
ENGROSSED SUBSTITUTE HOUSE BILL 2676

AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

State of Washington 66th Legislature 2020 Regular Session

By House Transportation (originally sponsored by Representatives Kloba, Boehnke, and Hudgins)

READ FIRST TIME 02/11/20.

1 AN ACT Relating to establishing minimum requirements for the
2 testing of autonomous vehicles; adding a new section to chapter 46.30
3 RCW; adding a new chapter to Title 46 RCW; and providing an effective
4 date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.30
7 RCW to read as follows:

8 (1) No entity may test an autonomous motor vehicle on any public
9 roadway under the department's autonomous vehicle self-certification
10 testing pilot program unless:

11 (a) The entity holds an umbrella liability insurance policy that
12 covers the entity in an amount not less than five million dollars per
13 occurrence for damages by reason of bodily injury or death or
14 property damage, caused by the operation of an autonomous motor
15 vehicle for which information is provided under the autonomous
16 vehicle self-certification testing pilot program; and

17 (b) The entity maintains proof of this policy with the department
18 in a form and manner specified by the department.

19 (2) Requirements related to proof of motor vehicle insurance
20 under RCW 46.30.020 and penalties for providing false evidence of

1 motor vehicle insurance under RCW 46.30.040 are applicable to this
2 section.

3 NEW SECTION. **Sec. 2.** (1) In order to test an autonomous motor
4 vehicle on any public roadway under the department's autonomous
5 vehicle self-certification testing pilot program, the following
6 information must be provided by the self-certifying entity testing
7 the autonomous motor vehicle:

8 (a) Contact information specified by the department;

9 (b) Local jurisdictions where testing is planned;

10 (c) The vehicle identification numbers of the autonomous vehicles
11 being tested, provided that one is required by state or federal law;
12 and

13 (d) Proof of an insurance policy that meets the requirements of
14 section 1 of this act.

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

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

24 (i) Any collisions that are required to be reported to law
25 enforcement under RCW 46.52.030, involving an autonomous motor
26 vehicle during testing on any public roadway; and

27 (ii) Any moving violations, as defined in administrative rule as
28 authorized under RCW 46.20.2891, for which a citation or infraction
29 was issued, involving an autonomous motor vehicle during testing on
30 any public roadway.

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

34 (c) The self-certifying entity shall provide the information
35 required by the department under (a) of this subsection. The
36 information provided must include whether the autonomous driving
37 system was operating the vehicle at the time of or immediately prior
38 to the collision or moving violation, and in the case of a collision,

1 details regarding the collision, including any loss of life, injury,
2 or property damage that resulted from the collision.

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

6 (4) The self-certifying entity testing the autonomous motor
7 vehicle on public roadways under the department's autonomous vehicle
8 self-certification testing pilot program must provide written notice
9 in advance of testing to local and state law enforcement agencies
10 with jurisdiction over any of the public roadways on which testing
11 will occur that includes the expected period of time during which
12 testing will occur in the applicable jurisdictions, including city
13 police departments within city limits where testing will occur,
14 county sheriff departments outside of city limits in counties where
15 testing will occur, and the Washington state patrol when testing will
16 occur on limited access highways, as defined in RCW 47.52.010.
17 However, for testing primarily on limited access highways that
18 travels through multiple local jurisdictions, which may include the
19 limited incidental use of other roadways, the self-certifying entity
20 must only provide written notice as specified in this subsection to
21 the Washington state patrol. Written notice provided under this
22 subsection must: (a) Be provided not less than fourteen and not more
23 than sixty days in advance of testing; (b) include contact
24 information where the law enforcement agency can communicate with the
25 self-certifying entity testing the autonomous vehicle regarding the
26 testing planned in that jurisdiction; and (c) provide the physical
27 description of the motor vehicle or vehicles being tested, including
28 make, model, color, and license plate number.

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

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

38 (7) An autonomous motor vehicle may not be operated on any public
39 roadway for the purposes of testing in Washington state until the

1 department is provided with the information required under subsection
2 (1) of this section.

3 NEW SECTION. **Sec. 3.** Section 2 of this act constitutes a new
4 chapter in Title 46 RCW.

5 NEW SECTION. **Sec. 4.** Section 2 of this act takes effect October
6 1, 2021.

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