

Chapter 46.92 RCW
AUTONOMOUS MOTOR VEHICLES

Sections

46.92.010 Testing—Self-certification pilot program—Information to be provided—Unique identification number—Notice—Fee—Public access—Operation.

RCW 46.92.010 Testing—Self-certification pilot program—Information to be provided—Unique identification number—Notice—Fee—Public access—Operation. (Effective October 1, 2022.)

(1) In order to test an autonomous motor vehicle on any public roadway under the department's autonomous vehicle self-certification testing pilot program, the following information must be provided by the self-certifying entity testing the autonomous motor vehicle:

- (a) Contact information specified by the department;
- (b) Local jurisdictions where testing is planned;
- (c) The vehicle identification numbers of the autonomous vehicles being tested, provided that one is required by state or federal law; and
- (d) Proof of an insurance policy that meets the requirements of RCW 46.30.050.

(2) Any autonomous motor vehicle to which subsection (1) of this section is applicable and that does not have a vehicle identification number and is not otherwise required under state or federal law to have a vehicle identification number assigned to it must be assigned a unique identification number that is provided to the department and that is displayed in the vehicle in a manner similar to the display of vehicle identification numbers in motor vehicles.

(3) (a) The self-certifying entity testing the autonomous motor vehicle on any public roadway must notify the department of:

- (i) Any collisions that are required to be reported to law enforcement under RCW 46.52.030, involving an autonomous motor vehicle during testing on any public roadway; and
- (ii) Any moving violations, as defined in administrative rule as authorized under RCW 46.20.2891, for which a citation or infraction was issued, involving an autonomous motor vehicle during testing on any public roadway.

(b) By February 1st of each year, the self-certifying entity must submit a report to the department covering reportable events from the prior calendar year.

(c) The self-certifying entity shall provide the information required by the department under (a) of this subsection. The information provided must include whether the autonomous driving system was operating the vehicle at the time of or immediately prior to the collision or moving violation, and in the case of a collision, details regarding the collision, including any loss of life, injury, or property damage that resulted from the collision.

(d) The provisions of this section are supplemental to all other rights and duties under law applicable in the event of a motor vehicle collision.

(4) The self-certifying entity testing the autonomous motor vehicle on public roadways under the department's autonomous vehicle self-certification testing pilot program must provide written notice in advance of testing to local and state law enforcement agencies with

jurisdiction over any of the public roadways on which testing will occur that includes the expected period of time during which testing will occur in the applicable jurisdictions, including city police departments within city limits where testing will occur, county sheriff departments outside of city limits in counties where testing will occur, and the Washington state patrol when testing will occur on limited access highways, as defined in RCW 47.52.010. However, for testing primarily on limited access highways that travels through multiple local jurisdictions, which may include the limited incidental use of other roadways, the self-certifying entity must only provide written notice as specified in this subsection to the Washington state patrol. Written notice provided under this subsection must: (a) Be provided not less than fourteen and not more than sixty days in advance of testing; (b) include contact information where the law enforcement agency can communicate with the self-certifying entity testing the autonomous vehicle regarding the testing planned in that jurisdiction; and (c) provide the physical description of the motor vehicle or vehicles being tested, including make, model, color, and license plate number.

(5) The department may adopt a fee to be charged by the department for self-certification in an amount sufficient to offset administration by the department of the self-certification testing pilot program.

(6) The department shall provide public access to the information self-certifying entities provide to it, and shall provide an annual report to the house and senate transportation committees of the legislature summarizing the information reported by self-certifying entities under this section.

(7) An autonomous motor vehicle may not be operated on any public roadway for the purposes of testing in Washington state until the department is provided with the information required under subsection (1) of this section.

(8) For purposes of this section, "autonomous" means a level four or five driving automation system as provided in the society of automotive engineering international's standard J3016, as it existed on October 1, 2022, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section. [2021 c 193 § 1; 2020 c 182 § 2.]

Effective date—2021 c 193 § 1: "Section 1 of this act takes effect October 1, 2022." [2021 c 193 § 3.]

Effective date—2021 c 193; 2020 c 182 § 2: "Section 2 of this act takes effect October 1, 2022." [2021 c 193 § 4; 2020 c 182 § 4.]