

119TH CONGRESS
2D SESSION

S. _____

To improve incident reporting with respect to certain autonomous vehicles,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY introduced the following bill; which was read twice and referred
to the Committee on _____

A BILL

To improve incident reporting with respect to certain
autonomous 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.**

4 This Act may be cited as the “AV Safety Data Act”.

5 **SEC. 2. INCIDENT REPORTING WITH RESPECT TO CERTAIN**

6 **AUTONOMOUS VEHICLES.**

7 (a) **DEFINITIONS.**—In this section:

8 (1) **ADMINISTRATOR.**—The term “Adminis-
9 trator” means the Administrator of the National
10 Highway Traffic Safety Administration.

24 (6) UNPLANNED STOPPAGE EVENT.—The term
25 “unplanned stoppage event” means an event, other

1 than a collision or an incident intentionally caused
2 by a human driver, during which, as a result of an
3 Automated Driving System or Level 2 Advanced
4 Driver Assistance System (or if such a System was
5 engaged or an attempt was made to engage such a
6 System during the 30-second period preceding the
7 event), a covered vehicle—

- 8 (A) stops on a public road in a travel lane
9 and is unable to proceed without retrieval, man-
10 ual intervention, or the assistance of a remote
11 operator;
- 12 (B) interferes with the normal functioning
13 of public transit or public transit vehicles, in-
14 cluding light rail;
- 15 (C) interferes with the activities of law en-
16 forcement or first responders; or
- 17 (D) interferes with a construction or work
18 zone.

19 (7) VULNERABLE ROAD USER.—The term “vul-
20 nerable road user” has the meaning given the term
21 in section 148(a) of title 23, United States Code.

22 (b) REPORTING TO NATIONAL HIGHWAY TRAFFIC
23 SAFETY ADMINISTRATION.—Not later than 90 days after
24 the date of enactment of this Act, the Administrator shall
25 promulgate regulations to require each covered entity to

1 submit to the National Highway Traffic Safety Adminis-
2 tration—

3 (1) information as required by the Third
4 Amended Standing General Order 2021-01; and

5 (2) a monthly report that includes, with respect
6 to the preceding month—

7 (A) the number of miles traveled on public
8 roads by covered vehicles manufactured or oper-
9 ated by the covered entity, disaggregated by
10 make, model, model year, major software
11 version, road type (freeway or non-freeway), lo-
12 cation (including State and county), and whether
13 an occupant was present in the vehicle;

14 (B) information on any event during which
15 a collision with a covered vehicle manufactured
16 or operated by the covered entity resulted in an
17 injury to a vulnerable road user or an occupant
18 of a vehicle other than the covered vehicle; and

19 (C) information on any unplanned stop-
20 page event that involved a covered vehicle man-
21 ufactured or operated by the covered entity, in-
22 cluding—

23 (i) the license plate number and vehi-
24 cle identification number of the vehicle;

- 1 (ii) the make, model, model year, and
- 2 major software version of the vehicle;
- 3 (iii) the date, time, and location (in-
- 4 cluding State, county, and latitude and
- 5 longitude) with respect to the event;
- 6 (iv) the type of road (freeway or non-
- 7 freeway) on which the event occurred;
- 8 (v) a description of the event;
- 9 (vi) information about any environ-
- 10 mental conditions (including geography
- 11 and weather) affecting the operation of the
- 12 vehicle with respect to the event;
- 13 (vii) information about any involve-
- 14 ment of law enforcement, first responders,
- 15 or public transit authorities with respect to
- 16 the event;
- 17 (viii) information about the impact of
- 18 the event on passengers, vulnerable road
- 19 users, or other vehicles;
- 20 (ix) information about the resolution
- 21 of the event;
- 22 (x) information about any intervention
- 23 by the covered entity with respect to the
- 24 event; and

1 (xi) the amount of time, in seconds,
2 between the beginning and resolution of
3 the event and, if the covered entity inter-
4 vened in the event, the amount of time, in
5 seconds, between the beginning of the
6 event and the intervention by the covered
7 entity.

8 (c) SCOPE OF LEVEL 2 ADVANCED DRIVER ASSIST-
9 ANCE SYSTEM REPORTING.—With respect to the monthly
10 report required under subsection (b)(2), a covered entity
11 may only submit data from a covered vehicle with a Level
12 2 Advanced Driver Assistance System if the data—

13 (1) was collected—

14 (A) while the Level 2 Advanced Driver As-
15 sistance System was engaged; or

16 (B) during the 30-second period preceding
17 an unplanned stoppage event; and

18 (2) does not contain personally identifiable in-
19 formation about a human driver of the vehicle.

20 (d) PUBLIC AVAILABILITY.—Beginning on the date
21 that is 120 days after the date of enactment of this Act,
22 the Administrator shall make publicly available on the
23 website of the National Highway Traffic Safety Adminis-
24 tration, in a machine-readable format that includes

1 datasets, any information and reports submitted pursuant
2 to subsection (b).

3 (e) REVISION OF REGULATIONS.—

4 (1) IN GENERAL.—Beginning on the date that
5 is 10 years after the date of enactment of this Act,
6 and not before that date, the Administrator may re-
7 scind the regulations required by subsection (b) or
8 revise those regulations to reduce the frequency and
9 scope of information required to be submitted pursu-
10 ant to that subsection.

11 (2) RULE OF CONSTRUCTION.—Nothing in
12 paragraph (1) prevents the Administrator, at any
13 time, from revising the regulations required by sub-
14 section (b) in a manner consistent with that sub-
15 section.