

115TH CONGRESS
1ST SESSION

H. R. 3408

To amend section 30113 of title 49, United States Code to establish new exemptions for motor vehicle safety standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2017

Mr. LANCE (for himself and Mrs. DINGELL) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To amend section 30113 of title 49, United States Code to establish new exemptions for motor vehicle safety standards, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Expanding Exemptions
5 to Enable More Public Trust Act” or the “EXEMPT
6 Act”.

7 **SEC. 2. GENERAL EXEMPTIONS.**

8 (a) AMENDMENTS.—Section 30113 of title 49,
9 United States Code, is amended—

10 (1) in subsection (b)(3)(B)—

1 (A) in clause (iii), by striking “; or” and
2 inserting a semicolon;

3 (B) in clause (iv), by striking the period at
4 the end and inserting “; or”; and

5 (C) by adding at the end the following:

6 “(v) the exemption would make easier
7 the development or field evaluation of—

8 “(I) a feature of a highly auto-
9 mated vehicle providing a safety level
10 at least equal to the safety level of the
11 standard for which exemption is
12 sought; or

13 “(II) a highly automated vehicle
14 providing an overall safety level at
15 least equal to the overall safety level
16 of nonexempt vehicles.”; and

17 (2) in subsection (c), by adding at the end the
18 following:

19 “(5) if the application is made under subsection
20 (b)(3)(B)(v) of this section—

21 “(A) such development, testing, and other
22 data necessary to demonstrate that the motor
23 vehicle is a highly automated vehicle; and

24 “(B) a detailed analysis that includes sup-
25 porting test data, including both on-road and

1 validation and testing data showing (as applica-
2 ble) that—

3 “(i) the safety level of the feature at
4 least equals the safety level of the standard
5 for which exemption is sought; or

6 “(ii) the vehicle provides an overall
7 safety level at least equal to the overall
8 safety level of nonexempt vehicles.”.

9 (b) DEFINITIONS.—Section 30102 of title 49, United
10 States Code, is amended—

11 (1) in subsection (a)—

12 (A) by redesignating paragraphs (1)
13 through (13) as paragraphs (2), (3), (4), (5),
14 (8), (9), (10), (11), (12), (13), (15), (16), and
15 (17), respectively;

16 (B) by inserting before paragraph (2) (as
17 so redesignated) the following:

18 “(1) ‘automated driving system’ means the
19 hardware and software that are collectively capable
20 of performing the entire dynamic driving task on a
21 sustained basis, regardless of whether such system is
22 limited to a specific operational design domain.”;

23 (C) by inserting after paragraph (5) (as so
24 redesignated) the following:

1 “(6) ‘dynamic driving task’ means all of the
2 real time operational and tactical functions required
3 to operate a vehicle in on-road traffic, excluding the
4 strategic functions such as trip scheduling and selec-
5 tion of destinations and waypoints, and including—

6 “(A) lateral vehicle motion control via
7 steering;

8 “(B) longitudinal vehicle motion control
9 via acceleration and deceleration;

10 “(C) monitoring the driving environment
11 via object and event detection, recognition, clas-
12 sification, and response preparation;

13 “(D) object and event response execution;

14 “(E) maneuver planning; and

15 “(F) enhancing conspicuity via lighting,
16 signaling, and gesturing.

17 “(7) ‘highly automated vehicle’—

18 “(A) means a motor vehicle equipped with
19 an automated driving system; and

20 “(B) does not include a commercial motor
21 vehicle (as defined in section 31101).”; and

22 (D) by inserting after paragraph (13) (as
23 so redesignated) the following:

24 “(14) ‘operational design domain’ means the
25 specific conditions under which a given driving auto-

1 mation system or feature thereof is designed to func-
2 tion.”; and

3 (2) by adding at the end the following:

4 “(c) REVISIONS TO CERTAIN DEFINITIONS.—

5 “(1) If SAE International (or its successor or-
6 ganization) revises the definition of any of the terms
7 defined in paragraph (1), (6), or (14) of subsection
8 (a) in Recommended Practice Report J3016, it shall
9 notify the Secretary of the revision. The Secretary
10 shall publish a notice in the Federal Register to in-
11 form the public of the new definition unless, within
12 90 days after receiving notice of the new definition
13 and after opening a period for public comment on
14 the new definition, the Secretary notifies SAE Inter-
15 national (or its successor organization) that the Sec-
16 retary has determined that the new definition does
17 not meet the need for motor vehicle safety, or is oth-
18 erwise inconsistent with the purposes of this chapter.
19 If the Secretary so notifies SAE International (or its
20 successor organization), the existing definition in
21 subsection (a) shall remain in effect.

22 “(2) If the Secretary does not reject a defini-
23 tion revised by SAE International (or its successor
24 organization) as described in paragraph (1), the Sec-
25 retary shall promptly make any conforming amend-

1 ments to the regulations and standards of the Sec-
2 retary that are necessary. The revised definition
3 shall apply for purposes of this chapter. The require-
4 ments of section 553 of title 5 shall not apply to the
5 making of any such conforming amendments.

6 “(3) Pursuant to section 553 of title 5, the Sec-
7 retary may update any of the definitions in para-
8 graph (1), (6), or (14) of subsection (a) if the Sec-
9 retary determines that materially changed cir-
10 cumstances regarding highly automated vehicles
11 have impacted motor vehicle safety such that the
12 definitions need to be updated to reflect such cir-
13 cumstances.”.

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