

Bill Nelson

AMENDMENT NO. _____ Calendar No. _____

Purpose: To amend section 3 of the bill.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

S. 1885

To support the development of highly automated vehicle safety technologies, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. NELSON (for himself, Mr. THUNE, and Mr. PETERS)

Viz:

1 Beginning on page 4, strike line 15 and all that fol-
2 lows through page 7, line 21, and insert the following:

3 (a) VEHICLE PREEMPTION.—Section 30103(b) of
4 title 49, United States Code, is amended by adding at the
5 end the following:

6 “(3) HIGHLY AUTOMATED VEHICLES.—

7 “(A) No State or political subdivision of a
8 State may adopt, maintain, or enforce any law,
9 rule, or standard regulating the design, con-
10 struction, or performance of a highly automated
11 vehicle or automated driving system with re-

1 spect to any of the safety evaluation report sub-
2 ject areas described in section 30107(b).

3 “(B) This paragraph shall cease to have
4 effect with respect to any particular subject
5 matter area on the effective date of a standard
6 applicable to the same aspect of vehicle per-
7 formance as identified in section 30107(f).

8 “(C) Nothing in this paragraph may be
9 construed to prohibit a State or political sub-
10 division of a State from maintaining, enforcing,
11 prescribing, or continuing in effect any law or
12 regulation regarding the sale, distribution, re-
13 pair, or service of highly automated vehicles,
14 automated driving systems, or components of
15 automated driving systems by a dealer, manu-
16 facturer, or distributor.”.

17 (b) LIABILITY.—Section 30103(e) of title 49, United
18 States Code, is amended to read as follows:

19 “(e) STATE LAW LIABILITY.—

20 “(1) Compliance with a motor vehicle safety
21 standard prescribed under this chapter does not ex-
22 empt a person from liability at common law.

23 “(2) Subject to subsection (b)(3)(A), nothing in
24 subsection (b)(3) shall exempt a person from liability
25 at common law or under a State statute authorizing

1 a civil remedy for damages or other monetary re-
2 lief.”.

3 (c) LICENSING.—A State may not issue a motor vehi-
4 cle operator’s license for the operation or use of a dedi-
5 cated highly automated vehicle in a manner that discrimi-
6 nates on the basis of disability (as defined in section 3
7 of the Americans with Disabilities Act of 1990 (42 U.S.C.
8 12102)).

9 On page 25, strike lines 19 and 20 and insert the
10 following:

11 “cluded in the report under this chapter.

12 “(3) Nothing in this section may be construed
13 to affect discovery, subpoena, other court order, or
14 any other judicial process otherwise allowed under
15 applicable Federal or State law.”.