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.

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

SECTION 1. SHORT TITLE.

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

SEC. 2. GENERAL EXEMPTIONS.

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

(1) in subsection (b)(3)(B)—
(A) in clause (iii), by striking “; or” and inserting a semicolon;

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

(C) by adding at the end the following:

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

“(I) a feature of a highly automated vehicle providing a safety level at least equal to the safety level of the standard for which exemption is sought; or

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

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

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

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

“(B) a detailed analysis that includes supporting test data, including both on-road and
validation and testing data showing (as applicable) that—

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

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

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

(1) in subsection (a)—

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

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

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

(C) by inserting after paragraph (5) (as so redesignated) the following:
“(6) ‘dynamic driving task’ means all of the real time operational and tactical functions required to operate a vehicle in on-road traffic, excluding the strategic functions such as trip scheduling and selection of destinations and waypoints, and including—

“(A) lateral vehicle motion control via steering;

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

“(C) monitoring the driving environment via object and event detection, recognition, classification, and response preparation;

“(D) object and event response execution;

“(E) maneuver planning; and

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

“(7) ‘highly automated vehicle’—

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

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

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

“(14) ‘operational design domain’ means the specific conditions under which a given driving auto-
mation system or feature thereof is designed to func-

(2) by adding at the end the following:

“(c) REVISIONS TO CERTAIN DEFINITIONS.—

“(1) If SAE International (or its successor or-

organization) revises the definition of any of the terms
defined in paragraph (1), (6), or (14) of subsection
(a) in Recommended Practice Report J3016, it shall
notify the Secretary of the revision. The Secretary
shall publish a notice in the Federal Register to in-
form 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 Inter-
national (or its successor organization) that the Sec-
retary has determined that the new definition does
not meet the need for motor vehicle safety, or is oth-
erwise inconsistent with the purposes of this chapter.
If the Secretary so notifies SAE International (or its
successor organization), the existing definition in
subsection (a) shall remain in effect.

“(2) If the Secretary does not reject a defini-
tion revised by SAE International (or its successor
organization) as described in paragraph (1), the Sec-
retary shall promptly make any conforming amend-
ments to the regulations and standards of the Sec-
retary that are necessary. The revised definition
shall apply for purposes of this chapter. The require-
ments of section 553 of title 5 shall not apply to the
making of any such conforming amendments.

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