
SENATE BILL 5872

State of Washington

68th Legislature

2024 Regular Session

By Senators Lovick, Dhingra, Hasegawa, Kuderer, Lovelett, Valdez, and C. Wilson

Prefiled 12/19/23. Read first time 01/08/24. Referred to Committee on Transportation.

1 AN ACT Relating to vehicle and operator requirements for
2 autonomous vehicles; amending RCW 46.92.010; and adding a new section
3 to chapter 46.92 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.92
6 RCW to read as follows:

7 (1) An autonomous vehicle registered in this state must meet
8 federal standards and regulations for a motor vehicle.

9 (2) A person may not operate an autonomous vehicle on a highway
10 to transport passengers or goods unless a human safety operator is
11 physically present in the autonomous vehicle to monitor the
12 performance of the autonomous vehicle and to intervene if necessary,
13 including operating, stopping, or shutting off the vehicle.

14 (3) Any human safety operator physically present in an autonomous
15 vehicle must meet all state and federal requirements to operate a
16 motor vehicle and an autonomous vehicle.

17 (4) For purposes of this section:

18 (a) "Autonomous vehicle" means a motor vehicle equipped with a
19 level four or five automated driving system under the society of
20 automotive engineers international standard J3016B, as it existed on
21 the effective date of this section, or such subsequent date as may be

1 provided by the department by rule, consistent with the purposes of
2 this section.

3 (b) "Human safety operator" means a person who controls the
4 entire dynamic driving task for an autonomous vehicle.

5 **Sec. 2.** RCW 46.92.010 and 2021 c 193 s 1 are each amended to
6 read as follows:

7 (1) In order to test an autonomous motor vehicle on any public
8 roadway under the department's autonomous vehicle self-certification
9 testing pilot program, the following information must be provided by
10 the self-certifying entity testing the autonomous motor vehicle:

11 (a) Contact information specified by the department;

12 (b) Local jurisdictions where testing is planned;

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

16 (d) Proof of an insurance policy that meets the requirements of
17 RCW 46.30.050.

18 (2) Any autonomous motor vehicle to which subsection (1) of this
19 section is applicable and that does not have a vehicle identification
20 number and is not otherwise required under state or federal law to
21 have a vehicle identification number assigned to it must be assigned
22 a unique identification number that is provided to the department and
23 that is displayed in the vehicle in a manner similar to the display
24 of vehicle identification numbers in motor vehicles.

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

27 (i) Any collisions that are required to be reported to law
28 enforcement under RCW 46.52.030, involving an autonomous motor
29 vehicle during testing on any public roadway; and

30 (ii) Any moving violations, as defined in administrative rule as
31 authorized under RCW 46.20.2891, for which a citation or infraction
32 was issued, involving an autonomous motor vehicle during testing on
33 any public roadway.

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

37 (c) The self-certifying entity shall provide the information
38 required by the department under (a) of this subsection. The
39 information provided must include whether the autonomous driving

1 system was operating the vehicle at the time of or immediately prior
2 to the collision or moving violation, and in the case of a collision,
3 details regarding the collision, including any loss of life, injury,
4 or property damage that resulted from the collision.

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

8 (4) The self-certifying entity testing the autonomous motor
9 vehicle on public roadways under the department's autonomous vehicle
10 self-certification testing pilot program must provide written notice
11 in advance of testing to local and state law enforcement agencies
12 with jurisdiction over any of the public roadways on which testing
13 will occur that includes the expected period of time during which
14 testing will occur in the applicable jurisdictions, including city
15 police departments within city limits where testing will occur,
16 county sheriff departments outside of city limits in counties where
17 testing will occur, and the Washington state patrol when testing will
18 occur on limited access highways, as defined in RCW 47.52.010.
19 However, for testing primarily on limited access highways that
20 travels through multiple local jurisdictions, which may include the
21 limited incidental use of other roadways, the self-certifying entity
22 must only provide written notice as specified in this subsection to
23 the Washington state patrol. Written notice provided under this
24 subsection must: (a) Be provided not less than (~~fourteen~~) 14 and
25 not more than (~~sixty~~) 60 days in advance of testing; (b) include
26 contact information where the law enforcement agency can communicate
27 with the self-certifying entity testing the autonomous vehicle
28 regarding the testing planned in that jurisdiction; and (c) provide
29 the physical description of the motor vehicle or vehicles being
30 tested, including make, model, color, and license plate number.

31 (5) The department may adopt a fee to be charged by the
32 department for self-certification in an amount sufficient to offset
33 administration by the department of the self-certification testing
34 pilot program.

35 (6) The department shall provide public access to the information
36 self-certifying entities provide to it, and shall provide an annual
37 report to the house and senate transportation committees of the
38 legislature summarizing the information reported by self-certifying
39 entities under this section.

1 (7) An autonomous motor vehicle may not be operated on any public
2 roadway for the purposes of testing in Washington state unless the
3 requirements under section 1 of this act are met and until the
4 department is provided with the information required under subsection
5 (1) of this section.

6 (8) For purposes of this section, "autonomous" means a level four
7 or five driving automation system as provided in the society of
8 automotive engineering international's standard J3016, as it existed
9 on October 1, 2022, or such subsequent date as may be provided by the
10 department by rule, consistent with the purposes of this section.

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