

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

“*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 requires a human operator to respond 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. However, a driverless-capable Level 3 vehicle can be remotely operated without a human operator present in the vehicle.

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 to be present in the vehicle or to perform 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 to be present in the vehicle or to perform remote operation to respond to a request to intervene issued by the automated driving system. A Level 5 vehicle is capable of fallback to a minimal risk condition without human intervention.

“*Driverless-capable vehicle user*” means a 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.

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

“*SAE*” means the 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.  
[ARC 5893C, IAB 9/8/21, effective 10/13/21]