

**ESHB 2676** - S COMM AMD  
By Committee on Transportation

**ADOPTED AS AMENDED 03/06/2020**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 46.30  
4 RCW to read as follows:

5 (1) No entity may test an autonomous motor vehicle on any public  
6 roadway under the department's autonomous vehicle self-certification  
7 testing pilot program unless:

8 (a) The entity holds an umbrella liability insurance policy that  
9 covers the entity in an amount not less than five million dollars per  
10 occurrence for damages by reason of bodily injury or death or  
11 property damage, caused by the operation of an autonomous motor  
12 vehicle for which information is provided under the autonomous  
13 vehicle self-certification testing pilot program; and

14 (b) The entity maintains proof of this policy with the department  
15 in a form and manner specified by the department.

16 (2) Requirements related to proof of motor vehicle insurance  
17 under RCW 46.30.020 and penalties for providing false evidence of  
18 motor vehicle insurance under RCW 46.30.040 are applicable to this  
19 section.

20 NEW SECTION. **Sec. 2.** (1) In order to test an autonomous motor  
21 vehicle on any public roadway under the department's autonomous  
22 vehicle self-certification testing pilot program, the following  
23 information must be provided by the self-certifying entity testing  
24 the autonomous motor vehicle:

25 (a) Contact information specified by the department;

26 (b) Local jurisdictions where testing is planned;

27 (c) The vehicle identification numbers of the autonomous vehicles  
28 being tested, provided that one is required by state or federal law;  
29 and

30 (d) Proof of an insurance policy that meets the requirements of  
31 section 1 of this act.

1 (2) Any autonomous motor vehicle to which subsection (1) of this  
2 section is applicable and that does not have a vehicle identification  
3 number and is not otherwise required under state or federal law to  
4 have a vehicle identification number assigned to it must be assigned  
5 a unique identification number that is provided to the department and  
6 that is displayed in the vehicle in a manner similar to the display  
7 of vehicle identification numbers in motor vehicles.

8 (3)(a) The self-certifying entity testing the autonomous motor  
9 vehicle on any public roadway must notify the department of:

10 (i) Any collisions that are required to be reported to law  
11 enforcement under RCW 46.52.030, involving an autonomous motor  
12 vehicle that originate from the operation of the autonomous motor  
13 vehicle with the automated driving system engaged on any public  
14 roadway; and

15 (ii) Any moving violations, as defined in administrative rule as  
16 authorized under RCW 46.20.2891, involving an autonomous motor  
17 vehicle that originate from the operation of the autonomous motor  
18 vehicle with the automated driving system engaged on any public  
19 roadway.

20 (b) By February 1st of each year, the self-certifying entity must  
21 submit a report to the department covering reportable events from the  
22 prior calendar year.

23 (c) The self-certifying entity shall provide the information  
24 required by the department under (a) of this subsection. The  
25 information provided must include whether the autonomous driving  
26 system was operating the vehicle at the time of or immediately prior  
27 to the collision or moving violation, and in the case of a collision,  
28 details regarding the collision, including any loss of life, injury,  
29 or property damage that resulted from the collision.

30 (d) The provisions of this section are supplemental to all other  
31 rights and duties under law applicable in the event of a motor  
32 vehicle collision.

33 (4) The self-certifying entity testing the autonomous motor  
34 vehicle on public roadways under the department's autonomous vehicle  
35 self-certification testing pilot program must provide written notice  
36 in advance of testing to local and state law enforcement agencies  
37 with jurisdiction over any of the public roadways on which testing  
38 will occur that includes the expected period of time during which  
39 testing will occur in the applicable jurisdictions, including city  
40 police departments within city limits where testing will occur,

1 county sheriff departments outside of city limits in counties where  
2 testing will occur, and the Washington state patrol when testing will  
3 occur on limited access highways, as defined in RCW 47.52.010.  
4 However, for testing primarily on limited access highways that  
5 travels through multiple local jurisdictions, which may include the  
6 limited incidental use of other roadways, the self-certifying entity  
7 must only provide written notice as specified in this subsection to  
8 the Washington state patrol. Written notice provided under this  
9 subsection must include the physical description of the motor vehicle  
10 or vehicles being tested.

11 (5) The department may adopt a fee to be charged by the  
12 department for self-certification in an amount sufficient to offset  
13 administration by the department of the self-certification testing  
14 pilot program.

15 (6) The department shall provide public access to the information  
16 self-certifying entities provide to it, and shall provide an annual  
17 report to the house and senate transportation committees of the  
18 legislature summarizing the information reported by self-certifying  
19 entities under this section.

20 (7) An autonomous motor vehicle may not be operated on any public  
21 roadway for the purposes of testing in Washington state until the  
22 department is provided with the information required under subsection  
23 (1) of this section.

24 NEW SECTION. **Sec. 3.** Section 2 of this act constitutes a new  
25 chapter in Title 46 RCW.

26 NEW SECTION. **Sec. 4.** Section 2 of this act takes effect October  
27 1, 2021."

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28 On page 1, line 2 of the title, after "vehicles;" strike the  
29 remainder of the title and insert "adding a new section to chapter  
30 46.30 RCW; adding a new chapter to Title 46 RCW; and providing an  
31 effective date."

EFFECT: (1) Narrows the requirement for notice to DOL to reflect "collisions" instead of a traffic incident. Also narrows the type of traffic infraction that must be reported, to those involving a moving violation.

(2) Specifies the reporting period is on an annual basis covering the previous year, and is due to DOL by February 1st.

(3) Reporting is required only when the collision or infraction originated from the use of autonomous mode.

(4) Clarifies when notice requirement to law enforcement applies based on what type of roadway the test is occurring over.

(5) Provides a notice exception when the test is to travel primarily on limited access highways that happen to travel through multiple local jurisdictions, the notice is only required to be provided to WSP.

(6) Requires the notice to law enforcement include the physical description of the motor vehicle to be tested.

(7) Changes the effective date of the requirement of self-certifying entities to carry an umbrella insurance policy to 90 days sine die.

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