. *As used in this section, “automated driving system” has the meaning ascribed to it in NRS 482A.025.*

Sec. 4. “Alternative electronic transportation system vehicle” means a vehicle or mobile transportation device equipped with an alternative electronic transportation system. *The term does not include:*

1. An autonomous vehicle, as defined in NRS 482A.030.

2. A vehicle or device that is used exclusively upon fixed mechanical or electromagnetic guideways.

Sec. 5. “Highway” has the meaning ascribed to it in NRS 482A.040.

Sec. 6. “Mobile transportation device” means a device capable of being equipped with an alternative electronic transportation system that is not a vehicle and in, upon or by which any property is or may be transported or drawn upon premises to which the public has access. *The term does not include:*

1. An autonomous vehicle, as defined in NRS 482A.030.

2. A vehicle or device that is used exclusively upon fixed mechanical or electromagnetic guideways.

1 Sec. 7. "Premises to which the public has access" has the meaning
2 ascribed to it in NRS 484A.185 ~~and~~, except the term does not include property
3 located upon a public or privately owned airport or any property owned, leased,
4 controlled or managed by a public or privately owned airport.

5 Sec. 8. "Vehicle" has the meaning ascribed to it in NRS 484A.320.

6 Sec. 9. 1. The Department may adopt regulations authorizing the
7 operation and testing of alternative electronic transportation system vehicles on
8 highways and premises to which the public has access within the State of Nevada.

9 2. The regulations adopted pursuant to subsection 1 must:

10 (a) ~~Set forth requirements that~~ Require a person who wishes to operate or
11 test an alternative electronic transportation system vehicle ~~(must meet before it~~
12 may be operated) on a highway or premises to which the public has access within
13 this State ~~and~~ to submit an application to the Department;

14 (b) Prescribe the form and contents of an application submitted pursuant to
15 paragraph (a);

16 (c) Set forth requirements ~~for the insurance that is required to test or~~
17 operate relating to the registration of and issuance of license plates to an
18 alternative electronic transportation system vehicle ~~on a highway or premises to~~
19 which the public has access within in this State;

20 ~~— (c) Establish minimum safety standards for;~~

21 (d) Set forth requirements concerning the control of emissions from an
22 alternative electronic transportation system vehicle in this State;

23 (e) Require that an alternative electronic transportation system vehicle be
24 capable of operating in compliance with the applicable motor vehicle laws and
25 traffic laws of this State, unless an exemption has been granted by the
26 Department;

27 (f) Require a person who wishes to operate or test an alternative electronic
28 transportation system ~~vehicles and their operation; and~~

29 ~~— (d) Set forth such other requirements as the Department determines to be~~
30 necessary vehicle on a highway or on premises to which the public has access
31 within this State to obtain and maintain a policy of insurance on the alternative
32 electronic transportation system vehicle that meets the requirements of NRS
33 485.185 or 485.186 and;

34 (1) Submit to the Department proof of insurance or self-insurance
35 acceptable to the Department in the amount of \$5,000,000; or

36 (2) Make a cash deposit or post and maintain a surety bond or other form
37 of security with the Department in the amount of \$5,000,000;

38 (g) Set forth requirements for the reporting of all crashes involving
39 alternative electronic transportation system vehicles; and

40 (h) Set forth requirements for the granting of an exemption from the
41 applicable motor vehicle laws and traffic laws of this State for the operation or
42 testing of an alternative electronic transportation system vehicle.

43 Sec. 9.5. The Department may impose an administrative fine, not to exceed
44 \$2,500, for a violation of any provision of this chapter or any regulation adopted
45 pursuant thereto.

46 Sec. 10. This act becomes effective upon passage and approval.