

Digest for Adopted Regulation R_084-11

Assembly Bill No. 511, enacted during the 2011 Legislative Session, requires the Department of Motor Vehicles to adopt regulations authorizing the operation of autonomous vehicles on highways within the State of Nevada. (NRS 482A.100) In addition, the Department is required to adopt regulations to establish a driver's license endorsement for the operation of an autonomous vehicle on the highways of this State. (NRS 482A.200) "Autonomous vehicle" is defined as a motor vehicle that uses artificial intelligence, sensors and global positioning system coordinates to drive itself without the active intervention of a human operator. (NRS 482A.030)

This regulation adds a new chapter 482A to the Nevada Administrative Code to provide the regulations concerning autonomous vehicles required by law. **Section 2** of this regulation provides additional information to clarify the type of vehicle that falls within the term "autonomous vehicle."

Section 4 of this regulation requires that an autonomous vehicle which is registered in this State may only be operated in autonomous mode if a certificate of compliance has been issued for the vehicle. In addition, the autonomous vehicle may be operated in autonomous mode without the physical presence of the operator only if the certificate of compliance certifies that the autonomous vehicle is capable of being operated in that manner. For purposes of enforcing traffic laws and other applicable laws, **section 4** provides that the operator of an autonomous vehicle that is operated in autonomous mode shall be deemed the driver of the autonomous vehicle, even if the operator is not physically present in the autonomous vehicle while it is engaged.

Section 5 of this regulation requires a person who holds a driver's license in this State to obtain a driver's license endorsement to operate an autonomous vehicle in autonomous mode in this State. To obtain such an endorsement, the person must submit an application which, among other things, requires the person to acknowledge that the operator is subject at all times to the traffic laws and other applicable laws in this State and pay a fee of \$5. **Section 27** of this regulation provides for a G endorsement on a driver's license which will authorize a driver with such an endorsement to operate an autonomous vehicle in autonomous mode. (NAC 483.110)

Section 6 of this regulation provides for the registration of autonomous vehicles. In addition to the requirements applicable to other vehicles, the owner of an autonomous vehicle is required to submit a copy of the certificate of compliance and proof of insurance. An operator's policy of liability insurance will not be accepted. In addition, **section 6** provides that the license plates issued will indicate that the vehicle is an autonomous vehicle. No additional fee will be imposed to register an autonomous vehicle.

Section 8 of this regulation provides for the licensure of a person to test the autonomous technology installed on an autonomous vehicle. A person so licensed may test the autonomous technology of such a vehicle on the highways of this State even if a certificate of compliance has not been issued for the vehicle by the manufacturer or by an autonomous technology certification facility. To obtain a license, the applicant must submit an affirmation that the autonomous vehicle to be tested is safe to be operated in this State and is equipped with certain safety equipment. In addition, the applicant must submit additional information, including, without limitation, proof of insurance and proof

that the vehicle has been driven for a certain number of miles and in various conditions. A license is valid for 1 year after the date of issuance and is renewable. **Section 9** of this regulation provides that the Department will specify the geographic locations where a licensee may test autonomous vehicles and the manner in which the licensee may request the addition of one or more geographic locations.

Section 10 of this regulation provides the requirements that a licensee must adhere to when testing an autonomous vehicle, including the physical presence of at least two persons in the vehicle. **Section 10** further requires a licensee to submit a report to the Department within 10 business days after an autonomous vehicle that is tested in this State is involved in an accident during the course of testing or after the operator of an autonomous vehicle that is being tested is issued a citation.

Section 11 of this regulation requires a licensee that will test autonomous vehicles to apply for a set of temporary license plates for each autonomous vehicle that will be tested in this State and pay a fee of \$12 for each set of such plates. **Section 11** further specifies that the autonomous vehicles tested by a licensee are not required to be registered in this State.

Section 12 of this regulation allows the Department to take disciplinary action for certain grounds against a person who tests autonomous vehicles. **Section 13** of this regulation authorizes a person subject to such disciplinary action to request a hearing.

Section 16 of this regulation requires a licensed vehicle dealer to obtain a certificate of compliance for an autonomous vehicle before the vehicle may be offered for sale in this State. **Section 16** further provides the requirements for such a certificate.

Section 18 of this regulation provides for a license to operate an autonomous technology certification facility and sets forth the requirements for applying for such a license. **Section 19** of this regulation provides certain requirements concerning a license to operate an autonomous technology certification facility and provides that once licensed, the facility may issue a certificate of compliance for an autonomous vehicle to a manufacturer or other person. A license is valid for 1 year and is renewable.

Section 20 of this regulation requires a person licensed to operate an autonomous technology certification facility to notify the Department if the licensee changes the name or location of the facility. In addition, **section 20** requires such a licensee to maintain his or her principal place of business in this State as well as books and records related to certification of autonomous vehicles.

Section 21 of this regulation allows the Department to require an applicant for a license to operate an autonomous technology certification facility or a licensee to authorize the disclosure of certain financial information for use in determining the suitability of the applicant or licensee to operate an autonomous technology certification facility. **Section 22** of this regulation sets forth certain acts which constitute unfitness of an applicant to operate an autonomous technology certification facility or a licensee.

Section 23 of this regulation authorizes the Department to take disciplinary action against an applicant or licensee for certain acts of the applicant or licensee. **Section 24** of this regulation authorizes an applicant or licensee to request a hearing regarding such disciplinary action.

Sections 14, 15, 25 and 26 of this regulation are included to comply with the federal law requiring each state to establish procedures under which the state has the

authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who have not complied with certain requirements concerning the determination of paternity or obligations for the support of a child.

Section 28 of this regulation provides for the expiration of **sections 14, 15, 25 and 26** when that federal law is repealed.