

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rule making related to motor vehicles operated by an automated driving system and providing an opportunity for public comment

The Transportation Department hereby proposes to adopt new Chapter 380, “Motor Vehicles Operated by an Automated Driving System,” and amend Chapter 400, “Vehicle Registration and Certificate of Title,” Chapter 524, “For-Hire Intrastate Motor Carrier Authority,” and Chapter 540, “Transportation Network Companies,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 307.12 and 321.519.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 321.514 to 321.519.

Purpose and Summary

This proposed rule making newly establishes Chapter 380, as well as making other conforming changes to existing Chapters 400, 524 and 540. 2019 Iowa Acts, Senate File 302, enacted Iowa Code sections 321.514 to 321.519, authorizing operation of autonomous (driverless-capable) vehicles on Iowa roadways and providing the Department with rule-making authority to regulate such vehicles.

New Chapter 380 applies to regulation of driverless-capable vehicles in Iowa. A driverless-capable vehicle means a vehicle that is capable of performing the entire driving task within the automated driving system’s operational design domain without intervention of a conventional human driver.

The following paragraphs further explain the proposed amendments:

Definitions. While many of the definitions applicable to driverless-capable vehicles can be found in Iowa Code section 321.514, there are a few definitions that require further clarification in the rules. For example, the term “driverless-capable vehicle” is further defined to mean a vehicle meeting the definition of a level 3, 4 or 5 classification, which are classifications of higher-level automated vehicles widely recognized within the autonomous vehicle community. Chapter 380 also defines “operational design domain” as that document established by the vehicle manufacturer that is very important in assessing the capabilities and intended uses of a driverless-capable vehicle.

Identification and operational restrictions. The proposed rules incorporate a fundamental requirement in regulating driverless-capable vehicles in Iowa, namely the requirement to identify the vehicle as driverless-capable in the Department’s vehicle registration system. The rules also address operational restrictions for driverless-capable vehicles. The Department already has the authority to place operational restrictions on a vehicle registered in Iowa, for example, if the vehicle is unable to meet certain equipment standards. The proposed new chapter and amendments extend this authority to driverless-capable vehicles, especially for when the Department begins to see fully autonomous vehicles, with no human driver required to be present in the vehicle. There may be operational restrictions needed for a vehicle due to the intended design of the vehicle. One example of potential operational restrictions would be limiting the vehicle to operating during daylight hours only or only being operated on a certain roadway classification, such as a highway or a city street. Part of establishing any operational restrictions will include a review of the vehicle’s operational design domain or other necessary documentation to assess the vehicle’s operational capabilities. If the Department does issue a restricted registration, the Department will issue a certificate of restriction to be provided to the vehicle owner, which shall be carried in the vehicle and available for inspection by law enforcement upon request. These amendments also provide that if an applicant receives a software update or otherwise

modifies the vehicle to make it driverless-capable after registration, the applicant is required to notify the Department within 30 days.

Driverless-capable vehicle networks. The proposed amendments address driverless-capable vehicle networks that may be operated by transportation network companies (e.g., Uber or Lyft) or other commercial carriers. These networks and carriers are already required to apply to the Department for operating authority, and the rules will require a network or carrier intending to operate driverless-capable vehicles in Iowa to notify the Department. The Department may also require additional documentation as part of the application process.

Driverless-capable vehicle testing permits. The provisions in this proposed rule making borrow from the few other states that allow driverless-capable vehicle testing, as well as the significant guidance issued by the American Association of Motor Vehicle Administrators (AAMVA). This rule making will help prepare Iowa if a driverless-capable vehicle manufacturer or entity seeks to test technology on Iowa roadways. Key provisions of the testing permit rule include the following:

- The new testing permit will be created and administered by the Motor Vehicle Division.
- The testing permit will be issued for one year but will be renewable.
- Required supporting documentation will include:
 - o The operational design domain.
 - o A testing plan and safety plan.
 - o Vehicle identification and type.
 - o A list of all drivers performing testing.
 - o Proof of meeting financial liability requirements pursuant to Iowa Code.
 - o A plan for notifying law enforcement within the testing vicinity of the intent to test driverless-capable vehicles.
- Testing driver qualification requirements, including a valid driver's license and clean driving record, which align with the standards used by the Department to certify instructors for driver's education and motorcycle rider education.
- Permit issuance, renewal and display provisions. Each permittee needs to have a valid permit issued by the Department prior to testing and will need to carry the permit in each test vehicle, which shall also be available for inspection by law enforcement.
- Provisions for routine and substantive permit updates. Routine changes would include changing the permittee name or address or deleting a test vehicle. These changes can essentially be made by providing notification to the Department. To make a substantive update to the permit, an updated application is required.
- Suspension or revocation of the permit and appeal rights. The proposed rule authorizes the Department to revoke or suspend the permit if the Department finds that the permit was issued in conflict with the Iowa Code or rules, or for a violation of the Iowa Code or rules, if the permittee is involved in a contributive motor vehicle crash or violates motor vehicle laws. A permittee subject to a suspension or revocation will have an appeal right, which follows the Department's typical administrative appeals process.
- Reports, including authority to require a disengagement report, which means that there was an unintended failure of the automated driving system.

Vehicle registration and titling. The proposed rule making amends the existing chapter governing vehicle registration and titling to address that the applicant must indicate whether the vehicle the applicant is seeking to register is driverless-capable. In addition to requiring this information on the vehicle registration application, the Department will also have the internal ability to capture this information from the Department's vehicle identification system. Supporting documentation requirements for a vehicle registration application are also being changed to include the authority to require the operational design domain for the driverless-capable vehicle or any other documentation necessary to assess the driverless-capable vehicle's operational capabilities. Finally, the proposed amendments allow a driverless-capable vehicle indicator to be placed on the vehicle title or registration, which may also include whether any operational restrictions exist. This indicator may only appear in the electronic vehicle records system.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa. There are no statutorily required fees for the testing permit, and vehicle identification and registration requirements for driverless-capable vehicles will be incorporated into the Department's existing vehicle registration process.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rule making or may submit a written request to make an oral presentation at a public hearing. Written comments or requests to present oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on June 8, 2021. Comments should be directed to:

Tracy George
Department of Transportation
DOT Rules Administrator, Government and Community Relations
800 Lincoln Way
Ames, Iowa 50010
Email: tracy.george@iowadot.us

Public Hearing

If requested, a public hearing to hear oral presentations will be held on June 11, 2021, via conference call. Persons who wish to participate in the conference call should contact Tracy George before 4:30 p.m. on June 8, 2021, to facilitate an orderly hearing. A conference call number will be provided to participants prior to the hearing.

June 11, 2021
9 a.m.

Via conference call

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Tracy George, the Department's rules administrator, and advise of specific needs.

The public hearing will be canceled without further notice if no oral presentation is requested.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Adopt the following new 761—Chapter 380:

CHAPTER 380
MOTOR VEHICLES OPERATED BY AN AUTOMATED DRIVING SYSTEM

761—380.1(321) Applicability. This chapter applies to driverless-capable motor vehicles operated by an automated driving system and system-equipped driverless-capable vehicles, which shall be regulated exclusively by the department under Iowa Code section 321.519.

This rule is intended to implement Iowa Code sections 321.514 to 321.519.

761—380.2(321) Definitions. The definitions in Iowa Code section 321.514 are adopted and incorporated herein. In addition:

“*ADS-equipped vehicle*” means the same as a driverless-capable vehicle as defined in this chapter.

“*Conventional human driver*” means the same as defined in Iowa Code section 321.514 but does not include a driverless-capable vehicle user.

“*Driverless-capable vehicle*” as defined in Iowa Code section 321.514 means the vehicle meets one of the following classifications:

1. Level 3—conditional driving automation. The vehicle is capable of achieving the sustained and specific performance of the entire dynamic driving task as provided in the operational design domain. An SAE Level 3 vehicle must have a conventional human driver present in the vehicle capable of responding to a request to intervene issued by the automated driving system, as well as to dynamic driving task performance-relevant system failures in other vehicle systems.

2. Level 4—high driving automation. The vehicle is capable of achieving the sustained and specific performance of the entire dynamic driving task as provided in the operational design domain. An SAE Level 4 vehicle does not require a conventional human driver and does not require a driverless-capable vehicle user present in the vehicle or performing remote operation to respond to a request to intervene issued by the automated driving system. A Level 4 vehicle is capable of fallback to a minimal risk condition without human intervention.

3. Level 5—full driving automation. The vehicle is capable of achieving the sustained and unconditional performance of the entire dynamic driving task. An SAE Level 5 vehicle is capable of performing all driving functions under all conditions. A Level 5 vehicle does not require a conventional human driver and does not require a driverless-capable vehicle user present in the vehicle. A Level 5 vehicle is capable of fallback to a minimal risk condition without human intervention.

“*Driverless-capable vehicle user*” means a natural person who does not control the in-vehicle accelerating, braking, steering, and transmission gear selection input devices in order to operate a motor vehicle and who is not otherwise expected to respond to a request to intervene issued by the automated driving system of a driverless-capable vehicle.

“*Functional highway classifications*” means the process by which streets and highways are grouped into classes, or systems, according to the character of service the street or highway is intended to provide, and may include but not be limited to a functional highway classification established under 23 CFR Section 470.105.

“*Operational design domain*” means the same as defined in Iowa Code section 321.514 and can be either a specific document or set of documents, including electronic documentation, defining the domain under which an automated driving system is designed to properly operate.

“*Public highways*” means the same as “street” or “highway” as defined in Iowa Code section 321.1.

“*SAE*” means society of automotive engineers, which is an international association reputed for its standards development efforts, including its efforts to standardize definitions of driving automation systems.

This rule is intended to implement Iowa Code sections 321.1 and 321.514 and 23 CFR Section 470.105.

761—380.3(17A) Information and addresses. Information and forms pertaining to driverless-capable vehicle testing permits and vehicle registration and operational restrictions issued by the department or

a county treasurer for a driverless-capable vehicle may be obtained in the form and manner prescribed by the department by mail from the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 9278, Des Moines, Iowa 50306-9278; in person at 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at (515)237-3264; by email at vsusto@iowadot.us; or on the department's website at www.iowadot.gov.

This rule is intended to implement Iowa Code section 17A.3.

761—380.4(321) Identification of driverless-capable vehicles in registration. The classification level of a driverless-capable vehicle subject to registration under 761—Chapter 400 shall be listed in the department's records system established under Iowa Code section 321.31.

This rule is intended to implement Iowa Code sections 321.20, 321.31, 321.515 and 321.519.

761—380.5(321) Operational restrictions. The department may impose operational restrictions on a driverless-capable vehicle as provided in rule 761—400.21(321) as a condition of registration of the vehicle.

This rule is intended to implement Iowa Code sections 321.515 and 321.519.

761—380.6(321) Identification of driverless-capable vehicle networks. A person seeking to operate a for-hire, driverless-capable vehicle network in Iowa, including an on-demand driverless-capable vehicle network, may be required to submit to the department the operational design domain or any other documentation required by the department to assess the operational capabilities for any driverless-capable vehicle to be used in the driverless-capable vehicle network as part of the application for the applicable permit under rule 761—524.3(325A) or 761—540.4(321N).

This rule is intended to implement Iowa Code sections 321.518 and 321.519.

761—380.7(17A,321) Driverless-capable vehicle testing permit. The department may issue a driverless-capable testing permit, valid for one year, to a manufacturer or other entity seeking to test one or more driverless-capable vehicles that meet the operation standards set forth in Iowa Code section 321.515. A testing permit is not required for a vehicle that meets all of the criteria set forth in Iowa Code section 321.515. However, if a driverless-capable vehicle does not meet the standards set forth in Iowa Code section 321.515(1) "b," the department may issue a testing permit allowing operation of that vehicle within the terms of this rule. The department reserves the right to consult with any expert in the field of driverless-capable vehicle technology, including but not limited to any educational institution, in evaluating any application for a testing permit under this chapter.

380.7(1) Application. An application for a driverless-capable vehicle testing permit shall be made to the department on a form designated by the department, electronic or otherwise, and prescribed for that purpose. The form shall require all of the following:

- a. The full legal name and the federal employer identification number of the manufacturer or entity.
- b. The address of the manufacturer's or entity's principal place of business.
- c. If incorporated or otherwise organized, the manufacturer's or entity's state of incorporation or organization.
- d. The name, address, telephone number, and email address of the person submitting the application on behalf of the manufacturer or entity.
- e. A statement signed by the manufacturer's or entity's authorized representative confirming the manufacturer's or entity's agreement to comply with all applicable requirements of the Iowa Code, including Iowa Code sections 321.515 to 321.519, and this chapter.
- f. A statement signed by the manufacturer's or entity's authorized representative confirming that the vehicle or vehicles do not exceed the limits set forth in Iowa Code sections 321.454, 321.456, 321.457, and 321.463 and acknowledging that a separate permit would be required under Iowa Code chapter 321E and 761—Chapter 511 if otherwise applicable.

g. The name and address of the manufacturer's or entity's agent for service of process in the state of Iowa.

380.7(2) Supporting documents. An application for a driverless-capable vehicle testing permit shall be accompanied by the following:

- a. Copy of the manufacturer's or entity's testing plan, including the goal of the proposed testing.
- b. Vehicle specific information for all vehicles to be included under the permit, including:
 - (1) Vehicle identification number.
 - (2) Vehicle year, if assigned by the manufacturer.
 - (3) Vehicle make, if assigned by the manufacturer.
 - (4) Vehicle model, if assigned by the manufacturer.
 - (5) License plate number and jurisdiction of issuance, if applicable.
 - (6) Driverless-capable vehicle classification level.
 - (7) Whether the vehicle is intended to be tested with or without a conventional human driver or driverless-capable vehicle user present in the vehicle.
 - (8) Vehicle type, for example, whether the vehicle is a passenger, commercial, low-speed, or unmanned vehicle, including any combination thereof.
- c. List of all drivers to perform testing for the manufacturer or entity under the permit subject to the driver qualification requirements under subrule 380.7(3), including:
 - (1) The person's full name.
 - (2) The person's date of birth.
 - (3) The person's driver's license number and jurisdiction or country of issuance.
 - (4) A certified copy of the person's driving record if the person's driver's license was not issued by the state of Iowa.
- d. Summary of the training provided to owners, employees, contractors, or other persons designated by the manufacturer or entity as drivers of test vehicles.
- e. List of each jurisdiction to which the manufacturer or entity has applied or been issued or been denied a testing permit.
- f. Copy of or link to the manufacturer's or entity's voluntary safety self-assessment (VSSA) on file with the National Highway Traffic Safety Administration (NHTSA). If a VSSA is not on file or does not provide sufficient information, a copy of the manufacturer's or entity's safety plan for testing vehicles, including but not limited to a minimal risk condition component, shall be provided.
- g. Copy of the operational design domain of any vehicle intended to be used as a test vehicle.
- h. Routes to be used when testing the vehicle under the permit, including whether a human is intended to be controlling the vehicle, either inside or outside of the vehicle, on a particular route.
- i. Evidence of the manufacturer's or entity's financial liability coverage required under Iowa Code section 321.516.
- j. Copy of the manufacturer's or entity's plan for notifying local law enforcement within the testing vicinity of the intent to test driverless-capable vehicles under a permit issued under this chapter. The department reserves the right to consult with law enforcement in evaluating any notification plan submitted under this paragraph, and any failure to comply with the notification plan may result in a suspension or revocation of the testing permit under subrule 380.7(8).
- k. Any other documents determined necessary by the department.

380.7(3) Driver qualifications. To be qualified to perform testing under the driverless-capable vehicle testing permit, a person must:

- a. Hold a valid driver's license pursuant to Iowa Code section 321.174 that permits unaccompanied driving, other than a motorized bicycle license or a temporary restricted license.
- b. Have a clear driving record for the previous two years. A clear driving record means the person has:
 - (1) Not been identified as a candidate for driver's license suspension under the habitual violator provisions of rule 761—615.13(321), the serious violation provisions of rule 761—615.17(321), or the equivalent provisions under the law of the person's jurisdiction or country of driver's license issuance.
 - (2) No driver's license suspensions, revocations, denials, cancellations, disqualifications, or bars.

(3) Not committed an offense that would result in driver's license suspension, revocation, denial, cancellation, disqualification, or bar.

(4) No record of a contributive motor vehicle accident that caused the death or serious injury of another person.

(5) No record of two or more contributive motor vehicle accidents in a two-year period.

c. Be an owner, employee, or contractor of or person designated by a manufacturer or entity to test driverless-capable vehicles on behalf of the manufacturer or entity.

380.7(4) Issuance, renewal, and display of permit. When all requirements are met, and the department is satisfied that all safety considerations have been addressed, the department may issue the driverless-capable vehicle testing permit.

a. A manufacturer or entity shall not test driverless-capable vehicles in Iowa without a valid permit issued under this chapter.

b. The permit may include operational restrictions as provided under rule 761—400.21(321) or as determined necessary by the department to protect the health, safety, and welfare of the public.

c. The manufacturer or entity shall make a copy of the permit and carry it in each driverless-capable motor vehicle being tested under the permit at all times. The copy may be in either a physical or an electronic format as prescribed by the department. The permit shall be available for display to any peace officer upon request.

d. The state of Iowa, the department, and any other permit-issuing authority assume no responsibility for the property of the permit holder. Permit holders shall hold permit-issuing authorities harmless of any damages that may be sustained by the traveling public, adjacent property owners or the streets or highways of this state on account of movements made under permit.

e. Testing a driverless-capable vehicle without a valid permit issued under this chapter or operating a driverless-capable vehicle outside the terms of the testing permit or this chapter may result in a violation of Iowa Code section 321.381 or 321.482.

f. A testing permit may be renewed. If more than one vehicle is included on the original permit, vehicles may be deleted from the renewal application. The application for renewal shall be submitted to the department within 60 days of the expiration date, unless otherwise approved by the department.

380.7(5) Update to a driverless-capable vehicle testing permit. To change the parameters of a testing permit issued under this chapter, other than a change of name or address of the manufacturer or entity that was issued the permit, or to delete a vehicle from the permit, an updated application and supporting documentation must be submitted to the department. The updated application shall include the permit number. Any testing or operation of a driverless-capable vehicle not listed on the permit shall not commence until a new permit or temporary permit has been issued and is carried in the vehicle.

380.7(6) Change of name or address for a driverless-capable vehicle testing permit. Notification of a name or address change shall be sent to the department within 30 days after the change. Notification shall include the permit number, old name or address and new name or address.

380.7(7) Vehicle deletion. A permittee may remove vehicles from the permit at any time after the permit is issued. Vehicles shall be deleted in the form and manner prescribed by the department.

380.7(8) Suspension or revocation and reinstatement. The department may suspend or revoke a driverless-capable vehicle testing permit if the permit has been issued in conflict with the statutes or rules governing the permit's issuance; for a violation of Iowa Code sections 321.515 to 321.519, 761—Chapter 400 or this chapter; or if a vehicle under the testing permit is involved in a contributive motor vehicle accident in any state or is in violation of any of the motor vehicle laws of this or any state. The suspension or revocation shall continue until the manufacturer or entity is no longer in violation. After revocation, a new permit may be issued upon application.

380.7(9) Hearings. A manufacturer or entity whose application for a driverless-capable vehicle testing permit has been suspended or revoked may contest the decision in accordance with Iowa Code chapter 17A and 761—Chapter 13. The request for a hearing shall be submitted in writing to the director of the motor vehicle division. The request shall include, as applicable, the manufacturer's or

entity's name, permit number, complete address, and telephone number. The request must be submitted within 20 days after the date of the notice of suspension, revocation, or denial.

This rule is intended to implement Iowa Code sections 321.381, 321.482, 321.515 and 321.519.

761—380.8(321) Reporting. Each manufacturer or entity issued a driverless-capable vehicle testing permit under rule 761—380.7(17A,321) may be required to submit a disengagement report if requested by the department, which shall include but not be limited to a description of any unintended disengagement or failure of a test vehicle's automated driving system. The department may request any other report the department determines necessary to assess the progress of any testing. Any reports required by the department shall be provided to the department on a frequency and in a format determined by the department.

This rule is intended to implement Iowa Code sections 321.515 and 321.519.

ITEM 2. Adopt the following **new** definition of "Driverless-capable vehicle" in rule **761—400.1(321)**:

"Driverless-capable vehicle" means the same as defined in rule 761—380.2(321).

ITEM 3. Amend rule **761—400.1(321)**, definition of "ERT service provider," as follows:

"ERT service provider" means a person or entity authorized by the department under subrule ~~400.3(16)~~ **400.3(17)** to submit electronic applications for certificate of title or registration of a vehicle on behalf of an end user to a county treasurer.

ITEM 4. Renumber subrule **400.3(16)** as **400.3(17)**.

ITEM 5. Adopt the following **new** subrule 400.3(16):

400.3(16) Driverless-capable vehicle. As provided in Iowa Code sections 321.20 and 321.515 and rule 761—400.21(321), the applicant shall indicate on the application whether the vehicle is a driverless-capable vehicle as defined in rule 761—380.2(321).

ITEM 6. Amend rule **761—400.3(321)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.1, 321.8, 321.20, 321.23 to 321.26, 321.31, 321.34, 321.46, 321.105A, 321.109, 321.122, 321.515, 321.519, 322.19A and 423.26.

ITEM 7. Renumber subrule **400.4(10)** as **400.4(11)**.

ITEM 8. Adopt the following **new** subrule 400.4(10):

400.4(10) Driverless-capable vehicles. If an application is made for a driverless-capable vehicle, the department may require the application to be accompanied by all applicable documents identified in 761—subrule 380.7(2) or any other documentation the department may require to assess the vehicle's operational capabilities.

ITEM 9. Amend renumbered subrule 400.4(11) as follows:

400.4(11) Supporting document retained by county treasurer. All supporting documents, except those submitted pursuant to subrule ~~400.3(16)~~ **400.3(17)**, shall be retained by the county treasurer.

ITEM 10. Amend rule **761—400.4(321)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.20, 321.23, 321.24, 321.30, 321.31, 321.45 to 321.50, 321.67, 321.515, 321.519 and 322.3.

ITEM 11. Adopt the following **new** subrule 400.7(12):

400.7(12) Driverless-capable vehicle indicator, which may also indicate whether operational restrictions exist.

ITEM 12. Amend rule **761—400.7(321)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.24, 321.31, 321.40, 321.45, 321.52, 321.69, 321.71, 321.124, 321.515, 321.519 and 322G.12.

ITEM 13. Amend rule 761—400.21(321) as follows:

761—400.21(321) Registration of vehicles on a restricted basis. The department may register a vehicle which does not meet the equipment requirements of Iowa Code chapter 321, due to the particular use for which it is designed or intended, or which is a driverless-capable vehicle as defined in rule 761—380.2(321). Registration may be accomplished upon payment of the appropriate fees and after inspection and certification by the department that the vehicle is not in an unsafe condition.

400.21(1) to 400.21(4) No change.

400.21(5) When a vehicle registered in this state is modified to make it a driverless-capable vehicle as defined in rule 761—380.2(321), the person in whose name the vehicle is registered shall within 30 days notify the department upon a form prescribed by the department.

400.21(6) As provided in Iowa Code sections 321.515 and 321.519, the department may restrict the operations of a driverless-capable vehicle registered in this state or another state but which operates in this state. The restrictions may include but are not limited to the restrictions provided in subrules 400.21(1) and 400.21(2) and any operational restrictions based on a specific functional highway classification, weather conditions, days of the week, times of day, and other elements of operational design while the automated driving system is engaged. The department may require the vehicle owner to submit to the department the automated driving system's intended operational design domain for the vehicle on a form prescribed by the department or any other documentation the department requires to assess or inspect the vehicle's operational capabilities. The department may evaluate the automated driving system's intended operational design domain for the vehicle or any other documentation the department requires to assess the vehicle's operational capabilities, to establish restrictions. The department may establish additional operational restrictions to ensure safe operation of the vehicle. The department shall issue a certificate of restriction as provided in subrule 400.21(3) for any restriction established under this subrule, and the certificate shall be carried in the vehicle and made available for inspection by any peace officer upon request.

This rule is intended to implement Iowa Code sections 321.1, 321.23(4), 321.30(2), 321.101(1), and 321.234A and ~~subsections 321.23(4), 321.30(2), and 321.101(1), 321.515 and 321.519.~~

ITEM 14. Adopt the following **new** paragraph **524.3(3)“f”**:

f. All applicable documents identified in 761—subrule 380.7(2) and any other documentation, if required by the department, necessary to assess the operational capabilities of any driverless-capable vehicles the motor carrier intends to operate including for the purpose of determining whether to impose operational restrictions as authorized under rule 761—400.21(321).

ITEM 15. Amend **761—Chapter 524**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections 321.515 and 321.519 and chapter 325A.

ITEM 16. Reletter paragraph **540.4(3)“j”** as **540.4(3)“k.”**

ITEM 17. Adopt the following **new** paragraph **540.4(3)“j”**:

j. All applicable documents identified in 761—subrule 380.7(2) and any other documentation, if required by the department, necessary to assess the operational capabilities of any driverless-capable vehicles the transportation network company intends to operate, including for the purpose of determining whether to impose operational restrictions as authorized under rule 761—400.21(321).

ITEM 18. Amend **761—Chapter 540**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections 321.515 and 321.519 and chapter 321N.