

119TH CONGRESS
2D SESSION

H. R. 7390

To amend title 49, United States Code, regarding the authority of the National Highway Traffic Safety Administration over vehicles with automated driving systems to provide safety measures for such vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2026

Mr. LATTA introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 49, United States Code, regarding the authority of the National Highway Traffic Safety Administration over vehicles with automated driving systems to provide safety measures for such 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Safely Ensuring Lives Future Deployment and Research

1 In Vehicle Evolution Act of 2026” or the “SELF DRIVE
2 Act of 2026”.

3 (b) TABLE OF CONTENTS.—The table of contents for
4 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Purpose.
- Sec. 3. Updated or new motor vehicle safety requirements for vehicles with
automated driving systems.
- Sec. 4. Motor vehicle testing or evaluation.
- Sec. 5. Make inoperative.
- Sec. 6. Protecting the security of connected vehicles.

5 **SEC. 2. PURPOSE.**

6 The purpose of this Act is to ensure continued United
7 States leadership in the global automotive and auto-
8 mous driving sector, improve road safety, mobility, and ac-
9 cessibility, and create American jobs by creating rules and
10 regulations that relate to the design, construction, and
11 performance of ADS-equipped vehicles and by encouraging
12 the testing and deployment of such vehicles.

13 **SEC. 3. UPDATED OR NEW MOTOR VEHICLE SAFETY RE-**
14 **QUIREMENTS FOR VEHICLES WITH AUTO-**
15 **MATED DRIVING SYSTEMS.**

16 (a) IN GENERAL.—Subchapter II of chapter 301 of
17 subtitle VI of title 49, United States Code, is amended
18 by adding at the end the following:

19 **“§ 30130. Motor vehicle safety standards for auto-**
20 **mated driving systems**

21 **“(a) DEFINITIONS.—**

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), in this section and sections 30103,
3 30112, 30122, and 30131:

4 “(A) ADS-DEDICATED VEHICLE.—The
5 term ‘ADS-dedicated vehicle’ means an ADS-
6 equipped vehicle designed to be operated exclu-
7 sively by a Level 4 or Level 5 automated driv-
8 ing system in driverless operation under any
9 routine or normal operating condition during
10 any trip within the operational design domain
11 of the vehicle.

12 “(B) ADS-EQUIPPED VEHICLE.—The term
13 ‘ADS-equipped vehicle’ means any motor vehicle
14 equipped with an automated driving system.

15 “(C) AUTOMATED DRIVING SYSTEM;
16 ADS.—The terms ‘automated driving system’
17 and ‘ADS’—

18 “(i) mean the hardware and software
19 that are collectively capable of performing
20 the entire dynamic driving task on a sus-
21 tained basis, regardless of whether such
22 system is limited to a specific operational
23 design domain; and

1 “(ii) include only a system that meets
2 the definition of Level 3, Level 4, or Level
3 5 automation.

4 “(D) DDT FALLBACK.—The term ‘DDT
5 fallback’ means, after a DDT performance-rel-
6 evant system failure or upon the exit of an
7 ADS-equipped vehicle from the operational de-
8 sign domain of that vehicle—

9 “(i) the response by the in-vehicle fall-
10 back-ready user to perform the dynamic
11 driving task or to achieve an MRC; or

12 “(ii) the response by an automated
13 driving system to achieve an MRC.

14 “(E) DDT PERFORMANCE-RELEVANT SYS-
15 TEM FAILURE.—The term ‘DDT performance-
16 relevant system failure’ means a malfunction in
17 an ADS, another vehicle system, or both that
18 prevents the ADS from reliably performing the
19 DDT on a sustained basis.

20 “(F) DYNAMIC DRIVING TASK; DDT.—The
21 terms ‘dynamic driving task’ and ‘DDT’—

22 “(i) mean all of the real-time oper-
23 ational and tactical function required to
24 operate a motor vehicle in on-road traffic;

1 “(ii) exclude any strategic function,
2 such as trip scheduling and selection of a
3 destination or waypoint; and

4 “(iii) include—

5 “(I) lateral vehicle motion control
6 through steering;

7 “(II) longitudinal motion control
8 through acceleration and deceleration;

9 “(III) monitoring of the driving
10 environment through object and event
11 detection, recognition, classification,
12 and response preparation;

13 “(IV) object and event response
14 execution;

15 “(V) maneuver planning; and

16 “(VI) enhancement of conspicuity
17 through lighting, sounding the horn,
18 signaling, gesturing, or another indi-
19 cator.

20 “(G) FALLBACK-READY USER.—The term
21 ‘fallback-ready user’ means a user of a motor
22 vehicle equipped with an engaged Level 3 ADS
23 feature who—

24 “(i) is properly qualified and able to
25 operate the vehicle; and

1 “(ii) is receptive to an ADS-issued re-
2 quest to intervene and to evident DDT
3 performance-relevant system failure in the
4 vehicle.

5 “(H) IN-VEHICLE FALLBACK-READY
6 USER.—The term ‘in-vehicle fallback-ready
7 user’ means a fallback-ready user who is seated
8 in the driver’s seat.

9 “(I) LEVEL 3; LEVEL 4; LEVEL 5.—The
10 terms ‘Level 3’, ‘Level 4’, and ‘Level 5’ have
11 the meaning given those terms in the April
12 2021 edition of the J3016 recommended prac-
13 tice of SAE International, ‘Taxonomy and Defi-
14 nitions for Terms Related to Driving Automa-
15 tion Systems for On-Road Motor Vehicles’.

16 “(J) MINIMAL RISK CONDITION; MRC.—
17 The terms ‘minimal risk condition’ and ‘MRC’
18 mean a stable, stopped condition to which an
19 in-vehicle fallback-ready user or an ADS may
20 bring a motor vehicle after performing the
21 DDT fallback in order to reduce the risk of a
22 crash when a trip cannot or should not be con-
23 tinued.

24 “(K) OPERATIONAL DESIGN DOMAIN;
25 ODD.—The terms ‘operational design domain’

1 and ‘ODD’ mean the operating conditions
2 under which an ADS, or feature thereof, is spe-
3 cifically designed to function, including any en-
4 vironmental, geographical, and time-of-day re-
5 striction, or the requisite presence or absence of
6 certain traffic or roadway characteristics.

7 “(L) SECRETARY.—The term ‘Secretary’
8 means the Secretary of Transportation, acting
9 through the Administrator of the National
10 Highway Traffic Safety Administration.

11 “(M) VULNERABLE ROAD USER.—The
12 term ‘vulnerable road user’—

13 “(i) means an individual who is
14 present on or in close proximity to a road
15 but is not an occupant of a motor vehicle
16 with more than 3 wheels; and

17 “(ii) includes a pedestrian, bicyclist,
18 motorecyclist, individual in a wheelchair,
19 and a rider or occupant of any other trans-
20 port vehicle that is not a motor vehicle,
21 such as an all-terrain vehicle or tractor.

22 “(2) UPDATE TO DEFINITIONS.—

23 “(A) USE OF SAE INTERNATIONAL DEFINI-
24 TIONS.—The Secretary shall use any definition
25 set forth in April 2021 edition of the J3016

1 recommended practice of SAE International,
2 ‘Taxonomy and Definitions for Terms Related
3 to Driving Automation Systems for On-Road
4 Motor Vehicles’ for any term defined in para-
5 graph (1).

6 “(B) REVIEW.—

7 “(i) IN GENERAL.—Not later than
8 180 days after the date on which any defi-
9 nition for an automated driving system de-
10 scribed in subparagraph (A) is released by
11 SAE International, the Secretary—

12 “(I) shall publish in the Federal
13 Register a review on the clarity and
14 objectivity of such definition; and

15 “(II) may provide feedback to
16 SAE International with suggestions
17 for updates to any such definition.

18 “(ii) USE OF REVISED STANDARD.—

19 “(I) DETERMINATION.—Not
20 later than 120 days after the date on
21 which SAE International revises a
22 definition described in subparagraph
23 (A), the Secretary, after publishing
24 notice of the revision in the Federal
25 Register, shall determine whether to

1 revise any term defined in paragraph
2 (1).

3 “(II) EFFECT OF DECISION NOT
4 TO ADOPT A REVISED DEFINITION.—
5 If the Secretary decides not to adopt
6 a revised definition—

7 “(aa) the Secretary shall no-
8 tify SAE International of the de-
9 cision by the Secretary; and

10 “(bb) the definitions de-
11 scribed in subparagraph (A) shall
12 remain in effect.

13 “(b) AUTOMATED DRIVING SYSTEM REQUIRE-
14 MENTS.—

15 “(1) IN GENERAL.—

16 “(A) SAFETY CASE REQUIRED.—A manu-
17 facturer may not manufacture for sale, sell,
18 offer for sale, introduce or deliver for introduc-
19 tion into interstate commerce, or import into
20 the United States any automated driving sys-
21 tem or ADS-equipped vehicle unless the manu-
22 facturer has developed a safety case for the
23 automated driving system or ADS-equipped ve-
24 hicle that meets the requirements described in
25 paragraph (3).

1 “(B) REGULATIONS AND PROCEDURES.—
2 Consistent with paragraphs (3), (4), and (5),
3 the Secretary may prescribe regulations to es-
4 tablish—

5 “(i) objective content requirements for
6 a safety case; and

7 “(ii) procedures for manufacturers to
8 certify the completion of a safety case and
9 provide the safety case to the Secretary
10 upon request under section 30166.

11 “(C) MODIFICATION OF ADS COM-
12 PETENCIES BY SECRETARY.—The Secretary
13 may prescribe motor vehicle safety standards
14 that define, modify, or interpret the ADS com-
15 petencies described in paragraph (5).

16 “(2) SAFETY STANDARD TO REQUIRE SAFETY
17 CASE.—

18 “(A) SAFETY STANDARD.—Not later than
19 September 30, 2027, the Secretary of Trans-
20 portation shall issue a final rule that prescribes
21 a motor vehicle safety standard under section
22 30111 that requires each manufacturer that
23 manufactures for sale, sells, offers for sale, in-
24 troduces or delivers for introduction in inter-
25 state commerce, or imports into the United

1 States an ADS-equipped vehicle or an auto-
2 mated driving system intended for installation
3 in a motor vehicle not originally equipped with
4 such system to—

5 “(i) complete a safety case described
6 in paragraph (3) for each ADS version
7 produced by the manufacturer that meets
8 the requirements described in this section;
9 and

10 “(ii) provide the safety case to the
11 Secretary upon request under section
12 30166.

13 “(B) DEADLINE.—If the Secretary does
14 not meet the deadline described in subpara-
15 graph (A), the Secretary shall submit to the
16 Committee on Energy and Commerce of the
17 House of Representatives and the Committee
18 on Commerce, Science, and Transportation of
19 the Senate a report that describes the reasons
20 why the deadline was not met.

21 “(C) SPECIAL RULE.—Any motor vehicle
22 safety standard issued under this paragraph su-
23 persedes any conflicting requirement under
24 paragraph (1).

1 “(3) REQUIREMENTS FOR SAFETY CASE.—A
2 safety case described in paragraphs (1) and (2) shall
3 provide claims, supported by arguments and evi-
4 dence, that support the conclusion of the manufac-
5 turer that the design, construction, and performance
6 of the automated driving system to be used in an
7 ADS-equipped vehicle will not present an unreason-
8 able risk of accidents, death, or injury, and shall in-
9 clude:

10 “(A) A description of each hardware and
11 software element of the ADS that includes the
12 following:

13 “(i) Braking, steering, and computing
14 capability.

15 “(ii) Redundancies.

16 “(iii) Each capability of the suite of
17 sensors of the ADS.

18 “(iv) The integration of the ADS into
19 the vehicle platform, including its propul-
20 sion system.

21 “(B) A complete description of the oper-
22 ational design domain of the ADS and how the
23 ADS performs each element of the dynamic
24 driving task within the ODD of the ADS.

1 “(C) Each engineering methodology, in-
2 cluding each hazard analysis used to design and
3 assess the performance of the ADS and ensure
4 motor vehicle safety.

5 “(D) Analysis of the safety performance of
6 the ADS that uses the methodology described in
7 subparagraph (C), including each competency
8 in normal driving and crash avoidance capa-
9 bility and the acceptance criteria used by the
10 manufacturer in assessing such performance.

11 “(E) An explanation of how the ADS an-
12 ticipates and responds to any potential crash.

13 “(F) A description of any vehicle-inte-
14 grated system that provides a visual or digital
15 hazard that alerts a nearby road user when the
16 vehicle executes or enters a minimal risk condi-
17 tion, including any system that automatically
18 activates a high-conspicuity lighting pattern,
19 transmits a digital hazard message, or both, to
20 any connected vehicle and roadway infrastruc-
21 ture.

22 “(G) An explanation of how the ADS-
23 equipped vehicle meets each competency listed
24 in paragraph (5).

1 “(4) ADS COMPETENCIES.—The competencies
2 described in this paragraph are the following:

3 “(A) An ADS can perform the entire DDT
4 within the ODD of the ADS and is able to rec-
5 ognize the boundaries of its ODD.

6 “(B) An ADS can detect and respond ap-
7 propriately to any vulnerable road user likely to
8 be present and in proximity to the ADS in the
9 relevant ODD.

10 “(C) In the case of a Level 3 ADS, the
11 ADS has the ability to clearly and unambig-
12 uously communicate ADS status and whether a
13 user is a fallback ready user and, during any
14 transfer of control to the fallback-ready user, to
15 provide sufficient lead time for the fallback-
16 ready user to safely assume the DDT and safe-
17 ly maintain vehicle control until the fallback-
18 ready user has assumed control and the trans-
19 fer is completed.

20 “(D) In the case of a Level 4 and Level 5
21 ADS, the ADS has the ability to safely achieve
22 an MRC when necessary.

23 “(E) An ADS can detect the limits of the
24 ODD of the ADS and respond appropriately
25 when 1 or more conditions of the ODD are no

1 longer met, whether by achieving an MRC or,
2 in the case of a Level 3 ADS, alerting the fall-
3 back-ready user to intervene and assume con-
4 trol of the DDT.

5 “(F) An ADS is can detect and respond to
6 any object or event, including emergency vehi-
7 cles, emergency personnel, and school buses
8 likely to be present and in proximity to the
9 ADS in the relevant ODD and relevant to any
10 driving decision of the ADS.

11 “(G) An ADS can comply with any appli-
12 cable State or local traffic law and any law rel-
13 evant to the performance of the DDT.

14 “(H) A description of a cybersecurity plan
15 that includes the following:

16 “(i) A written cybersecurity policy
17 with respect to the practices of the manu-
18 facturer to detect and respond to cyber at-
19 tacks, unauthorized intrusions, and false
20 vehicle control commands.

21 “(ii) A process to identify, assess, and
22 mitigate reasonably foreseeable cyber risks
23 related to motor vehicle safety from cyber
24 attacks or unauthorized intrusions, includ-

1 ing false and malicious vehicle control com-
2 mands.

3 “(iii) A process to take preventive and
4 corrective action to mitigate against rea-
5 sonably foreseeable cyber risks related to
6 motor vehicle safety in an automated driv-
7 ing system or ADS-equipped vehicle, in-
8 cluding incident response plans, unauthor-
9 ized intrusion detection and prevention sys-
10 tems that safeguard key controls, systems,
11 and procedures through testing or moni-
12 toring, and updates to such process based
13 on changed circumstances.

14 “(5) REPORT REQUIRED.—Not later than four
15 years after enactment of this Act, the Secretary
16 shall submit a report to the House Commerce on
17 Energy and Commerce and Senate Committee on
18 Commerce, Science, and Transportation that shall
19 include recommendations for potentially needed new
20 standards specific to ADS and ADS-equipped vehi-
21 cles that the Secretary finds necessary to promulgate
22 under 49 U.S.C. 30111.

23 “(c) MANUAL CONTROLS.—

24 “(1) REQUIREMENTS.—A manufacturer may
25 not sell, offer for sale, introduce or deliver for intro-

1 duction into commerce, or import into the United
2 States any ADS-dedicated vehicle that is configured
3 or subsequently altered to carry 1 or more occu-
4 pants, unless the vehicle is equipped to—

5 “(A) provide an occupant inside of the ve-
6 hicle with the means from within the vehicle to
7 command that the ADS safely achieve an MRC;
8 and

9 “(B) after the vehicle has achieved an
10 MRC, allow the occupant to safely exit the vehi-
11 cle.

12 “(2) EXEMPTION FROM MOTOR VEHICLE SAFE-
13 TY STANDARDS.—

14 “(A) MANUALLY OPERATED CONTROLS
15 AND EQUIPMENT.—If a vehicle is equipped with
16 the system described in paragraph (1), a motor
17 vehicle safety standard issued under section
18 30111 may not require the manufacturer to
19 equip the vehicle with manually operated con-
20 trols and equipment intended only to support a
21 human driver in an ADS-dedicated vehicle.

22 “(B) VEHICLE CONFIGURED TO CARRY
23 PROPERTY.—A motor vehicle safety standard
24 issued under section 30111 may not be applied
25 to require a manufacturer of an ADS-dedicated

1 vehicle configured solely to carry property and
2 not one or more occupants to comply with the
3 standard by equipping the vehicle with manu-
4 ally operated controls and equipment intended
5 only to support a human driver in an ADS-
6 dedicated vehicle.

7 **“§ 30131. National Automated Vehicle Safety Data Re-**
8 **pository**

9 “(a) DEFINITIONS.—In this section:

10 “(1) COVERED CRASH.—The term ‘covered
11 crash’ means a crash on a publicly accessible road
12 in the United States—

13 “(A) that involves—

14 “(i) a fatality;

15 “(ii) an injury that results in a person
16 being transported from the scene of the
17 crash to a hospital for medical treatment;

18 “(iii) an airbag deployment;

19 “(iv) a strike of a vulnerable road
20 user;

21 “(v) the towing of a vehicle; and

22 “(B) in which the automated driving sys-
23 tem was engaged at any time during the period
24 from 30 seconds immediately prior to the com-

1 mencement of the crash through the conclusion
2 of the crash.

3 “(2) REPOSITORY.—The term ‘repository’
4 means the National Automated Vehicle Safety Data
5 Repository established pursuant to subsection (b).

6 “(3) STATE TRANSPORTATION REGULATORY
7 AGENCY.—The term ‘State transportation regulatory
8 agency’ means a department of motor vehicles, de-
9 partment of transportation, or equivalent State or
10 local agency.

11 “(b) RULEMAKING REQUIRED.—Not later than Sep-
12 tember 30, 2026, the Secretary of Transportation shall
13 issue a final rule that includes the following:

14 “(1) The establishment of a National Auto-
15 mated Vehicle Safety Data Repository to receive and
16 store data from a covered crash from manufacturers
17 of automated driving systems and from manufactur-
18 ers of ADS-equipped vehicles.

19 “(2) A requirement, stated in objective terms,
20 for such manufacturers to report to the Secretary
21 for inclusion in the repository, not later than 30
22 days after the date on which a covered crash occurs
23 or 10 days after the date on which a manufacturer
24 receives notice of such crash, whichever is later, spe-

1 cific information known to the manufacturer about
2 the crash that includes the following:

3 “(A) The time and location.

4 “(B) Each vehicle involved.

5 “(C) Whether a vulnerable road user was
6 involved.

7 “(D) Any injuries that resulted from the
8 crash.

9 “(E) Whether any local authority inves-
10 tigated the crash.

11 “(F) A summary of the circumstances sur-
12 rounding the crash.

13 “(3) A requirement for such manufacturers to
14 submit to the Secretary on a quarterly basis, a re-
15 port on the total miles traveled with the ADS en-
16 gaged of the ADS-equipped vehicles of the manufac-
17 turer during the previous quarter, including the total
18 miles traveled in revenue service during commercial
19 operations.

20 “(4) A process for a relevant State transpor-
21 tation regulatory agency to access information from
22 a covered crash described in paragraph (2) in a
23 timely manner.

24 “(5) A requirement that—

1 “(A) any information shared with a rel-
2 evant State or local transportation regulatory
3 agency is protected by the confidential business
4 information protections and procedures estab-
5 lished in part 512 of title 49, Code of Federal
6 Regulations, and is exempt from disclosure
7 under sections 552(b)(3) and section 552a of
8 title 5; and

9 “(B) any such relevant State or local
10 transportation regulatory agency is subject to
11 the same confidential business information pro-
12 tections and procedures established in such part
13 512.

14 “(6) The establishment of a system to publicly
15 share the data collected for the repository, subject to
16 the confidential business information protections and
17 procedures established in part 512 of title 49, Code
18 of Federal Regulations.

19 “(7) A requirement to minimize the duplication
20 of information about a covered crash described in
21 paragraph (2) and any other publicly reported data
22 in the repository.

23 “(8) A requirement for a manufacturer to re-
24 port whether an ADS-equipped vehicle involved in a

1 covered crash was authorized to operate pursuant to
2 section 30112(b)(10).

3 “(c) SUNSET FOR QUARTERLY MILEAGE RE-
4 PORTS.—

5 “(1) TOTAL MILES TRAVELED.—Except as pro-
6 vided in paragraph (2), the requirement described in
7 subsection (b)(3) does not apply beginning on the
8 date that is 5 years after the date on which a final
9 rule is issued pursuant to subsection (b).

10 “(d) REPEAL.—Standing General Order 2021–01
11 issued by the National Highway Traffic Safety Adminis-
12 tration does not apply to an ADS-equipped vehicle begin-
13 ning on the compliance date of the final rule issued pursu-
14 ant to subsection (b).

15 “(e) EFFECTIVE DATE.—This section shall take ef-
16 fect on September 30, 2026.”.

17 (b) TECHNICAL AND CONFORMING AMENDMENT.—
18 The table of sections for subchapter II of chapter 301 of
19 subtitle VI of title 49, United States Code, is amended
20 by adding at the end the following:

30130. Motor vehicle safety standards for automated driving systems.
30131. National Automated Vehicle Safety Data Repository.

21 (c) ENFORCEMENT AUTHORITY.—Section
22 30165(a)(1) of title 49, United States Code, is amended
23 by inserting “30130, 30131,” after “30127,”.

1 “(3) FEDERAL PREEMPTION FOR AUTOMATED
2 DRIVING SYSTEMS AND ADS-EQUIPPED VEHICLES.—

3 “(A) IN GENERAL.—Except as provided in
4 subparagraph (B), a State, or political subdivi-
5 sion of a State, may not maintain, enforce, pre-
6 scribe, or continue in effect any law, rule, regu-
7 lation, requirement, standard, or other provision
8 having the force and effect of law of the State,
9 or political subdivision of the State, that—

10 “(i) prohibits in whole or in part a
11 manufacturer from manufacturing for sale,
12 selling, offering for sale, introducing or de-
13 livering for introduction into interstate
14 commerce, or importing into the United
15 States any automated driving system or
16 ADS-equipped vehicle if the manufacturer
17 develops a safety case described in section
18 30130(b)(3) for the automated driving sys-
19 tem or ADS-equipped vehicle; or

20 “(ii) requires manufacturers of auto-
21 mated driving systems and manufacturers
22 of ADS-equipped vehicles to report infor-
23 mation about a covered crash to a State or
24 a political subdivision of a State.

1 “(B) EXCEPTIONS.—Notwithstanding sub-
2 paragraph (A)—

3 “(i) a State may enforce a law or re-
4 quirement that is identical to a law or re-
5 quirement under subparagraphs (A) or (B)
6 of section 30130(b)(1) or section 30131;
7 and

8 “(ii) compliance with subparagraphs
9 (A) or (B) of section 30130(b)(1) or sec-
10 tion 30131 does not exempt a person from
11 liability at common law.”.

12 “(C) Nothing in this paragraph shall be
13 construed to limit or preempt State or local au-
14 thority over:

15 “(i) traffic laws;

16 “(ii) vehicle registration;

17 “(iii) safety and emissions inspections;

18 “(iv) congestion management of vehi-
19 cles operating within a State or political
20 subdivision of a State;

21 “(v) insurance;

22 “(vi) generally applicable consumer
23 protection laws; or

24 “(vii) environmental laws or regula-
25 tions.

1 “(D) Nothing in this paragraph may be
2 construed to prohibit a State or a political sub-
3 division of a State from maintaining, enforcing,
4 prescribing, or continuing in effect any law or
5 regulation relating to the sale, distribution, re-
6 pair, or service of ADS-equipped vehicles or
7 automated driving systems, by a dealer, manu-
8 facturer, or distributor.”.

9 **SEC. 4. MOTOR VEHICLE TESTING OR EVALUATION.**

10 Section 30112 of title 49, United States Code, is
11 amended—

12 (1) in subsection (b)(10)—

13 (A) in subparagraph (C), by striking the
14 period at the end and inserting “; or”;

15 (B) by redesignating subparagraphs (A)
16 through (C) as clauses (i) through (iii), respec-
17 tively, and moving their margins 2 ems to the
18 right;

19 (C) by striking “evaluation by a manufac-
20 turer that agrees not to sell or offer for sale the
21 motor vehicle at the conclusion of the testing or
22 evaluation and that prior to the date of enact-
23 ment of this paragraph” and inserting the fol-
24 lowing: “evaluation by—

1 “(A) a manufacturer that agrees not to sell
2 or lease or offer for sale or lease the motor ve-
3 hicle used for testing or evaluation at the con-
4 clusion of the testing or evaluation that—”; and

5 (D) by adding at the end the following:

6 “(B) a manufacturer of an automated driv-
7 ing system or ADS-equipped vehicle (as such
8 terms are defined in section 30130(a)) or any
9 component of such automated driving system or
10 ADS-equipped vehicle that agrees not to sell or
11 lease or offer for sale or lease the automated
12 driving system, ADS-equipped vehicle, or com-
13 ponent used for testing or evaluation at the
14 conclusion of the testing or evaluation.”; and

15 (2) by adding at the end the following:

16 “(c) COMMERCIAL OPERATIONS PERMITTED FOR
17 TESTING OR EVALUATION FOR ADS-EQUIPPED VEHI-
18 CLES.—

19 “(1) AUTHORIZATION BY SECRETARY.—Subject
20 to paragraph (2), the Secretary may authorize a
21 manufacturer that conducts testing or evaluation
22 under subsection (b)(10) to undertake limited com-
23 mercial operations for an ADS-equipped vehicle, in-
24 cluding through the carrying of members of the pub-

1 lic as passengers and transporting of freight, as part
2 of the testing or evaluation.

3 “(2) CONSIDERATION FOR EVALUATION.—Any
4 limited commercial operation authorized by the Sec-
5 retary pursuant to paragraph (1) shall consider the
6 operational use case of the manufacturer, the objec-
7 tives of the manufacturer for the testing or evalua-
8 tion, and be subject to limitations established by the
9 Secretary based on the operational use case to en-
10 sure that the testing or evaluation under this sub-
11 section does not constitute de facto deployment of
12 non-compliant motor vehicles, which may include—

13 “(A) reasonable limitations (on a jurisdic-
14 tion-by-jurisdiction basis) on the number of
15 participating motor vehicles, mileage, revenue
16 generation, or duration of deployment; and

17 “(B) any additional oversight and trans-
18 parency requirements determined by the Sec-
19 retary consistent with the authority of the Sec-
20 retary described elsewhere in this chapter.”.

21 **SEC. 5. MAKE INOPERATIVE.**

22 Section 30122(b) of title 49, United States Code, is
23 amended—

24 (1) by inserting “(1) IN GENERAL.” before “A
25 manufacturer”; and

1 (2) by adding at the end the following:

2 “(2) EXCEPTION.—Paragraph (1) does not
3 apply in a case in which a manufacturer inten-
4 tionally causes a device or element of a design relat-
5 ing to the performance of the dynamic driving task
6 by a human driver to be temporarily disabled or al-
7 tered in their functionality for safety reasons during
8 the time that an automated driving system is en-
9 gaged and capable of performing the entire dynamic
10 driving task.

11 “(3) COMPLIANCE WITH SECTION 30130 RE-
12 QUIRED FOR EXCEPTION.—Any manufacturer that
13 claims the exception described in paragraph (2) shall
14 comply with section 30130(b).”.

15 **SEC. 6. PROTECTING THE SECURITY OF CONNECTED VEHI-**
16 **CLES.**

17 (a) REVIEW.—Not later than 1 year after the date
18 of the enactment of this Act, the Secretary of Commerce,
19 in consultation with the head of any relevant agency, shall
20 review the implementation of the final rule Securing the
21 Information and Communications Technology and Serv-
22 ices Supply Chain: Connected Vehicles (90 Fed. Reg.
23 5360).

24 (b) BRIEFING.—Not later than 60 days after the date
25 of the completion of the review described in subsection (a),

1 the Secretary of Commerce shall provide a briefing on im-
2 plementation of the final rule to the Committees on En-
3 ergy and Commerce and Foreign Affairs of the House of
4 Representatives and the Committees on Commerce,
5 Science, and Transportation and Foreign Relations of the
6 Senate.

7 (c) AGENCY DEFINED.—In this section, the term
8 “agency” has the meaning given that term in section 551
9 of title 5, United States Code.

○