

761—380.5(17A,321) Driverless-capable vehicle exemption.

380.5(1) Application. The owner, or manufacturer on behalf of the owner, of a driverless-capable vehicle seeking an exemption under Iowa Code section 321.515(1)“b” may apply to the department to allow driverless operation of the vehicle. Applications are to be made on a form prescribed by the department and are to include:

a. Identification of the laws or regulations from which the driverless-capable vehicle is seeking an exemption.

b. Information describing how the vehicle will be operated under the exemption without posing a safety risk to the public.

380.5(2) Issuance and display of exemption. An exemption may be issued, subject to any operational restrictions as provided under rule 761—400.21(321), if the department has sufficient information to determine a public safety risk does not exist. The department will provide written notice of the exemption to the vehicle owner, and if applicable, to the manufacturer. The notice shall be maintained at all times in the driverless-capable vehicle and made available for display to any peace officer upon request.

380.5(3) Revocation and reinstatement.

a. The department may revoke a driverless-capable vehicle exemption in any of the following circumstances:

(1) If the exemption has been issued in conflict with the statutes or rules governing the exemption’s issuance.

(2) If the exemption was issued based on false information.

(3) If there was a violation of Iowa Code sections 321.514 through 321.519, 761—Chapter 400 or this chapter.

(4) 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.

(5) 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.

b. 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 vehicle owner, and manufacturer if applicable, by first class mail. To reinstate the exemption, the vehicle owner, or manufacturer on behalf of the owner, is to reapply for the exemption.

380.5(4) Hearings. A vehicle owner, or manufacturer on behalf of the owner, whose driverless-capable vehicle exemption has been revoked may contest the revocation in accordance with Iowa Code chapter 17A and 761—Chapter 13. The request for a hearing must be submitted to the director of the motor vehicle division at the address in rule 761—380.3(17A). The request will be deemed timely if it is delivered or postmarked on or before the effective date specified in the notice. The department will stay the revocation for the duration of the hearing proceedings.

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