

115TH CONGRESS  
1ST SESSION

# H. R. 3388

To provide for information on highly automated driving systems to be made available to prospective buyers.

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IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2017

Mr. LATTA (for himself and Ms. SCHAKOWSKY) introduced the following bill;  
which was referred to the Committee on Energy and Commerce

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## A BILL

To provide for information on highly automated driving systems to be made available to prospective buyers.

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 “Designating Each  
5 Car’s Automation Level Act” or the “DECAL Act”.

6 **SEC. 2. INFORMATION ON HIGHLY AUTOMATED DRIVING**  
7 **SYSTEMS MADE AVAILABLE TO PROSPECTIVE**  
8 **BUYERS.**

9 (a) RESEARCH.—Not later than 3 years after the  
10 date of enactment of this Act, the Secretary of Transpor-

1 tation shall complete research to determine the most effec-  
2 tive method and terminology for informing consumers for  
3 each highly automated vehicle or a vehicle that performs  
4 partial driving automation about the capabilities and limi-  
5 tations of that vehicle. The Secretary shall determine  
6 whether such information is based upon or includes the  
7 terminology as defined by SAE International in Rec-  
8 ommended Practice Report J3016 (published September  
9 2016) or whether such description should include alter-  
10 native terminology.

11 (b) RULEMAKING.—After the completion of the study  
12 required under subsection (a), the Secretary shall initiate  
13 a rulemaking proceeding to require manufacturers to in-  
14 form consumers of the capabilities and limitations of a ve-  
15 hicle’s driving automation system or feature for any highly  
16 automated vehicle or any vehicle that performs partial  
17 driving automation.

18 (c) DEFINITIONS.—

19 (1) IN GENERAL.—In this section—

20 (A) the term “automated driving system”  
21 means the hardware and software that are col-  
22 lectively capable of performing the entire dy-  
23 namic driving task on a sustained basis, regard-  
24 less of whether such system is limited to a spe-  
25 cific operational design domain;

1 (B) the term “dynamic driving task”  
2 means all of the real time operational and tac-  
3 tical functions required to operate a vehicle in  
4 on-road traffic, excluding the strategic func-  
5 tions such as trip scheduling and selection of  
6 destinations and waypoints, and including—

7 (i) lateral vehicle motion control via  
8 steering;

9 (ii) longitudinal vehicle motion control  
10 via acceleration and deceleration;

11 (iii) monitoring the driving environ-  
12 ment via object and event detection, rec-  
13 ognition, classification, and response prep-  
14 aration;

15 (iv) object and event response execu-  
16 tion;

17 (v) maneuver planning; and

18 (vi) enhancing conspicuity via light-  
19 ing, signaling, and gesturing;

20 (C) the term “highly automated vehicle”—

21 (i) means a motor vehicle equipped  
22 with an automated driving system; and

23 (ii) does not include a commercial  
24 motor vehicle (as defined in section 31101  
25 of title 49, United States Code);

(D) the term “vehicle that performs partial driving automation” does not include a commercial motor vehicle (as defined in section 31101 of title 49, United States Code); and

(E) the term “operational design domain” means the specific conditions under which a given driving automation system or feature thereof is designed to function.

(2) REVISIONS TO CERTAIN DEFINITIONS.—

(A) If SAE International (or its successor organization) revises the definition of any of the terms defined in subparagraph (A), (B), or (E) of paragraph (1) in Recommended Practice Report J3016, it shall notify the Secretary of the revision. The Secretary shall publish a notice in the Federal Register to inform the public of the new definition unless, within 90 days after receiving notice of the new definition and after opening a period for public comment on the new definition, the Secretary notifies SAE International (or its successor organization) that the Secretary has determined that the new definition does not meet the need for motor vehicle safety, or is otherwise inconsistent with the purposes of chapter 301 of title 49, United

1 States Code. If the Secretary so notifies SAE  
2 International (or its successor organization),  
3 the existing definition in paragraph (1) shall re-  
4 main in effect.

5 (B) If the Secretary does not reject a defi-  
6 nition revised by SAE International (or its suc-  
7 cessor organization) as described in subpara-  
8 graph (A), the Secretary shall promptly make  
9 any conforming amendments to the regulations  
10 and standards of the Secretary that are nec-  
11 essary. The revised definition shall apply for  
12 purposes of this section. The requirements of  
13 section 553 of title 5, United States Code, shall  
14 not apply to the making of any such conforming  
15 amendments.

16 (C) Pursuant to section 553 of title 5,  
17 United States Code, the Secretary may update  
18 any of the definitions in subparagraph (A), (B),  
19 or (E) of paragraph (1) if the Secretary deter-  
20 mines that materially changed circumstances  
21 regarding highly automated vehicles have im-  
22 pacted motor vehicle safety such that the defini-  
23 tions need to be updated to reflect such cir-  
24 cumstances.

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