

**PROPOSED REGULATION OF THE
DEPARTMENT OF MOTOR VEHICLES**

LCB FILE NO. R136-17I

**The following document is the initial draft regulation proposed
by the agency submitted on 11/09/2017**

November 9, 2017

To: Brenda Erdoes, Chief Legal Counsel
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401 S. Carson Street
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Re: Chapter 482A Regulatory Amendment Proposal – Legal Review Request

DMV Proposed Changes, Overview and Intent per Section:

Due to the passage of Assembly Bill 69 (AB69) in the 2017 Legislative Session that was sponsored by the Governor’s Office of Economic Development, the Department is required to make the necessary amendments to align with the new statutory requirements of the NRS Chapter 482A. The Department has combined the non-codified regulatory language from Chapter 482A, R134-15 in the proposed changes within this document.

Below is a section-by-section brief overview and explanation (intent) for the change.

Sec. 1: The Department has replaced the “autonomous vehicle” definition in 482A.010 with language that will provide the authority to deem a record or other documents as proprietary or confidential information, and cannot be released to the public. The language partially used was from NRS 231.069. This will allow for a person or applicant to request that their information be kept confidential, tools in place for the Department to deem this as confidential, and provides additional clarification as needed.

Sec. 2: The Department has removed NAC 482A.020 which provides the definition for “Operators” since AB69 defined “driver” in Section 11.5 (NRS Chapter 484A.080).

Sec. 3: This section is no longer relevant due to the passage of Assembly Bill 69.

Sec. 4: The Department is removing NAC 482A.040 relating to the “G” endorsement on the driver’s license.

Sec. 5: Subsection 1 continues to establish that a person who owns an autonomous vehicle will still be required under NRS Chapter 482 and 482A to register their vehicle with the Department,

and prove that they are in compliance with current State's vehicle insurance requirements pursuant to NRS 485.185.

In subsection 2, the intent under section 10, NRS 482A.100, subsection 3 of AB69 is to require a manufacturer, developer or autonomous vehicle certification facility to provide to the Department a document self-certifying that their automated driving system is in compliance with the requirements of Section 8, NRS 482A.070 and Section 9, NRS 482A.080 of AB69. Due to this intent, the Department will now be required to receive and maintain these certificates sent in by a manufacturer, developer or autonomous vehicle certification facility pursuant to AB69, and the proposed amendments in NAC 482A.190. Once the Department has the self-certification document recorded, the manufacturer, developer or autonomous vehicle certification facility can operate their vehicles in Nevada. For example, if Ford Motor Company provided the Department with the self-certification document, their autonomous vehicles (public sale, ride sharing fleets, etc) would be in compliance under the intent of AB69 to operate on our highways. If Ford Motor Company sold an autonomous vehicle to a person in another State and the person moved to Nevada, the Department would already have their self-certification document on file, and the owner of the vehicle would transfer their registration to Nevada as they do today without any additional requirements.

The new amended language in subsection 3 formally allows the Department to collect basic information from a registered owner who owns an autonomous vehicle in order to share this data with Nevada law enforcement agencies for crash reports and first responder data. The Department will be obtaining information to determine if the vehicle has autonomous technology, does it have the ability to switch from manual to autonomous, is it fully autonomous. This basic information will be very helpful for our first responders and law enforcement.

Subsection 4 will allow the Department to require a registered owner or a company representative who operates a vehicle or fleet with an automated driving system that is **not** fully autonomous to sign a document that he/she fully understands the limits and capabilities of their technology. If a person or company owns an autonomous vehicle(s), they must not only possess the knowledge of how to operate, but to also operate the vehicle within its capabilities as designed.

Sec. 6: This was inserted within the regulations to clarify that an autonomous vehicle that is being used only to test in this State, will not be required to formally register their vehicle in Nevada under the rules of NRS Chapter 482.

Sec. 7: The intent in AB69 was to not only allow the industry to certify that they meet the requirements of NRS Chapter 482A when deploying this technology, but to also allow for the same certification process to occur for testing autonomous vehicles in this State. This will remove all previous sections the Department had adopted which allowed for a review of the technology through an application process, request for technology limitations when testing, etc. Due to the passage of AB69, the testing process has shifted to a formal registry of manufacturers or developers who have submitted their certification document, fee's and proof of insurance in order to receive their testing plates and confirmation documents that must be in each vehicle.

Sec. 8 through 14: Due to the passage of AB69 and shift to an autonomous testing registry

program, these sections are no longer relevant.

Sec. 15: With the passage of AB69, all manufacturers, developers and autonomous vehicle certification facilities will be required to provide the Department with a certification document, created by the DMV, stating that their technology is in compliance with the AB69, NRS Chapter 482A.080.

Sec. 16: This is clarifying language for a “licensee” for an Autonomous Vehicle Certification Facility (AVCF).

Sec. 17: The Department has defined what an “Autonomous Vehicle Certification Facility” means. The title defines a business licensed by the DMV that can install or certify advanced automated technology that the licensee owns or has the authority to install, or the licensee can solely perform the service of certifying that the technology previously installed by an outside source meet Nevada’s requirements under NRS 482A and this chapter. The Department is anticipating that some companies may want to install and certify, while others may want to only certify the technology.

Sec. 18: The Department provided minor clean up language that requires the applicant to “certify” rather than “submit such proof...” regarding an application for an AVCF license. This also cleans up language to clarify that the licensee has the knowledge and expertise to “install” or certify this technology.

Sec. 19 to 24: This is clean up language to remove the old title of “Autonomous Technology Certification Facility,” and replace it with the new title of “Autonomous *Vehicle* Certification Facility.”

Sec. 25: Section 27 through 37 requirements are separate from and do not relate to the requirements of section 2 through 26. Sections 27 through 37 do not pertain to autonomous or automated driving systems within sections 2 through 26, and do not fall under SAE definitions for autonomous vehicles. Sections 27 through 37 involve the non-codified language from R135-15 that was adopted by the Department under NRS 482A in 2015. The Department is honoring a request by industry to create a new Section within NAC 482A that deals separately with this technology, and clearly separates the two technologies and requirements for each. The following sections will provide new definitions to clarify what this technology is, insert the existing language of R135-15 and add new sections that mirror the previous language that was used for autonomous testing licenses prior to the passage of AB69.

Sec. 26: The Department creates a new definition, “Human Interface Vehicle,” is a vehicle that has Human to Vehicle Interface Technology, which is also a new definition in Section 22.

Sec. 27: The Department has created a new definition, *Human to Vehicle Interface Technology*, for this technology that is not autonomous or an automated driving system under AB69. This was not fully defined in R135-15 but due to AB69 and how this technology operates, the Department needs to establish this under its own section within 482A.

Sec. 28: This section was adopted under R135-15 and defines what “active control” is for a human interface vehicle. The Department made minor clean up amendments to this section.

Sec. 29: This section was adopted under R135-15 and defines what a “pilot vehicle” is. The Department made minor clean up amendments to this section.

Sec. 30: This section creates the testing permit process only for the human interface vehicle program, and is separate from the autonomous sections within NAC 482A. Common language was used from the testing program that will now be phased out due to the passage of AB69. This section deals with the application process, requirements, insurance, fees and test license expirations.

Sec. 31: This section was from R135-15 and was part of NAC 482A.130 but has now been moved to this new section. The restricted driver’s license, pilot vehicle and training requirements relate to a permit holder who is or may employ a test driver that needs to obtain a restriction JA prior to testing a human interface vehicle. The non-codified language was amended to address the new definitions and other clean up requirements.

Sec. 32 through 35: These sections were also copied from the previous autonomous testing sections within NAC 482A in order to establish a formal testing program for this type of technology only. The sections deal with geographic locations, temporary license plates, grounds for discipline and hearings to consider an appeal of disciplinary action requirements.

The following pages are the proposed amendments to NAC Chapter 482A.

GENERAL PROVISIONS

Sec. 1. NAC 482A.010 (*Confidentiality of records and documents*) is hereby amended to read as follows:

~~1.~~ *For the purposes of this Chapter and NRS Chapter 482A, the Department shall keep confidential any record or other document of a person or applicant that has been submitted to the Department in connection with the submission of a testing or operation certification or autonomous technology certification facility license being issued to the person or applicant.*

2. Records and documents that are confidential pursuant to this section:

(a) Are proprietary or confidential information of the business;

(b) Are not a public record; and

(c) Must not be disclosed to any person who is not an employee of the Department unless the business consents to the disclosure.

3. “Proprietary or confidential Information” For the purposes of this Chapter and NRS Chapter 482A, proprietary or confidential information means:

a) Any trade secret, confidential economic information, business information, or other documentation submitted to the Department; or

b) Any information that a specific statute declares to be confidential or prohibits the Department from making public.

~~“Autonomous vehicle” interpreted. (NRS 482A.100, 482A.200) As used in NRS 482A.030, the Department will interpret the term “autonomous vehicle” to exclude a vehicle enabled with a safety system or driver assistance system, including, without limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warnings and traffic jam and queuing assistance, unless the vehicle is also enabled with artificial intelligence and technology that allows the vehicle to carry out all the mechanical operations of driving without the active control or continuous monitoring of a natural person.~~

Sec. 2. ~~NAC 482A.020 (Operators)~~ is hereby amended to read as follows:

~~For purposes of this chapter, unless the context otherwise requires, a person shall be deemed the operator of an autonomous vehicle which is operated in autonomous mode when the person causes the autonomous vehicle to engage, regardless of whether the person is physically present in the vehicle while it is engaged.~~

Sec. 3. ~~(Certificate of compliance to operate vehicle in autonomous mode; operation without physical presence of operator; operator deemed to be driver under certain circumstances)~~ is hereby amended to read as follows:

~~— 1. Except as otherwise provided in NAC 482A.110, an autonomous vehicle that has been registered in this State may be operated in autonomous mode in this State only if a certificate of compliance has been issued for the autonomous vehicle pursuant to NAC 482A.190. If the certificate of compliance certifies that the autonomous vehicle is capable of being operated in autonomous mode without the physical presence of the operator in the vehicle, the person may operate the vehicle in this State without being physically present in the autonomous vehicle.~~

~~— 2. For the purpose of enforcing the traffic laws and other laws applicable to drivers and motor vehicles operated in this State, the operator of an autonomous vehicle that is operated in autonomous mode shall be deemed the driver of the autonomous vehicle regardless of whether the person is physically present in the autonomous vehicle while it is engaged.~~

Sec. 4. ~~NAC 482A.040 G endorsement on driver’s license required for operation: Application; fee. (NRS 482A.100, 482A.200)~~

~~— 1. Except as otherwise provided in NAC 482A.130, a person who holds a driver’s license in this State and wishes to operate an autonomous vehicle in autonomous mode in this State must obtain a G endorsement on his or her driver’s license from the Department pursuant to NAC 483.110 before the person may operate an autonomous vehicle in this State. A person may apply for such an endorsement by submitting an application on a form provided by the Department.~~

~~— 2. The application for a driver’s license endorsement to operate an autonomous vehicle in autonomous mode must require the applicant to acknowledge that the operator is subject at all times to the traffic laws and other laws applicable to drivers and motor vehicles operated in this State as provided pursuant to NAC 482A.030.~~

~~— 3. The applicant must provide such additional information as the Department deems necessary to determine the competency and eligibility of the person to operate an autonomous vehicle in autonomous mode.~~

~~— 4. The application for a driver’s license endorsement to operate an autonomous vehicle in autonomous mode must be accompanied by a fee of \$5.~~

Sec. 5. NAC 482A.050 ~~Requirements for submission of certificate of compliance for operation;~~ **Vehicle registration; registration information collected for law enforcement; registered owner knowledge of technology.** is hereby amended to read as follows:

~~1. Before an autonomous vehicle may be registered in this State, the owner of the autonomous vehicle must submit to the Department, in addition to any other requirement set forth in *chapter 482 or 482A* of NRS for registering a vehicle, a copy of the certificate of compliance issued by the manufacturer of the or by a licensed autonomous technology certification facility pursuant to *NAC 482A.190*.~~

~~2.~~ **1.** A person who submits an application to register ~~an autonomous~~ **a** vehicle in this State **as set forth in Chapter 482 and 482A of the NRS**, must submit proof that the person has obtained the insurance coverage required pursuant to **NRS 485.185**, and not an operator's policy of liability insurance pursuant to **NRS 485.186**.

~~3.~~ **2.** *An autonomous vehicle will not be registered in this State unless the autonomous vehicle or the automated driving system is certified by the manufacturer, or developer of the automated driving system or a licensed autonomous vehicle certification facility, using a form prescribed by the Department, to comply with NRS 482A.070 and NRS 482A.080.*

~~3.— Upon registering an autonomous vehicle pursuant to this section, the Department will issue license plates to the owner of the vehicle indicating that the vehicle is an autonomous vehicle. The Department will not charge an additional fee to register an autonomous vehicle.~~

3. *When a person registers their vehicle with the Department pursuant to chapter 482, the Department may request information to determine if the vehicle possesses an automated driving system, and if so, if it is capable of switching from manual to an automated driving system, or if it is a fully autonomous vehicle. The Department will collect this information and make it electronically available to law enforcement agencies.*

4. *Every person or company representative who registers their personally owned or leased vehicle or fleet with the Department, which is equipped with an automated driving system that is not fully autonomous, must sign an affidavit acknowledging that he/she or their company understands and is trained in the limits and capabilities of their autonomous vehicle on a form prescribed by the Department.*

5. *An autonomous vehicle must be registered in this State only under the same circumstances that would require registration of a non-autonomous vehicle in accordance with Chapter 482 of NRS*

Certification of Autonomous Vehicles for Testing
LICENSE TO TEST AUTONOMOUS TECHNOLOGY

Sec. 6. NAC 482A.100 *(Exemptions for vehicle registration.)*

1. *A person who certifies an autonomous vehicle for testing pursuant to NAC 482A.110, is not required to:*

a. *Register an autonomous vehicle pursuant to NRS Chapter 482 if the vehicle is used in this State only for testing.*

~~(“Licensee” defined) is hereby amended to read as follows:~~

~~As used in, inclusive, unless the context otherwise requires, “licensee” means a person who is licensed to test autonomous vehicle on the highways of this State.~~

Sec. 7. NAC 482A.110 ~~(License : Application; affirmation; requirements of applicant; fee; insurance; bond; validity; renewal)~~ *(Requirements for submission of certificate of compliance for testing; fees; certificate for testing; crash reports.)* is hereby amended to read as follows:

1. *Before an autonomous vehicle may be tested in this State, a certificate of compliance for testing must be submitted by the manufacturer or developer, on a form prescribed by the Department, for the autonomous vehicle or the automated driving system.*
2. *A certificate of compliance for testing submitted pursuant to subsection 1 must certify that the autonomous vehicle meets the requirement pursuant to NRS 482A.070 and NRS 482A.080 of Assembly Bill 69.*
3. *The certification of compliance document for testing must be accompanied by a nonrefundable fee of \$100.*
4. *The certification of compliance document for testing must pay a fee of \$12 for each set of license plates issued by the Department. Each testing license plate will be attached to each autonomous testing vehicle.*
5. *The Department will provide the manufacturer or developer of the automated system with a testing certificate and license plates for each test vehicle. A copy of the testing certificate must be carried in the autonomous testing vehicle at all times. Upon the demand of a peace officer, the operator of an autonomous testing vehicle must provide the testing certificate to the officer.*
6. *If the manufacturer or developer of the automated driving system who is testing their vehicle on Nevada highways is involved in a crash, the manufacturer or developer must comply with section 5.8 of Assembly Bill 69 by providing a copy of the crash report filed by law enforcement, or through an SR-1 report if the crash is on private property.*

~~1. A person may apply for a license to test the autonomous technology installed on the autonomous vehicles of the person by submitting an application to the Department on a form provided by the Department. A license issued pursuant to this section authorizes the testing of the autonomous technology installed on the autonomous vehicles of the licensee on the highways of this State even if certificates of compliance have not been issued for the autonomous vehicles pursuant to NAC 482A.190.~~

~~—2. The form provided by the Department must require the applicant to affirm that, to the best of the applicant’s knowledge and belief, each autonomous vehicle to be tested:~~

~~(a) Is safe to operate on the highways of this State.~~

~~—(b) Has a separate mechanism in addition to, and separate from, any other mechanism required by law, to capture and store the autonomous technology sensor data for at least 30 seconds before a collision occurs between the autonomous vehicle and another vehicle, object or~~

~~natural person while the vehicle is operating in autonomous mode. The autonomous technology sensor data must be captured and stored in a read-only format by the mechanism so that the data is retained until extracted from the mechanism by an external device capable of downloading and storing the data. Such data must be preserved for 3 years after the date of the collision. The provisions of this paragraph do not authorize or require the modification of any other mechanism to record data that is installed on the autonomous vehicle in compliance with federal law.~~

~~—(c) Has a switch to engage and disengage the autonomous vehicle that is easily accessible to the operator of the autonomous vehicle and is not likely to distract the operator from focusing on the road while engaging or disengaging the autonomous vehicle.~~

~~—(d) Has a system to safely alert the operator of the autonomous vehicle to take control of the autonomous vehicle if a technology failure is detected.~~

~~—(e) Is equipped with autonomous technology which does not adversely affect any other safety features of the vehicle which are subject to federal regulation.~~

~~3.—An applicant to operate a business to test autonomous vehicles pursuant to this section must:~~

~~—(a) Submit proof to the Department that each autonomous vehicle which will be tested in this State is covered by insurance in an amount that meets or exceeds the minimum requirements for a vehicle registered in this State as set forth in **NRS 485.185**, and not an operator's policy of liability insurance as described in **NRS 485.186**. Any change in the information submitted concerning a policy of insurance pursuant to this section must be reported to the Department within 10 business days after the effective date of the change.~~

~~(b) Submit with the application proof satisfactory to the Department that one or more of the autonomous vehicles of the applicant has been driven by the applicant for a combined minimum of not less than 10,000 miles in autonomous mode. The applicant must further provide proof that such autonomous vehicle or vehicles of the applicant have been driven in various conditions for a number of miles that demonstrates the safety of the vehicle or vehicles in those conditions. Such conditions include, without limitation, operating the autonomous vehicle in various weather conditions, on various types of roads and during various times of the day and night.~~

~~(c) Demonstrate the artificial intelligence and technology used in its autonomous vehicles to the Department for approval.~~

~~(d) Submit the proposed geographic locations where the applicant wishes to test the autonomous vehicles. The applicant must establish to the satisfaction of the Department that the autonomous vehicles of the applicant are capable of being driven in the conditions of the proposed geographic locations in compliance with the traffic laws and other laws applicable to drivers and motor vehicles operated in this State.~~

~~4.—An application to test autonomous vehicles submitted pursuant to this section must be accompanied by a nonrefundable fee of \$100, and:~~

~~—(a) Proof of insurance or self-insurance acceptable to the Department in the amount prescribed by **NRS 482A.060**, or~~

~~—(b) A surety bond or deposit of cash in lieu of the bond in the amount prescribed by **NRS 482A.060**.~~

~~5.—The Department may require such additional information, documentation and affirmations as the Department deems necessary or appropriate before approving an application to test autonomous vehicles that is submitted pursuant to this section.~~

~~6.—A license to test autonomous vehicles that is issued by the Department pursuant to this section is valid for 1 year after the date of issuance and may be renewed by submitting an~~

~~application in the same manner as for the initial license. To avoid a lapse in the license issued pursuant to this section, a licensee wishing to renew his or her license must submit an application for renewal at least 30 days before the date on which the license is set to expire.~~

Sec. 8. ~~NAC 482A.120 (Certificate identifying authorized geographic locations; Issuance; request to add locations; required to be carried in vehicle at all times and surrendered to peace officer upon demand)~~ is hereby amended to read as follows:

~~—1. When the Department issues a license pursuant to **NAC 482A.110**, the Department will issue a certificate to the licensee which identifies geographic locations where the Department authorizes the licensee to test autonomous vehicles.~~

~~—2. A licensee may submit a request to the Department to add geographic locations where the licensee may test autonomous vehicles after a license is issued. To obtain approval for an additional geographic location, the licensee must establish to the satisfaction of the Department that the autonomous vehicles of the licensee are capable of being driven in the conditions of the proposed geographic location in compliance with the traffic laws and other laws applicable to drivers and motor vehicles operated in this State.~~

~~—3. If the Department approves an additional geographic location where a licensee may test autonomous vehicles pursuant to subsection 2, the Department will issue a new certificate to the licensee indicating the geographic locations where the licensee is authorized to test its autonomous vehicles.~~

~~—4. 3. A licensee shall ensure that the certificate provided by the Department pursuant to this section which identifies the geographic locations where the licensee may test autonomous vehicles is carried in the autonomous vehicle at all times that it is being tested. Upon demand of a peace officer, the operator of an autonomous vehicle of a licensee that is being tested must surrender the certificate to the officer.~~

Sec. 9. ~~NAC 482A.130 (Physical presence and duties of persons in vehicle during testing; testing limited to authorized geographic locations; report to Department regarding accidents or citations. (NRS 482A.100))~~

~~—1. Except as otherwise provided in subsection 3 or unless otherwise approved in advance by the Department, a licensee shall ensure that at least one person is physically present in an autonomous vehicle at all times that the autonomous vehicle is being tested on a highway in this State, who must at all times be seated in a position which allows the person to take active control or physical control of the vehicle, including, without limitation, control of the steering, throttle and brakes.~~

~~—2. The person who is required to be physically present in an autonomous vehicle while it is tested on a highway in this State:~~

~~—(a) Must hold a valid driver's license that has been issued in the state in which the person resides, but is not required to have a driver's license endorsement to operate the autonomous vehicle as provided in **NAC 482A.040**;~~

~~—(b) Must be trained in the operation of the autonomous vehicle and have received instruction concerning the capabilities and limitations of the autonomous vehicle; and~~

~~—(c) Shall actively monitor for any aberration in the functioning of the autonomous vehicle while it is engaged.~~

~~— 3. — The holder of a restricted driver's license issued pursuant to NRS 483.360 with the Restriction JA described in NAC 483.360 may be the operator of an autonomous vehicle that is being tested on a highway in this State provided that:~~

~~(a) The detail form carried by the holder authorizes the holder to operate an autonomous vehicle that is being tested on a highway in this State pursuant to this section through the use of active control;~~

~~(b) The holder is employed by a licensee who has met the requirements of subsection 5;~~

~~(c) A pilot vehicle is being operated directly in front of the autonomous vehicle; and~~

~~(d) A second person in the autonomous vehicle:~~

~~(1) Is seated in a position which allows the person to safely engage and disengage the autonomous technology and take active control or physical control of the autonomous vehicle; and~~

~~(2) Holds a valid driver's license that has been issued in the state in which the person resides.~~

~~4. If a pilot vehicle operating directly in front of an autonomous vehicle being tested on a highway in this State pursuant to subsection 3 is for any reason unable to continue to operate in such a manner:~~

~~(a) The operator of the autonomous vehicle must pull the autonomous vehicle safely to the side of the road; or~~

~~(b) The second person in the autonomous vehicle must disengage the autonomous technology and take active control or physical control of the autonomous vehicle.~~

~~5. A licensee who employs the holder of a restricted driver's license issued pursuant to NRS 483.360 with the Restriction JA described in NAC 483.360 to test autonomous vehicles pursuant to subsection 3 must obtain the approval of the Department before allowing the holder to test an autonomous vehicle on a highway in this State. The Department shall approve a request for such approval if the licensee provides to the Department:~~

~~(a) Proof satisfactory to the Department that:~~

~~(1) The holder is an employee of the licensee; and~~

~~(2) The holder has completed not less than 50 hours of training in an autonomous vehicle which:~~

~~(I) May include not more than 10 hours of operation of an autonomous vehicle simulator; and~~

~~(II) Must include not less than 40 hours of operating an autonomous vehicle that meets the requirements of NRS 482A.080 on any paved, graded or similar surface that is not a highway of this State, including, without limitation, a race track or private course; and~~

~~(b) Any other information requested by the Department.~~

~~— 6. An autonomous vehicle may only be tested on a highway in this State which is located in a geographic location that the Department has approved for such use for vehicles tested by the licensee and indicated on the certificate issued to the licensee pursuant to NAC 482A.120.~~

~~— 7. A licensee shall submit a report to the Department within 10 business days after an autonomous vehicle of the licensee that is tested in this State is involved in a crash during the course of testing or after an operator of such autonomous vehicle is issued a citation for any violation of the traffic laws or other laws applicable to drivers and motor vehicles operated in this State during the course of testing. The report must include a copy of any crash report~~

~~prepared regarding a crash and any citation issued to the operator or licensee and such additional information as may be required by the Department.~~

Sec. 10. ~~NAC 482A.140 (Temporary license plates: Application and fee; validity; renewal; exemptions for vehicle registration and other fees)~~ is hereby amended to read as follows:

~~— 1. A licensee must 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 license plates issued by the Department.~~

~~— 2. A set of temporary license plates issued pursuant to subsection 1 is valid only until the date of the expiration of the license of the licensee and may be renewed in the same manner as the initial application for the temporary license plates.~~

~~— 3. A licensee is not required to:~~

~~— (a) Register an autonomous vehicle pursuant to chapter 482 of NRS if the vehicle is used in this State only for testing; or~~

~~— (b) Pay any other fees set forth in chapter 482 of NRS, except that the licensee must pay the fee set forth in NRS 482.268.~~

Sec. 11. ~~NAC 482A.150 (Grounds for disciplinary action)~~ is hereby amended to read as follows:

~~— 1. The Department may suspend, revoke or refuse to renew a license to test autonomous vehicles, or may deny a license to an applicant therefore, upon any of the following grounds:~~

~~— (a) Conviction of the applicant or licensee of a crime which involves fraud, dishonesty or moral turpitude, or which the Department determines is related to the license in question.~~

~~— (b) Willful failure of the applicant or licensee to comply with any of the provisions of chapter 482A of NRS, any of the traffic laws of this State and any regulations adopted pursuant thereto.~~

~~— (c) Any material misstatement on the application for the issuance or renewal of a license.~~

~~— (d) Failure or refusal of the applicant or licensee to pay or otherwise discharge any final judgment against the licensee arising out of the operation of the business of the licensee.~~

~~— (e) If the Department has reasonable cause to believe that any model of autonomous vehicle or artificial intelligence and technology used in an autonomous vehicle of the licensee presents an unsafe condition for operation on the highways of this State.~~

~~— 2. The Department may refuse to review a subsequent application for a license to test autonomous vehicles that is submitted by a person who has violated any provision of this chapter or chapter 482A of NRS.~~

Sec. 12. ~~NAC 482A.160 (Hearings to consider appeal of disciplinary action)~~ is hereby amended to read as follows:

~~— 1. An applicant for a license to test autonomous vehicles or a licensee may, within 30 days after the receipt of the notice of denial, suspension or revocation of, or refusal to renew, the license, petition the Director in writing for a hearing which will be conducted by the Director or an authorized representative thereof.~~

~~— 2. Upon filing the petition, a hearing will be held not later than 90 days after the receipt of the request for hearing. The applicant or licensee is entitled to be present at the hearing, testify on his or her own behalf and have such other persons as he or she desires to be present to testify at the hearing. For good cause shown, and upon agreement of all parties, the 90 day period provided for in this subsection may be extended.~~

~~—3.— Failure of the applicant or licensee to petition the Director in writing for a hearing within the 30-day period constitutes an automatic denial of the application or suspension or revocation of the license.~~

~~—4.— Within 30 days after the hearing, the Director or the authorized representative will make written findings of fact and conclusions of law and may, without limitation:~~

~~—(a) Grant or finally deny the application; or~~

~~—(b) Suspend or revoke the license.~~

~~—5.— For good cause shown, and upon agreement of all parties, the 30-day period provided for in subsection 4 may be extended by the Director or the authorized representative.~~

~~—6.— Notwithstanding the provisions of subsections 1 to 5, inclusive, the Department may, if the Director or authorized representative finds that the action is necessary and in the public interest, upon notice to the licensee, temporarily suspend or refuse to renew the license for a period not to exceed 30 days. For good cause shown, the Director or the authorized representative may extend the period of suspension of the license or continue to refuse to renew the license if he or she deems such action to be necessary and in the public interest. In any such case, a hearing must be held and a final decision rendered within 30 days after notice of the temporary suspension.~~

Sec. 13. ~~NAC 482A.170—Payment of child support: Required statement; grounds for denial of license; duty of Department.~~ [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] (NRS 482A.100)

~~—1.— An applicant for the issuance or renewal of a license issued pursuant to the provisions of NAC 482A.100 to 482A.180, inclusive, shall submit to the Department the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.~~

~~—2.— The Department will include the statement required pursuant to subsection 1 in:~~

~~—(a) The application or any other forms that must be submitted for the issuance or renewal of the license; or~~

~~—(b) A separate form prescribed by the Department.~~

~~—3.— A license may not be issued or renewed by the Department pursuant to the provisions of NAC 482A.100 to 482A.180, inclusive, if the applicant:~~

~~—(a) Fails to submit the statement required pursuant to subsection 1; or~~

~~—(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.~~

~~—4.— If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Department will advise the~~

~~applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.~~

Sec. 14. ~~NAC 482A.180—Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] (NRS 482A.100)~~

~~—1. If the Department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license issued pursuant to the provisions of NAC 482A.100 to 482A.180, inclusive, the Department will deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.~~

~~—2. The Department will reinstate a license issued pursuant to the provisions of NAC 482A.100 to 482A.180, inclusive, that has been suspended by a district court pursuant to NRS 425.540 if the Department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.~~

Certification of Autonomous Vehicles for Operation **REQUIREMENTS TO SELL VEHICLE**

Sec. 15. NAC 482A.190 (Requirements for issuance of certificate of compliance; contents) is hereby amended to read as follows:

1. Before an autonomous vehicle may be *operated* ~~offered for sale by a licensed vehicle dealer~~ in this State, a certificate of compliance *for operation* must be issued ~~submitted, on a form prescribed by the Department,~~ for the *autonomous vehicle or automated driving system* ~~autonomous technology installed on the autonomous vehicle~~ by:

- (a) The manufacturer of the autonomous vehicle; ~~or~~
- (b) *The manufacturer or developer of the automated driving system; or*
- (c) An autonomous *vehicle technology* certification facility that is licensed pursuant to NAC 482A.220.

2. A certificate of compliance submitted pursuant to subsection 1 must certify that the ~~autonomous technology installed on the~~ autonomous vehicle *or automated driving system is in compliance with the requirements of NRS 482A.070 and NRS 482A.080 of Assembly Bill 69:*

~~— (a) Has a separate mechanism in addition to, and separate from, any other mechanism required by law, to capture and store the autonomous technology sensor data for at least 30 seconds before a collision occurs between the autonomous vehicle and another vehicle, object or natural person while the vehicle is operating in autonomous mode. The autonomous technology sensor data must be captured and stored in a read-only format by the mechanism so that the data is retained until extracted from the mechanism by an external device capable of downloading and storing the data. Such data must be preserved for 3 years after the date of the collision. The provisions of this paragraph do not authorize or require the modification of any other mechanism to record data that is installed on the autonomous vehicle in compliance with federal law.~~

~~(b) Has a switch to engage and disengage the autonomous vehicle that is easily accessible to the operator of the autonomous vehicle and is not likely to distract the operator from focusing on the road while engaging or disengaging the autonomous vehicle.~~

~~— (c) Has a visual indicator inside the autonomous vehicle which indicates when the autonomous vehicle is engaged in autonomous mode.~~

~~— (d) Has a system to safely alert the operator of the autonomous vehicle if a technology failure is detected while the autonomous vehicle is engaged in autonomous mode, and when such an alert is given, either:~~

~~— (1) Requires the operator to take control of the autonomous vehicle; or~~

~~— (2) If the operator is unable to take control of or is not physically present in the autonomous vehicle, is equipped with technology to cause the autonomous vehicle to safely move out of traffic and come to a stop. Nothing in this subparagraph shall be construed to authorize or require the modification of a system installed in compliance with the Federal Motor Vehicle Safety Standards and Regulations unless the modification can be performed without adversely affecting the autonomous vehicle's compliance with the federal standards and regulations.~~

~~— (e) Does not adversely affect any other safety features of the autonomous vehicle which are subject to federal regulation.~~

~~— (f) Is capable of being operated in compliance with the applicable traffic laws of this State and must indicate whether the autonomous vehicle may be operated with or without the physical presence of an operator.~~

~~— (g) If it is necessary for the operator of the autonomous vehicle to be physically present in the autonomous vehicle when it is engaged, allows the operator to take control of the autonomous vehicle in multiple manners, including, without limitation, through the use of the brake, the accelerator pedal and the steering wheel and alerts the operator that the autonomous mode has been disengaged.~~

~~— 3. In addition to the requirements set forth in subsection 2, the certificate of compliance must certify that an owner's manual has been prepared for the autonomous vehicle which describes any limitations and capabilities of the autonomous vehicle, including, without limitation, whether the operator of the autonomous vehicle must be physically present in the autonomous vehicle while the vehicle is engaged in autonomous mode. A licensed vehicle dealer or a licensed autonomous technology certification facility shall ensure that a copy of such a manual is provided to the purchaser of an autonomous vehicle.~~

~~— 4. As used in this section, "vehicle dealer" has the meaning ascribed to it in [NRS 482.020](#).~~

LICENSE TO OPERATE AN AUTONOMOUS ~~VEHICLE~~ **TECHNOLOGY
CERTIFICATION FACILITY**

Sec. 16. NAC 482A.200 (“Licensee” defined) is hereby amended to read as follows:
As used in NAC 482A.200 to 482A.290, inclusive, unless the context otherwise requires, “licensee” means *a ~~an~~ person who has been issued a license pursuant to NAC 482A.220 to operate an autonomous vehicle certification facility.* ~~operator of an autonomous technology certification facility that has been issued a license pursuant to NAC 482A.220.~~

*Sec. 17 “Autonomous Vehicle Certification Facility” is hereby amended to read as follows:
As used in NAC 482A inclusive, “autonomous vehicle certification facility” means a Nevada business licensed by the Department to:*

- 1. Certify that the advanced automated system has been safely installed by the manufacturer, developer or autonomous vehicle certification facility meets the requirements of NRS Chapter 482A and NAC 482A.*
- 2. Certify that the advanced automated system previously installed by an outside facility, manufacturer, developer, person or business has been safely installed and meets the requirements of NRS Chapter 482A and NAC 482A.*

Sec. 18. NAC 482A.210 (Application; fee and bond or deposit of cash required with application; inspection of facility) is hereby amended to read as follows:

1. A person may apply for a license to operate an autonomous **technology vehicle** certification facility by submitting an application to the Department on a form provided by the Department.
2. The form provided by the Department must require the applicant to *certify that he/she submit such proof as the Department deems necessary or appropriate to demonstrate that the applicant* possesses the necessary knowledge and expertise to *install an automated driving system or* certify the safety of *the* autonomous vehicles, including, without limitation, whether the autonomous vehicles meets the requirements for the issuance of a certificate of compliance set forth in NAC 482A.190.
3. An application for a license to operate an autonomous **technology vehicle** certification submitted pursuant to this section must be accompanied by:
 - (a) A nonrefundable fee of \$300; and
 - (b) A surety bond or deposit of cash in lieu of the bond in the amount of \$500,000.
4. The applicant must identify on the application the location of the facility of the applicant.
5. The Department may require the applicant to allow the Department to inspect the autonomous **technology vehicle** certification before approving a license to operate the facility. During such an inspection, the Department may require the applicant to demonstrate the manner in which autonomous vehicles will be certified at the facility.

Sec. 19. NAC 482A.220 Issuance of license; contents; separate application required for each facility; duties of licensee; licensee authorized to issue certificates of compliance; validity; renewal. (NRS 482A.100)

1. Upon approval of an application for the issuance or renewal of a license to operate an autonomous **vehicle technology** certification facility, the Department will issue a license to the operator of the facility.

2. A license issued pursuant to this section must include, without limitation, the name of the person licensed to operate the autonomous **vehicle technology** certification facility and the name and address of the facility. A license issued pursuant to this section is valid only as to the operation of an autonomous **vehicle technology** certification facility identified on the application, and a separate application must be submitted for each facility to be operated by the applicant.

3. The licensee shall post the license issued pursuant to this section in a conspicuous location in the facility which is clearly visible to the general public.

4. The licensee shall ensure that each estimate and invoice issued for services rendered at the facility includes the number of the license to operate the facility.

5. After a license is issued to operate an autonomous **vehicle technology** certification facility, a certificate of compliance as described in NAC 482A.190 may be issued at the facility to a manufacturer of an autonomous vehicle or to any other person who wishes to obtain such a certificate for a new or used vehicle with autonomous technology.

6. A license to operate an autonomous **vehicle technology** certification facility that is issued by the Department pursuant to this section is valid for 1 year after the date of issuance and may be renewed by submitting an application in the same manner as for the initial license. To avoid a lapse in the license issued pursuant to this section, a licensee wishing to renew his or her license must submit an application for renewal at least 30 days before the date on which the license is set to expire.

Sec. 20. NAC 482A.230 Notice of change of name or location of facility; principal place of business; maintenance and inspection of books and records. (NRS 482A.100)

1. If a licensee changes the name or location of the autonomous **vehicle technology** certification facility identified on the license, the licensee must notify the Department of the change within 10 business days after the effective date of the change.

2. A licensee shall maintain his or her principal place of business in this State and keep his or her books and records related to the certification of autonomous vehicles at his or her principal place of business in this State. A licensee shall allow any authorized agent of the Director to inspect those books and records during usual business hours. The books and records must include, without limitation, the year, make, model and identification number of each autonomous vehicle for which the autonomous **vehicle technology** certification facility has provided a certificate of compliance.

Sec. 21. NAC 482A.240 Financial information: Department authorized to require disclosure by applicant or licensee; authorized use; confidentiality. (NRS 482A.100)

1. The Department may require an applicant for a license to operate an autonomous *vehicle technology* certification facility or a licensee to submit to the Department authorization for the disclosure to the Department of financial information of the applicant or licensee or of the facility.

2. The Department may use any financial information obtained pursuant to this section only to determine the suitability of the applicant or licensee to obtain or maintain a license to operate an autonomous *vehicle technology* certification facility, including, without limitation, whether to issue or renew a license and whether to impose disciplinary action against a licensee.

3. Any financial information obtained by the Department pursuant to this section is confidential and may be viewed only by the Director and any employee of the Department responsible for assisting in making a determination concerning the suitability of the applicant as described in subsection 2.

4. As used in this section, “financial information” means:

(a) Any original or copy of a financial statement and any record or document held by a financial institution pertaining to a customer of the financial institution.

(b) The information contained in such a record or document.

Sec. 22. NAC 482A.250 Unfitness of applicant. (NRS 482A.100) Evidence of the unfitness of an applicant to operate an autonomous *vehicle technology* certification facility or of a licensee includes, without limitation:

1. Defrauding or attempting to defraud the State or a political subdivision of the State of any taxes or fees in connection with the sale or transfer of a vehicle.

2. Forging the signature of the registered or legal owner of an abandoned vehicle on any document that releases the interest of the owner in the abandoned vehicle.

3. Forging the signature of the registered or legal owner of a vehicle on a certificate of title or other document to obtain or transfer ownership in that vehicle.

4. Refusing to allow any peace officer or agent of the Department to inspect, during normal business hours, all books, records and files of the operator which are maintained in this State.

5. Committing any fraud which includes, without limitation:

(a) Misrepresenting in any manner, whether intentional or grossly negligent, a material fact.

(b) Intentionally failing to disclose a material fact.

6. Willfully failing to comply with any regulation adopted by the Department.

Sec. 23. NAC 482A.260 Grounds for disciplinary action. (NRS 482A.100)

1. The Department may suspend, revoke or refuse to renew a license to operate an autonomous **vehicle technology** certification facility, or may deny a license to an applicant therefore, upon any of the following grounds:

(a) Failure to maintain his or her principal place of business in this State as required pursuant to NAC 482A.230.

(b) Conviction of the applicant or licensee of a crime which involves fraud, dishonesty or moral turpitude, or which the Department determines is related to the license in question.

(c) Any material misstatement on the application for the issuance or renewal of a license.

(d) Willful failure of the applicant or licensee to comply with the provisions of this chapter or chapter 482A of NRS or any of the traffic laws of this State, and any regulations adopted pursuant thereto.

(e) Failure or refusal by the licensee to pay or otherwise discharge any final judgment against the applicant or licensee arising out of the operation of the autonomous **vehicle technology** certification facility.

(f) Failure of the applicant or licensee to provide the Department with the authorization to obtain financial records pursuant to NAC 482A.240.

(g) Commission of any of the acts demonstrating unfitness to operate an autonomous **vehicle technology** certification facility described in NAC 482A.250.

2. The Department may refuse to review a subsequent application for a license to operate an autonomous **vehicle technology** certification facility that is submitted by a person who violates any provision of this chapter or chapter 482A of NRS.

Sec. 24. NAC 482A.270 Hearings to consider appeal of disciplinary action. (NRS 482A.100)

1. An applicant for a license to operate an autonomous **vehicle technology** certification facility or a licensee may, within 30 days after the receipt of the notice of denial or suspension, revocation, or refusal to renew the license, petition the Director in writing for a hearing which will be conducted by the Director or an authorized representative thereof.

2. Upon filing the petition, a hearing will be held not later than 90 days after the receipt of the request for hearing. The applicant or licensee is entitled to be present at the hearing, testify on his or her own behalf and have such other persons as he or she desires to be present to testify at the hearing. For good cause shown, and upon agreement of all parties, the 90-day period provided for in this subsection may be extended.

3. Failure of the applicant or licensee to petition the Director in writing for a hearing within the 30-day period constitutes an automatic denial of the application or suspension or revocation of the license.

4. Within 30 days after the hearing, the Director or the authorized representative will make written findings of fact and conclusions of law and may, without limitation:

(a) Grant or finally deny the application; or

(b) Suspend or revoke the license.

5. For good cause shown, and upon agreement of all parties, the 30-day period provided for in subsection 4 may be extended by the Director or the authorized representative.

6. Notwithstanding the provisions of subsections 1 to 5, inclusive, the Department may, if the Director or authorized representative finds that the action is necessary and in the public interest, upon notice to the licensee, temporarily suspend or refuse to renew the license for a

period not to exceed 30 days. For good cause shown, the Director or the authorized representative may extend the period of suspension of the license or continue to refuse to renew the license if he or she deems such action to be necessary and in the public interest. In any such case, a hearing must be held and a final decision rendered within 30 days after notice of the temporary suspension.

LICENSE TO TEST *HUMAN TO VEHICLE INTERFACE TECHNOLOGY*

Sec. 25. (R135-15). As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 27 through 37 of this regulation have the meanings ascribed to them in those sections. *Section 27 through 37 requirements are separate from and do not relate to the requirements of section 2 through 26. Sections 27 through 37 only apply to the technology defined in this section, and does not fall under the definition of autonomous vehicles or automated driving systems in sections 2 through 26.*

Sec. 26. “Human Interface Vehicle” means a vehicle that has been equipped with human to vehicle interface technology. An human interface vehicle is not an autonomous vehicle as defined in NRS 482A.030, or an automated driving system as defined in NRS 482A.025 of Assembly Bill 69.

Sec. 27. “Human to Vehicle Interface Technology” means technology which allows a human to electronically interface with a vehicle’s dynamic driving tasks without using physical controls to navigate the vehicle in various geographical locations and conditions.

Sec. 28. (R135-15). “Active control” means the electronic monitoring and control of the mechanical operations of an *autonomous human interface vehicle*, including, without limitation, braking, steering and adjusting the throttle of the vehicle, by the operator of the *autonomous human interface vehicle* through the use of sensors or other technology without the operator physically controlling such operations.

Sec. 29. (R135-15). “Pilot vehicle” means a motor vehicle that:

1. Is registered pursuant to chapter 482 of NRS;
2. Meets all the applicable requirements of chapter 484D of NRS to operate on the highways of this State;
3. Is insured as required pursuant to chapter 485 of NRS;
4. Is driven by a person who holds a valid license to operate the motor vehicle issued in the state in which the person resides; and
5. Is intended to be operated pursuant to subsections ~~3 1~~ and ~~4 2~~ of ~~NAC 482A.130~~ *Section 25* directly in front of an *autonomous human interface vehicle* being operated by the holder of a restricted driver’s license.

The term does not include a motorcycle or moped.

Sec. 30. Human to Vehicle Interface Technology Permit: Application; affirmation; requirements of applicant; fee; insurance; bond; validity; renewal.

1. A person may apply for a permit to test a human interface vehicle by submitting an application to the Department on a form provided by the Department. A permit issued pursuant to this section authorizes the testing of a human interface vehicle on the highways of this State.

2. The form provided by the Department must require the applicant to affirm that, to the best of the applicant's knowledge and belief, each human interface vehicle to be tested must:

(a) Be capable of being operated in compliance with the applicable motor vehicle laws and traffic laws of this State.

(b) Certify that the human interface vehicle does not interfere or negatively impact the federal safety standards of the test vehicle.

(c) Be equipped with a visual indicator located inside the human interface vehicle which indicates when the Human to Vehicle Interface technology is operating the human interface vehicle.

(d) Except as otherwise provided in Section 24, the human interface vehicle is equipped with a means to alert the human operator to take manual control of the human interface vehicle if a failure of the Human to Vehicle Interface technology has been detected and such failure affects the ability of the human interface vehicle to operate safely.

3. An applicant to be granted a permit to test a human interface vehicle pursuant to this section must:

(a) Submit proof to the Department that each human interface vehicle which will be tested in this State is covered by insurance in an amount that meets or exceeds the minimum requirements for a vehicle registered in this State as set forth in NRS 485.185, and not an operator's policy of liability insurance as described in NRS 485.186. Any change in the information submitted concerning a policy of insurance pursuant to this section must be reported to the Department within 10 business days after the effective date of the change.

(b) Submit the proposed geographical locations where the applicant wishes to test the human interface vehicle. The applicant must certify to the satisfaction of the Department that the a human interface vehicle of the applicant is capable of being driven in the conditions of the proposed geographical locations in compliance with the traffic laws and other laws applicable to drivers and motor vehicles operated in this State.

(c) Submit to the Department proof of insurance or self-insurance acceptable to the Department in the amount of \$5,000,000; or make a cash deposit or post and maintain a surety bond or other acceptable form of security with the Department in the amount of \$5,000,000.

(d) Any person responsible for the testing of a human interface vehicle shall report to the Department, within 10 business days after a motor vehicle crash any motor vehicle crash involving the testing of the human interface vehicle which results in personal injury or property damage estimated to exceed \$750. The person must provide a copy of the crash report filed by law enforcement, or through an SR-1 report if the crash is on private property

4. An application to test a human interface vehicle submitted pursuant to this section must be accompanied by a nonrefundable fee of \$100.

5. The Department may require such additional information, documentation and affirmations as the Department deems necessary or appropriate before approving an application to test a human interface vehicle that is submitted pursuant to this section.

6. *A permit to test a human interface vehicle that is issued by the Department pursuant to this section is valid for 1 year after the date of issuance and may be renewed by submitting an application in the same manner as for the initial permit. To avoid a lapse in the permit issued pursuant to this section, a permit holder wishing to renew his or her permit must submit an application for renewal at least 30 days before the date on which the permit is set to expire.*

Sec. 31. (R135-15 from 482A.130) *Human Interface Vehicle Restricted Driver's License for Testing; Pilot Vehicle; Safety Requirements.*

1. The holder of a restricted driver's license issued pursuant to NRS 483.360 with the Restriction JA described in NAC 483.360 may be the operator of an **autonomous human interface** vehicle that is being tested on a highway in this State provided that:

(a) The detail form carried by the holder authorizes the holder to operate an **autonomous human interface** vehicle that is being tested on a highway in this State pursuant to this section through the use of active control;

(b) The holder is employed by a **licensee permittee** who has met the requirements of subsection 3;

(c) A pilot vehicle is being operated directly in front of the **autonomous human interface** vehicle; and

(d) A second person in the **autonomous human interface** vehicle

(1) Is seated in a position which allows the person to safely engage and disengage the ~~autonomous human to vehicle interface~~ technology and take active control or physical control of the **autonomous human interface** vehicle; and

(2) Holds a valid driver's license that has been issued in the state in which the person resides.

2. If a pilot vehicle operating directly in front of an **autonomous human interface** vehicle being tested on a highway in this State pursuant to subsection 3 is for any reason *is* unable to continue to operate in such a manner:

(a) The operator of the **autonomous human interface** vehicle must pull the **autonomous human interface** vehicle safely to the side of the road; or

(b) The second person in the **autonomous human interface** vehicle must disengage the **autonomous human to vehicle interface** technology and take active control or physical control of the **autonomous human interface** vehicle.

3. A **licensee permittee** who employs the holder of a restricted driver's license issued pursuant to NRS 483.360 with the Restriction JA described in NAC 483.360 to test a **autonomous human interface** vehicle pursuant to subsection 1 must obtain the approval of the Department before allowing the holder to test an **autonomous human interface** vehicle on a highway in this State. The Department shall approve a request for such approval if the **licensee permittee** provides to the Department:

(a) Proof satisfactory to the Department that:

(1) The holder is an employee of the **licensee permittee**; and

(2) The holder has completed not less than 50 hours of training in an **autonomous human interface** vehicle which:

(I) May include not more than 10 hours of operation of an **autonomous human interface** vehicle simulator; and

(II) Must include not less than 40 hours of operating an **human interface** ~~that meets the requirements of NRS 482A.080~~ on any paved, graded or similar

surface that is not a highway of this State, including, without limitation, a race track or private course; and

(b) Any other information requested by the Department.

Sec. 32. Certificate identifying authorized geographic locations: Issuance; request to add locations; required to be carried in vehicle at all times and surrendered to peace officer upon demand.

1. When the Department issues a *license permit* pursuant to ~~NAC 482A.110~~ *Section 23*, the Department will issue a certificate to the ~~permit-holder~~ *permitee* which identifies the geographical location where the Department authorizes the *licensee permitee* to test *autonomous human interface* vehicles.

2. A *licensee-permitee* may submit a request to the Department to add *to or change the* one or more geographic locations where the *licensee-permitee* may test *human interface autonomous vehicles* after a *certificate permit* is issued.

3. ~~If~~ *Once* the Department approves an additional geographic location where a *licensee permitee* may test *human interface autonomous* vehicles, the Department will issue a new *certificate permit* to the *licensee permitee* indicating the geographic locations where the *licensee permitee* is authorized to test its *autonomous human interface* vehicles.

4. A *licensee permitee* shall ensure that the *license permit* provided by the Department pursuant to this section which identifies the geographic locations where the *licensee permitee* may test *autonomous human interface* vehicles is carried in the *autonomous human interface* vehicle at all times that it is being tested. Upon demand of a peace officer, the operator of an *autonomous human interface* vehicle of a *licensee permitee* that is being tested must surrender the *license permit* to the officer.

Sec. 33. Temporary license plates: Application and fee; validity; renewal; exemptions for vehicle registration and other fees.

1. A *licensee permitee* must apply for a set of temporary license plates for each *autonomous human interface* vehicle that will be tested in this State and pay a fee of \$12 for each set of license plates issued by the Department.

2. A set of temporary license plates issued pursuant to subsection 1 is valid only until the date of the expiration of the ~~license-of-the~~ *license permit of the permitee* and may be renewed in the same manner as the initial application for the temporary license plates.

3. A *licensee permitee* is not required to:

(a) Register an *autonomous human interface* vehicle pursuant to chapter 482 of NRS if the vehicle is used in this State only for testing; or

(b) Pay any other fees set forth in chapter 482 of NRS, except that the *licensee permitee* must pay the fee set forth in NRS 482.268.

Sec. 34. Grounds for disciplinary action.

1. The Department may suspend, revoke or refuse to renew a **license permit** to test **autonomous human interface** vehicles, or may deny a **license permit** to an applicant therefore, upon any of the following grounds:

(a) Conviction of the applicant or **license permit** of a crime which involves fraud, dishonesty or moral turpitude, or which the Department determines is related to the **license permit** in question.

(b) Willful failure of the applicant or **licensee permittee** to comply with any of the provisions of chapter 482A of NRS, any of the traffic laws of this State and any regulations adopted pursuant thereto.

(c) Any material misstatement on the application for the issuance or renewal of a **license permit**.

(d) Failure or refusal of the applicant or **licensee permittee** to pay or otherwise discharge any final judgment against the **licensee permittee** arising out of the operation of the business of the **licensee permittee**.

(e) If the Department has reasonable cause to believe that any **autonomous human interface** vehicle operated by a **licensee permittee** presents an unsafe condition for operation on the highways of this State.

2. The Department may refuse to review a subsequent application for a **license permit** to test **autonomous human interface** vehicles that is submitted by a person who has violated any provisions of this chapter or chapter 482A of NRS.

3. *The Department may impose and administrative fine, not to exceed \$2,500, for a violation of any provision of sections 25 through 35.*

Sec. 35. Hearings to consider appeal of disciplinary action.

1. An applicant for a **license permit** to test an **licensee permittee** vehicle or a **licensee permittee** may, within 30 days after the receipt of the notice of denial, suspension or revocation of, or refusal to renew, the **license permit**, petition the Director in writing for a hearing which will be conducted by the Director or an authorized representative thereof.

2. Upon filing the petition, a hearing will be held not later than 90 days after the receipt of the request for hearing. The applicant or **licensee permittee** is entitled to be present at the hearing, testify on his or her own behalf and have such other persons as he or she desires to be present to testify at the hearing. For good cause shown, and upon agreement of all parties, the 90-day period provided for in this subsection may be extended.

3. Failure of the applicant or **licensee permittee** to petition the Director in writing for a hearing within the 30-day period constitutes an automatic denial of the application or suspension or revocation of the **license permit**.

4. Within 30 days after the hearing, the Director or the authorized representative will make written findings of fact and conclusions of law and may, without limitation:

(a) Grant or finally deny the application; or

(b) Suspend or revoke the **license permit**.

5. For good cause shown, and upon agreement of all parties, the 30-day period provided for in subsection 4 may be extended by the Director or the authorized representative.

6. Notwithstanding the provisions of subsections 1 to 5, inclusive, the Department may, if the Director or authorized representative finds that the action is necessary and in the public interest, upon notice to the **licensee permittee**, temporarily suspend or refuse to renew the **license**

permit for a period not to exceed 30 days. For good cause shown, the Director or the authorized representative may extend the period of suspension of the *license permit* or continue to refuse to renew the *license permit* if he or she deems such action to be necessary and in the public interest. In any such case, a hearing must be held and a final decision rendered within 30 days after notice of the temporary suspension.

If you have any questions, please contact April Sanborn, Thomas Martin or myself. Our contact information is below.

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