
A BILL FOR AN ACT

RELATING TO AUTONOMOUS VEHICLES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 **"PART . SPECIAL RULES FOR AUTOMATED-DRIVING-SYSTEM-EQUIPPED**
5 **VEHICLES AND DRIVERLESS-CAPABLE VEHICLES**

6 **§291C-A Definitions.** As used in this part:

7 "Automated driving system" means the hardware and software
8 that are collectively capable of performing the entire dynamic
9 driving task on a sustained basis regardless of whether the
10 system is limited to a specific operational design domain.

11 "Automated-driving-system-equipped vehicle" means a motor
12 vehicle equipped with an automated driving system.

13 "Conventional human driver" means a person who manually
14 exercises in-vehicle braking, accelerating, steering, and
15 transmission gear selection input devices in order to operate a
16 motor vehicle.

17 "Department" means the department of transportation.



1 "Driverless-capable vehicle" means a motor vehicle equipped
2 with an automated driving system capable of performing all
3 aspects of the dynamic driving task within its operational
4 design domain, if any, including achieving a minimal risk
5 condition, without any intervention or supervision by a
6 conventional human driver.

7 "Dynamic driving task" means all of the real-time
8 operational and tactical functions required to operate a motor
9 vehicle within its specific operational design domain, if any.

10 "Dynamic driving task" excludes any strategic functions,
11 including trip scheduling and selection of destinations and
12 waypoints, required to operate a motor vehicle within its
13 specific operational design domain, if any.

14 "Minimal risk condition" means a reasonably safe state to
15 which an automated driving system brings an automated-driving-
16 system-equipped vehicle upon experiencing a performance-related
17 failure of the motor vehicle's automated driving system that
18 renders the motor vehicle unable to perform the entire dynamic
19 driving task. "Minimal risk condition" includes bringing the
20 vehicle to a complete stop and activating the hazard lamps.



1 "On-demand driverless-capable vehicle network" means a
2 transportation service network that uses a software application
3 or other digital means to dispatch driverless-capable vehicles
4 for purposes of transporting persons or goods, including for-
5 hire transportation, transportation for compensation, and public
6 transportation.

7 "Operational design domain" means a description of the
8 specific operating domain in which an automated driving system
9 is designed to properly operate. "Operational design domain"
10 includes roadway types; speed range; environmental conditions,
11 including weather and time of day; and other domain constraints.

12 **§291C-B Operation of driverless-capable vehicles without a**
13 **conventional human driver present; requirements; physical acts.**

14 A driverless-capable vehicle may operate on any highway in the
15 State without a conventional human driver physically present in
16 the vehicle if the following conditions are met:

17 (1) The driverless-capable vehicle shall be capable of
18 achieving a minimal risk condition if a malfunction of
19 the automated driving system occurs that renders the
20 system unable to perform the entire dynamic driving



1 task within its intended operational design domain, if
2 any; and

3 (2) While in driverless operation, the driverless-capable
4 vehicle shall be capable of operating in compliance
5 with any applicable state traffic laws that govern the
6 performance of the dynamic driving task, including but
7 not limited to any laws regulating the operation of
8 motor vehicles at railroad crossings, unless an
9 exemption has been granted by the department; provided
10 that department shall consult with all railroad
11 companies operating in the State when considering an
12 exemption that affects motor vehicle operations at
13 railroad crossings;

14 provided further that, when engaged, the automated driving
15 system of the driverless-capable vehicle shall fulfill any
16 physical acts required by any state traffic laws of a
17 conventional human driver to perform the dynamic driving task.

18 **§291C-C Operation of automated-driving-system-equipped**
19 **vehicles; authorized.** (a) Notwithstanding any law to the
20 contrary, a conventional human driver may operate or cause to be
21 operated an automated-driving-system-equipped vehicle capable of



1 performing the entire dynamic driving task within its
2 operational design domain on any highway in the State; provided
3 that this operation shall be subject to any applicable state
4 traffic laws; provided further that the conventional human
5 driver shall:

6 (1) Be licensed pursuant to chapter 286;

7 (2) Operate the automated-driving-system-equipped vehicle
8 according to the motor vehicle manufacturer's
9 requirements and specifications; and

10 (3) Regain manual control of the automated-driving-system-
11 equipped vehicle upon the request of the automated
12 driving system.

13 (b) While engaged, the automated driving system feature
14 shall be designed to operate within its operational design
15 domain in compliance with the state traffic laws, including any
16 laws regulating the operation of motor vehicles at railroad
17 crossings, unless an exemption has been granted by the
18 department; provided that department shall consult with all
19 railroad companies operating in the State when considering an
20 exemption that affects motor vehicle operations at railroad
21 crossings.



1 **§291C-D Automated-driving-system-equipped vehicles;**
2 **insurance requirements.** Prior to operating an automated-
3 driving-system-equipped vehicle on any highway in the State, the
4 conventional human driver operating the automated-driving-
5 system-equipped vehicle shall submit proof of financial
6 responsibility satisfactory to the department that the
7 automated-driving-system-equipped vehicle is covered by
8 insurance or proof of self-insurance that satisfies the
9 requirements of the Hawaii motor vehicle insurance law.

10 **§291C-E Operation of on-demand driverless-capable vehicle**
11 **networks; authorized.** Notwithstanding any law to the contrary,
12 on-demand driverless-capable vehicle networks may be used to:

- 13 (1) Transport persons or goods, including:
- 14 (A) For-hire transportation, including transportation
15 for multiple passengers who agree to share the
16 ride in whole or in part; and
- 17 (B) Public transportation; and
- 18 (2) Connect passengers to driverless-capable vehicles
19 either exclusively or as part of a digital network
20 that also connects passengers to conventional human



1 drivers who provide transportation services in
2 vehicles that are not driverless-capable vehicles.

3 **§291C-F Accidents; requirements.** If an accident involving
4 an automated-driving-system-equipped vehicle occurs:

5 (1) The automated-driving-system-equipped vehicle shall
6 remain on the scene of the accident and otherwise be
7 in compliance with part II of chapter 291C; and

8 (2) The owner of the automated-driving-system-equipped
9 vehicle, if capable, or a person on behalf of the
10 automated-driving-system-equipped vehicle owner, shall
11 report any accident as required by part II of chapter
12 291C.

13 **291C-G Jurisdiction; authority.** (a) This part shall
14 apply to every automated-driving-system-equipped vehicles and
15 automated driving systems operated on any highway or any other
16 publicly owned places under the jurisdiction of the State or any
17 county.

18 (b) The department shall have exclusive authority over all
19 matters subject to this part.

20 (c) Neither the State nor any county shall:



- 1 (1) Impose requirements, including performance standards,
2 specific to the operation of automated-driving-system-
3 equipped vehicles, automated driving systems, or on-
4 demand driverless-capable vehicle networks in addition
5 to the requirements of this part; or
- 6 (2) Impose a tax or other requirement on any automated-
7 driving-system-equipped vehicle, automated driving
8 system, or on-demand driverless-capable vehicle
9 network, where the tax or other requirement imposed
10 relates specifically to the operation of automated-
11 driving-system-equipped vehicles.

12 **§291C-H Highway improvements.** Nothing in this part shall
13 be construed to require the State or counties to plan, design,
14 construct, maintain, or modify any highway to accommodate
15 automated-driving-system-equipped vehicles or driverless-capable
16 vehicles.

17 **§291C-I Tort liability.** Nothing in this part shall be
18 construed to provide greater liability than is already allowed
19 under the state tort liability act.

20 **§291C-J Certificates of title; registration; issuance.**

21 The director of finance of each county may issue certificates of



1 title for and register any automated-driving-system-equipped
 2 vehicle or driverless-capable vehicle that does not meet the
 3 applicable Federal Motor Vehicle Safety Standards but has been
 4 granted an exemption by the National Highway Traffic Safety
 5 Administration."

6 SECTION 2. Section 286-42, Hawaii Revised Statutes, is
 7 amended by amending subsection (a) to read as follows:

8 "(a) The county director of finance shall examine and to
 9 the best of the director's ability determine the genuineness and
 10 regularity of every registration and transfer of registration of
 11 a vehicle pursuant to this part to ensure that every certificate
 12 issued for a vehicle contains true statements of the ownership
 13 of the vehicle and to prevent the registration of a vehicle by
 14 any person not entitled to the vehicle. The director of finance
 15 may require any applicant to furnish information, in addition to
 16 that contained in the application, that is necessary to satisfy
 17 the director of finance of the truth and regularity of the
 18 application. The director of finance may accept any county
 19 certificate of title issued for a vehicle as prima facie
 20 evidence of ownership for registration and transfer of
 21 registration. The director may issue vehicle identification



1 numbers for reconstructed vehicles, special interest vehicles,
2 or motorcycles that do not have vehicle identification numbers
3 if the director determines that the requirements of this section
4 have been met.

5 The county director of finance may register a motorcycle
6 with an aftermarket motorcycle frame, using the number of the
7 frame as issued by the manufacturer of the frame, the vehicle
8 identification number on the certification label, or a vehicle
9 identification number assigned by the director of finance. A
10 bill of sale and Manufacturer's Statement of Origin for the
11 frame, engine, and transmission must be presented and retained
12 as a part of the permanent county registration records. If a
13 Manufacturer's Statement of Origin is not available for the
14 engine and transmission due to the use of a used or
15 reconstructed engine, transmission, or both, then a bill of sale
16 or other proof of ownership, satisfactory to the director of
17 finance must be presented.

18 Except for motorcycles that are built on an aftermarket
19 motorcycle frame, special interest vehicles, and reconstructed
20 vehicles, or as otherwise provided for in section 291C-G, any
21 motor vehicle or device that is not certified by the



1 manufacturer to be in compliance with all applicable Federal
2 Motor Vehicle Safety Standards as of the date of manufacture
3 shall not be registered."


4 SECTION 3. In codifying the new sections added by section
5 1 of this Act, the revisor of statutes shall substitute
6 appropriate section numbers for the letters used in designating
7 the new sections in this Act.

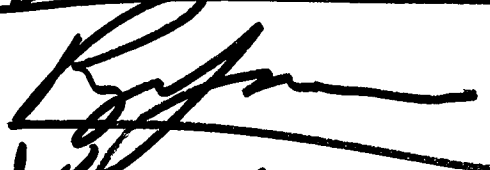
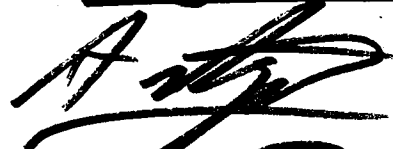
8 SECTION 4. New statutory material is underscored.

9 SECTION 5. This Act shall take effect upon its approval.

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H.B. NO. 2590

Report Title:

Department of Transportation; Automated-Driving-System-Equipped Vehicles; Automated Driving Systems; Driverless-Capable Vehicles; On-Demand Driverless-Capable Vehicle Networks

Description:

Authorizes the use of automated-driving-system-equipped vehicles, automated driving systems, driverless-capable vehicles, and on-demand driverless-capable vehicle networks in the State. Establishes requirements, restrictions, and limitations for the use of these vehicles, systems, and networks.

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