

[DISCUSSION DRAFT]

115TH CONGRESS
1ST SESSION

H. R. _____

To amend section 30103 of title 49, United States Code, to establish sole authority for the National Highway Traffic Safety Administration over the regulation of highly automated vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To amend section 30103 of title 49, United States Code, to establish sole authority for the National Highway Traffic Safety Administration over the regulation of highly automated vehicles, 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 “Let NHTSA Enforce
5 Automated Vehicle Driving Regulations Act” or the
6 “LEAD’R Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to ensure the ability to
3 test and deploy automated driving systems in the United
4 States and expressly preempt any related State laws to
5 prevent the testing or deployment of this technology.

6 **SEC. 3. NHTSA AUTHORITY AND STATE PREEMPTION FOR**
7 **AUTONOMOUS MOTOR VEHICLES.**

8 Section 30103(b) of title 49, United States Code, is
9 amended—

10 (1) by striking paragraph (2);

11 (2) in paragraph (1)—

12 (A) in the first sentence, by inserting after
13 “When a motor vehicle safety standard is in ef-
14 fect under this chapter” the following: “for a
15 motor vehicle that is not a highly automated ve-
16 hicle”;

17 (B) by striking “(1) When” and inserting
18 “(2) MOTOR VEHICLE STANDARD. When”; and

19 (C) by striking “However,” and inserting
20 “(4) HIGHER PERFORMANCE REQUIREMENT.
21 However,”;

22 (3) by inserting before paragraph (2), as so re-
23 designated, the following new paragraph:

24 “(1) HIGHLY AUTOMATED VEHICLES.—No
25 State or political subdivision of a State may adopt,
26 maintain, enforce, impose, or continue in effect any

1 law, rule, regulation, duty, requirement, standard, or
2 other provision having the force and effect of law re-
3 lated to the design, construction, mechanical sys-
4 tems, software systems, or communications systems
5 of highly automated vehicles or automated driving
6 system equipment unless such law, rule, regulation,
7 duty, requirement, standard, or other provision hav-
8 ing the force and effect of law is identical to a
9 standard prescribed under this chapter.”;

10 (4) by inserting after paragraph (2), as so re-
11 designated, the following new paragraph:

12 “(3) RULE OF CONSTRUCTION.—Nothing in
13 this subsection may be construed to prohibit a State
14 from prescribing a law or regulation regarding any
15 other registration, licensing, [liability], driving edu-
16 cation and training, insurance, or traffic law or reg-
17 ulation unless the law or regulation is an unreason-
18 able restriction on the design, construction, mechan-
19 ical systems, software systems, or communications
20 systems of highly automated vehicles.”;

21 (5) in paragraph (4), as so redesignated, by
22 striking “or motor vehicle equipment obtained for its
23 own use that imposes a higher performance require-
24 ment than that required by the otherwise applicable
25 standard under this chapter” and inserting the fol-

1 lowing: “motor vehicle equipment, highly automated
2 vehicle, or automated driving system equipment ob-
3 tained for its own use”; and

4 (6) by inserting at the end the following new
5 paragraph:

6 “(5) DEFINITIONS.—In this subsection:

7 “(A) AUTOMATED DRIVING SYSTEM.—The
8 term ‘automated driving system’ has the mean-
9 ing given that term in the September 2016 Sur-
10 face Vehicle Recommended Practice Report
11 (J3016) by SAE International【, or any suc-
12 cessor report thereto】.

13 “(B) HIGHLY AUTOMATED VEHICLE.—The
14 term ‘highly automated vehicle’—

15 “(i) means a motor vehicle equipped
16 with an automated driving system; and

17 “(ii) does not include a commercial
18 motor vehicle (as defined in section
19 31101).”.