

## Red Tape Review Rule Report (Due: September 1, 2024 )

<b>Department Name:</b>	Transportation	<b>Date:</b>	4/25/24	<b>Total Rule Count:</b>	7
<b>IAC #:</b>	761	<b>Chapter/ SubChapter/ Rule(s):</b>	380	<b>Iowa Code Section Authorizing Rule:</b>	321.519
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**PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

### What is the intended benefit of the rule?

This chapter outlines vehicle registration and exemption processes that driverless-capable vehicles are to follow to ensure safe operation of such vehicles as required by Iowa Code sections 321.514-321.519. These sections authorize automated driving system (ADS)-equipped vehicles to operate on public highways in Iowa under certain conditions and gives the Department exclusive regulatory authority over these vehicles.

The intended benefit of this chapter is to provide vehicle owners, vehicle manufacturers, the law enforcement community, the automotive industry, and any other interested party with transparency regarding implementation of the authority given to the Department in Iowa Code section 321.519 to regulate these vehicles, by the doing the following:

- Providing clear and consistent requirements for individuals or entities seeking to title and register driverless-capable vehicles in Iowa, including issuing operational restrictions, if applicable
- Ensuring notation of the ADS level on the vehicle registration record.
- Outlining the process under Iowa Code section 321.515(1) “b” for seeking exemption from traffic laws or regulations to operate a driverless-capable vehicle in Iowa.
- Establishing transparent administrative appeal procedures for the above processes.

### Is the benefit being achieved? Please provide evidence.

The rules have been applied only to a very limited extent in Iowa, as this technology is still emerging and is most prevalent in higher population states. However, evidence of the chapter’s benefit includes that registration process and record notation outlined by the rules have successfully worked for the one vehicle registered in Iowa with an ADS.

Recent evidence also includes the Department’s collaboration with a national autonomous box truck delivery company who announced plans to deploy in Iowa, and who expressed their appreciation for having the regulations easily accessible and viewable so they could review the requirements prior to deploying in Iowa. This demonstrates the benefit of having the information available and publicly accessible for vehicle manufacturers and the auto industry who are considering deployment of ADS in Iowa.

The Department has not yet received any application for a driverless-capable vehicle exemption under Iowa Code section 321.515(1) "b." However, there is benefit to having the process clearly outlined in the rule so that when the situation arises, all parties understand clearly and consistently how to proceed.

**What are the costs incurred by the public to comply with the rule?**

There are no costs to the public to comply with this chapter beyond the minimum statutory requirements to title and register a vehicle in Iowa. The Department does not charge any additional fees for the registration, notation, or exemption of these vehicles.

Owners or manufacturers of ADS-equipped vehicles may need to spend a negligible amount of time to complete applications/processes relating to:

- Providing the Department with a copy of the vehicle's operational design domain.
- Providing the Department with information regarding changes to the vehicles operational design domain and operational capabilities.
- Applying for a driverless-capable vehicle exemption to the department under Iowa Code section 321.515(1)"b" if the vehicle is not capable of operating in compliance with traffic laws and regulations.

**What are the costs to the agency or any other agency to implement/enforce the rule?**

There are no costs to the Department to implement the rules beyond those that would otherwise be required to administer the statute. The number of these vehicles is extremely small (only one vehicle currently registered in Iowa). If there is an increase in requests for registration of ADS vehicles and/or vehicle exemptions, the Department is well-positioned to process these requests with existing vehicle registration staff and program managers.

**Do the costs justify the benefits achieved? Please explain.**

N/A, there are no costs to the Department or the public.

**Are there less restrictive alternatives to accomplish the benefit? ☐ YES ☒ NO**

**If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.**

No. The rules are required to implement Iowa Code section 321.514-321.519.

Iowa's requirements for automated vehicle registration and law enforcement interaction are consistent with the requirements in other states. The requirements outlined in this chapter related to reviewing and approving vehicle capabilities prior to vehicle registration are similar to, and in many cases less restrictive than, other states. For example, CA and NY require more comprehensive registration documentation, whereas Iowa falls more in alignment with Arizona and Washington with self-certification that an ADS-vehicle can adhere to applicable traffic laws. Further, the rules do not impose any supplemental cost for registration, unlike CA that has a \$3,600 annual application fee.

Finally, the requirement to record information on SAE level automation as part of the vehicle registration process is in alignment with the American Association of Motor Vehicle Administrator (AAMVA) [Safe Testing and Deployment of Vehicles Equipped with Automated Driving Systems Guidelines, Edition 3](#) (July 2022).

**Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]**

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Yes, Chapter 380 contains language that is redundant and duplicative of statutory language. To address these concerns and to better organize the material into a more usable format, the chapter has been rewritten and consolidated.

761.380.1 Applicability – contained language redundant of statute.

761.380.2 Definitions – contained unnecessary definitions.

761.380.3 Information and addresses – contained outdated and unnecessary contact information.

761.380.4 Identification of driverless-capable vehicles in registration – contained duplicative and unnecessary information that we are recommending be consolidated into one rule concerning vehicle registration.

761.380.5 Operational restrictions – contained duplicative and unnecessary information that we are recommending be consolidated into one rule concerning vehicle registration.

761.380.6 Identification of driverless-capable vehicle networks – this entire rule is redundant of other departmental rule chapters and should be rescinded.

761.380.7 Driverless-capable vehicle exemption – contained redundant language and language duplicative of statute.

**RULES PROPOSED FOR REPEAL (list rule number[s]):**

761.380.5 Operational restrictions.

**RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):**

761.380.1 Applicability.

761.380.2 Definitions.

761.380.3 Information and addresses.

761.380.4 Registration of driverless-capable vehicles.

761.380.5 Driverless-capable vehicle exemption.

761.380.6 Submission in aggregate.

See attached for rule text.

***\*For rules being re-promulgated with changes, you may attach a document with suggested changes.***

#### METRICS

<b>Total number of rules repealed:</b>	<b>1</b>
<b>Proposed word count reduction after repeal and/or re-promulgation</b>	<b>431</b>
<b>Proposed number of restrictive terms eliminated after repeal and/or re-promulgation</b>	<b>18</b>

#### ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

Yes.

During the Department's discussions with stakeholders, the Alliance for Automotive Innovation requested that the term "driverless-capable vehicle" in Iowa Code section 321.514 be replaced with "ADS-equipped vehicle," which aligns with standardized industry terminology and is the term used in SAE J3016.

Additionally, the Department recommends codifying a definition for "public highways" which is a term that appears in Iowa Code sections 321.514-321.519 but is not defined in the statute. The chapter previously included a definition of "public highway" but determined that adoption of the definition is more appropriate in statute than in this chapter. The Department recommends the definition align with the terms "street" and "highway" as defined in Iowa Code section 321.1.