

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2910**

BY DELEGATES HAMRICK, HOWELL, WALTERS,  
WESTFALL, DEAN, STORCH, MCGEEHAN AND FOLK

[Introduced March 10, 2017; Referred  
to the Committee on Roads and Transportation then  
the Judiciary.]

1 A BILL to amend the Code of West Virginia,1931, as amended, by adding thereto a new article,  
 2 designated §17-7-1, §17-7-2 and §17-7-3, all relating to autonomous vehicles; definition;  
 3 operation; liability of manufacturers limited.

*Be it enacted by the Legislature of West Virginia:*

1 That the Code of West Virginia,1931, as amended, be amended by adding thereto a new  
 2 article, designated §17-7-1, §17-7-2 and §17-7-3, all to read as follows:

**ARTICLE 7. AUTONOMOUS VEHICLES.**

**§17-7-1. Definitions.**

1 (a) “Autonomous vehicle” means any vehicle equipped with autonomous technology.

2 (b) “Autonomous technology” means technology installed on a motor vehicle that has the  
 3 capability to drive the vehicle on which the technology is installed without the active control or  
 4 monitoring by a human operator. The term excludes a motor vehicle enabled with active safety  
 5 systems or driver assistance systems, including, without limitation, a system to provide electronic  
 6 blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise  
 7 control lane keep assistance, lane departure warning or traffic jam and queuing assistance, unless  
 8 any such system alone or in combination with other systems enables the vehicle on which the  
 9 technology is installed to drive without active control or monitoring by a human operator.

**§17-7-2. Operation.**

1 (a) A person who possesses a valid driver license may operate an autonomous vehicle on  
 2 autonomous mode on roads and highways in this state if the vehicle is equipped with autonomous  
 3 technology.

4 (b) For the purposes of this code, unless the context requires otherwise, a person is  
 5 considered to be the operator of an autonomous vehicle operating in an autonomous mode when  
 6 the person causes the vehicle’s autonomous technology to engage regardless of whether the  
 7 person is physically present in the vehicle while the vehicle is operating in autonomous mode.

**§17-7-3. Exemption from liability for a manufacturer when a third party converts a vehicle.**

8           The original manufacturer of a vehicle converted by a third party into an autonomous  
9 vehicle is not liable and has a defense to and be dismissed from, any legal action brought against  
10 the original manufacturer by any person injured due to an alleged vehicle defect caused by the  
11 conversion of the vehicle, or by equipment installed by the converter, unless the alleged defect  
12 was present in the vehicle as originally manufactured.

NOTE: The purpose of this bill is to legalize autonomous vehicles.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.