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”.

SEC. 2. PURPOSE.

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

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

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

(1) by striking paragraph (2);

(2) in paragraph (1)—

(A) in the first sentence, by inserting after “When a motor vehicle safety standard is in effect under this chapter” the following: “for a motor vehicle that is not a highly automated vehicle”; 

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

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

(3) by inserting before paragraph (2), as so redesignated, the following new paragraph:

“(1) HIGHLY AUTOMATED VEHICLES.—No State or political subdivision of a State may adopt, maintain, enforce, impose, or continue in effect any
law, rule, regulation, duty, requirement, standard, or
other provision having the force and effect of law re-
lated to the design, construction, mechanical sys-
tems, software systems, or communications systems
of highly automated vehicles or automated driving
system equipment unless such law, rule, regulation,
duty, requirement, standard, or other provision hav-
ing the force and effect of law is identical to a
standard prescribed under this chapter.”;

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

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

(5) in paragraph (4), as so redesignated, by
striking “or motor vehicle equipment obtained for its
own use that imposes a higher performance require-
ment than that required by the otherwise applicable
standard under this chapter” and inserting the fol-
lowing: “motor vehicle equipment, highly automated vehicle, or automated driving system equipment obtained for its own use”; and

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

“(5) DEFINITIONS.—In this subsection:

“(A) AUTOMATED DRIVING SYSTEM.—The term ‘automated driving system’ has the meaning given that term in the September 2016 Surface Vehicle Recommended Practice Report (J3016) by SAE International, or any successor report thereto.

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

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

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