

761—380.7(17A,321) Driverless-capable vehicle exemption.

380.7(1) Application. If a driverless-capable vehicle does not meet the standards set forth in Iowa Code section 321.515(1) “b,” a driverless-capable vehicle manufacturer or entity may apply in the form and manner prescribed by the department for an exemption to allow driverless operation of the vehicle. A manufacturer or entity seeking an exemption under this rule shall do all of the following:

a. Disclose in the application which traffic or motor vehicle safety law the driverless-capable vehicle is seeking an exemption from under Iowa Code section 321.515(1) “b.”

b. Submit information describing how the manufacturer or entity intends to operate under the exemption without posing a safety risk to the public.

380.7(2) Issuance and display of exemption. If all requirements of subrule 380.7(1) are met, and the department has sufficient information to determine a public safety risk does not exist, the department may issue the driverless-capable vehicle exemption. The exemption may include operational restrictions as provided under rule 761—400.21(321). The manufacturer or entity shall maintain a physical or electronic copy of the exemption and make it available for display at all times in the driverless-capable motor vehicle that is subject to the exemption. The copy may be in either a physical or an electronic format as prescribed by the department. The exemption shall be available for display or accessible to any peace officer upon request.

380.7(3) Suspension or revocation and reinstatement. The department may suspend or revoke a driverless-capable vehicle exemption if the exemption has been issued in conflict with the statutes or rules governing the exemption’s issuance; if the exemption was issued based on false information; if there was a violation of Iowa Code sections 321.514 through 321.519, 761—Chapter 400 or this chapter; if the vehicle operating under the exemption is involved in a contributive motor vehicle accident attributable to the automated driving system performance in this or any other state and that accident results in death or serious injury; or if the vehicle is operated in violation of any of the motor vehicle laws of this or any other state that results in death or serious injury. For incidents occurring outside the state of Iowa, revocation may only occur once the investigation of the incident is completed and the vehicle’s automated driving system performance was found to be involved in or contributive to a motor vehicle accident that resulted in a death or serious injury. The effective date of the suspension or revocation shall be 20 days after the department has mailed notice of the revocation to the manufacturer or entity by first class.

380.7(4) Hearings. A manufacturer or entity whose driverless-capable vehicle exemption has been suspended or revoked may contest the suspension or revocation 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, exemption number, complete address and telephone number. The request must be submitted within 20 days after the date of the notice of the suspension or revocation. The department shall stay the suspension or revocation of an exemption for the period that the manufacturer or entity is contesting the suspension or revocation under this rule.

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

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