

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) (AUTONOMOUS VEHICLES TRIALS) AMENDMENT BILL 2016

Introduction

This explanatory statement relates to the *Road Transport (Safety and Traffic Management) (Autonomous Vehicle Trials) Amendment Bill 2016* as presented to the Legislative Assembly. It has been prepared in order to assist the reader of the bill and to help inform debate on it. It does not form part of the bill and has not been endorsed by the Assembly.

The statement must be read in conjunction with the bill. It is not, and is not meant to be, a comprehensive description of the bill. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

Overview of the Bill

This Bill is intended to allow for the safe testing of autonomous (or self-driving) cars in the ACT.

The world's leading automotive companies including Tesla, General Motors, Ford and Volvo, as well as search engine giant Google are rapidly progressing autonomous vehicle technology. In 2017, Mercedes-Benz will likely release the E Class sedan, a commercially available car which can speed up, change lanes and overtake a car at the press of a button.

Autonomous vehicles have the potential to provide many benefits, most notably to improve safety on the roads. Autonomous vehicles can also increase social mobility, are more fuel efficient and can play a role in reducing congestion.

It is envisaged that this legislation will ultimately be the first step in allowing for commercially purchased autonomous vehicles to be used on Canberra's roads.

Clause Notes

Clause 1 **Name of Act**

This clause provides that the name of the Act is the *Road Transport (Safety and Traffic Management) (Autonomous Vehicle Trials) Amendment Act 2016*.

Clause 2 **Commencement**

This clause provides for the commencement of the Act on the day after its notification day.

Clause 3 **Legislation Amended**

This clause provides that the legislation mentioned in the clause is amended by the Act.

Clause 4 **Offences against Act-application of Criminal Code etc Section 5AA, note 1**

The clause inserts new offences into the Act.

Clause 5 **New Part 7A**

This clause details how an applicant may apply to the Minister for approval to trial an autonomous vehicle, what the Minister must consider in order to approve or refuse to approve the trial and the form in which an approval to trial must be issued.

It is a condition of approval of an autonomous vehicle trial that:

- The operator of the vehicle holds a current licence to drive the vehicle and is capable of taking immediate manual control of the vehicle if there is a failure of the autonomous system or other emergency;
- The operator of the vehicle is in the driver's seat of the vehicle during the trial; and
- The vehicle has a mechanism to engage and disengage the autonomous system that is easily accessible to the operator;
- The vehicle has a visual indicator inside the vehicle to indicate when the autonomous system is engaged and when the autonomous system is disengaged;
- The vehicle has a failure alert system that—
 - Tells the operator when a system failure is detected;
 - Allows the operator to take immediate manual control of the vehicle (including use of brake, accelerator and steering wheel) when a failure of the autonomous system or other emergency is detected; and
 - Stops the vehicle if the operator does not or cannot take immediate manual control of the autonomous vehicle when a failure of the autonomous system or other emergency is detected;
- The vehicle can capture and store sensor data from the vehicle for at least 20 seconds before a collision can happen; and
- The trial complies with any guidelines made under section 32F(1).

The Minister may make guidelines in relation to the operation of this Part.

Four offences are created in the Bill. They are:

- Trialling an autonomous vehicle without approval;
- Contravening a condition of an approved trial;

- Hindering an approved trial or interfering with any equipment or device relating to an approved trial; and
- Failing to keep or supply data.

The Minister must also take reasonable steps to prevent commercially sensitive material or any information that an applicant has requested to be kept confidential from being published.

The Minister must also review the operation of the legislation after two years. This review must consider any legislative change or regulatory action required for the safe trialling and operation of autonomous vehicles.

Clause 6 Dictionary, new definitions

This clause provides for new definitions to be inserted into the Act, including the terms ‘approved trial’, ‘autonomous system’, ‘autonomous vehicle’ and ‘participate’.

Clause 7 Road Transport (General) Regulation 2000 Schedule 2, new part 2.1A

This clause allows the decisions made by the Minister under section 32C(1)(b) and section 32E(2) to be reviewable.