DEPARTMENT OF MANAGEMENT

DOT Policy Public

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Department of Transportation Policy on Automated Driving Systems

Policy Number: DOT-ADS-2024-01

Effective Date: October 1, 2024

Issuing Authority: Office of the Secretary of Transportation

1.0 Purpose

The purpose of this policy is to establish a clear and consistent regulatory framework for the testing and deployment of Automated Driving Systems (ADS) on public roadways. This policy is designed to prioritize public safety, foster technological innovation, promote economic opportunity, and build public trust in automated vehicle technology. It provides a structured process for manufacturers, developers, and operators to ensure that ADS-equipped vehicles are introduced safely and responsibly within our jurisdiction.

2.0 Scope

This policy applies to all corporations, academic institutions, entities, and individuals involved in the testing, development, or deployment of vehicles equipped with SAE International (SAE) J3016 Level 3, 4, or 5 Automated Driving Systems intended for operation on public roads. This includes:

- Vehicle Manufacturers
- ADS Technology Developers
- Fleet Operators of ADS-Equipped Vehicles
- Third-party entities conducting testing on behalf of the above

This policy governs all phases of on-road operation, from initial prototyping and testing to full commercial deployment for passenger and freight transport.

3.0 Policy Statement

The Department of Transportation (DOT) permits and encourages the responsible development and deployment of Automated Driving Systems. All activities governed by this policy shall adhere to the following core principles:

3.1 Safety First

The safety of all road users—including vehicle occupants, pedestrians, cyclists, and occupants of other vehicles—is the primary priority. All ADS operations must be conducted in a manner that meets or exceeds the safety level of a competent and careful human driver.

3.2 Operational Design Domain (ODD)

Every ADS shall have a clearly defined Operational Design Domain (ODD), specifying the conditions under which it is designed to operate safely. These conditions include, but are not limited to, roadway types, geographic area, speed range, weather, and time of day. Operation of an ADS outside its specified ODD is strictly prohibited unless conducted under explicit testing protocols with appropriate safety mitigations in place.

3.3 Cybersecurity and Data Privacy

Entities must implement robust cybersecurity measures to protect ADS from malicious attacks and unauthorized intrusions. Personal and sensitive data collected by the ADS must be managed in accordance with all applicable state and federal privacy laws, with transparent policies regarding data collection, use, and retention.

3.4 Federal and State Law

All ADS-equipped vehicles must comply with applicable Federal Motor Vehicle Safety Standards (FMVSS), state traffic laws, and local ordinances. In cases where an ADS operation requires an exemption from existing regulations, a formal request must be submitted to and approved by the DOT prior to commencement.

3.5 Liability and Insurance

All entities operating ADS-equipped vehicles must maintain liability insurance or another form of financial responsibility at levels determined by the DOT. Proof of coverage must be provided as part of any permit application and be available upon request. The insurance policy must explicitly cover incidents arising from the operation of the Automated Driving System.

4.0 Procedures

To ensure safe and orderly implementation, the following procedures are established for the testing and deployment of ADS-equipped vehicles.

4.1 Permitting for Public Road Testing

1. **Application Submission:** An entity must submit a formal "ADS Testing Permit Application" to the DOT. The application shall include a comprehensive Safety and Technology Plan detailing the vehicle's capabilities, the ODD for testing, safety driver training protocols, and an emergency response plan.
2. **Review and Approval:** The DOT will review the application for completeness and adherence to safety standards. The review will assess the applicant's safety culture, testing methodology, and risk mitigation strategies. The DOT may request additional information or a practical demonstration.
3. **Permit Issuance:** Upon successful review, the DOT will issue a time-limited ADS Testing Permit. The permit will specify the number of vehicles, the approved ODD, and any specific conditions or reporting requirements.

4.2 Authorization for Public Deployment

1. **Prerequisites:** An entity must have successfully completed a rigorous testing phase and have collected sufficient data to validate the safety and performance of the ADS within the intended ODD for deployment.
2. **Application for Deployment:** The entity must submit an "ADS Deployment Authorization Application," which includes all testing data, a final safety case report, a public interaction plan, a maintenance and inspection plan, and a detailed cybersecurity plan.
3. **Public Comment Period:** For large-scale deployments, the DOT may initiate a public comment period to gather feedback from affected communities.
4. **Authorization Grant:** The DOT will grant authorization if the applicant demonstrates, to the satisfaction of the Department, that the ADS can operate safely and reliably without a human safety driver in the specified ODD.

4.3 Incident Reporting

- **Immediate Notification:** Any collision involving an ADS-equipped vehicle that results in property damage, injury, or death must be reported to the DOT within *24 hours*.
- **Detailed Report:** A comprehensive incident report, including relevant sensor and system data for the period immediately preceding, during, and after the event, must be submitted to the DOT within *10 business days*.
- **System Malfunction Reporting:** Any significant, unplanned disengagement or malfunction of the ADS that presents a safety risk must be documented and reported to the DOT on a quarterly basis.

5.0 Compliance

Adherence to this policy is mandatory for all entities operating ADS-equipped vehicles on public roads within this jurisdiction. The DOT is responsible for monitoring and enforcing compliance.

5.1 Monitoring and Audits

The DOT reserves the right to conduct periodic audits, inspections, and reviews of any entity's operations, records, and vehicles governed by this policy. This includes access to safety plans, training records, incident reports, and vehicle data logs, subject to appropriate privacy and proprietary data protections.

5.2 Enforcement Actions

Failure to comply with any provision of this policy may result in enforcement actions, including but not limited to:

- Issuance of a formal warning or notice of violation.
- Imposition of monetary fines, as permitted by law.
- Suspension or modification of testing or deployment permits.
- Revocation of the authority to operate ADS-equipped vehicles within the jurisdiction.

5.3 Policy Review

This policy shall be reviewed by the DOT on an annual basis, or more frequently as needed, to ensure it remains relevant and effective in light of evolving technology, federal guidance, and best practices in the industry.

Glossary

DOT Term

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