SEC. _____. RELATIONSHIP TO OTHER LAW.

(a) IN GENERAL.—Section 30103 of title 49, United States Code, is amended—

(1) by striking subsection (b) and inserting the following:

“(b) PREEMPTION.—

“(1) HIGHLY AUTOMATED VEHICLES.—

“(A) IN GENERAL.—No State or political subdivision of a State may maintain, enforce, prescribe, or continue in effect any law or regulation regarding that regulates or prescribes the design, construction, or performance of highly automated vehicles, automated driving systems, or components of automated driving systems with respect to any rulemaking proceeding required under section 30129(b) from PAT19A73], unless the law or regulation is identical to a standard or other regulation in effect under this chapter.

“(B) TERMINATION.—Subparagraph (A) shall terminate with respect to any subject matter described in that subparagraph on the earlier of—]
(i) the date that is ____ years after the date of enactment of this sub-
paragraph; and]

[(ii) the effective date of a motor ve-

cicle safety standard or other regulation applicable to the same aspect of vehicle performance covered by that subject mat-

ter, consistent with section 30129(b)

[from PAT19A73].]

(2) MOTOR VEHICLE STANDARD.—When a motor vehicle safety standard is in effect under this chapter, a State or political subdivision of a State may prescribe or continue in effect a standard applicable to the same aspect of performance of a motor vehicle or motor vehicle equipment only if the standard is identical to the standard prescribed under this chapter.

(3) PRESERVATION OF AUTHORITY.—

(A) INTERPRETATION.—

(i) IN GENERAL.—For purposes of paragraph (1)(A) and subsection (e)(2)(B), the term ‘design, construction, or perform-

ance’—

“(I) shall be interpreted in ac-
cordance with the authority of the
Secretary under section 30111 with respect to motor vehicle safety standards; and

“(II) does not include compliance with—

“(aa) any traffic law or rule of a State or a political subdivision of a State; or

“(bb) any law or rule of a State or a political subdivision of a State relating to a rule of the road or the operation of a motor vehicle.

“(ii) Effect of subparagraph.—Nothing in this subparagraph affects or limits any authority of the Secretary under this chapter.

“(B) Motor vehicle dealers.—Consistent with paragraph (1)(A), nothing in this subsection prohibits a State or political subdivision of a State from maintaining, enforcing, prescribing, or continuing in effect any law or regulation relating to the sale, distribution, repair, or service of a highly automated vehicle, an automated driving system, or a component
of automated driving systems by a dealer, manufacturer, or distributor.

“(C) Conformity with federal law.—Nothing in this subsection preempts, restricts, or limits a State or political subdivision of a State from acting in accordance with any other applicable Federal law.

“(4) Higher performance requirement.—The Federal Government, a State, or a political subdivision of a State may prescribe a standard for a motor vehicle, motor vehicle equipment, highly automated vehicle, or automated driving system obtained for use by that unit of government that imposes a higher performance requirement than otherwise required by an applicable standard under this chapter.

“(5) State enforcement.—A State may enforce a standard that is identical to a standard prescribed under this chapter.”; and

(2) by striking subsection (e) and inserting the following:

“(e) State law liability.—

“(1) In general.—Compliance with a motor vehicle safety standard in effect under this chapter does not exempt any person from liability at common law.
“(2) Effect of section.—Nothing in this section exempts any person from liability—

“(A) at common law; or

“(B) under a State law, unless the State law directly or specifically regulates or prescribes the design, construction, or performance of a highly automated vehicle, automated driving system, or component of an automated driving system.

[(“(3) Limitation on predispute arbitration.—[TO BE SUPPLIED]”.)]

(b) Highly Automated Vehicles.—

[(1) Driver and operator obligation.—A manufacturer of a highly automated vehicle or automated driving system used in interstate commerce shall ensure that the highly automated vehicle is capable of assuming and observing all duties prescribed for, or prohibitions imposed on, an operator of a motor vehicle under applicable Federal and State laws regarding driving functions while the automated driving system is engaged.]

(2) Licensing.—A State may not issue a motor vehicle operator’s license for the operation or use of a dedicated highly automated vehicle in a manner that discriminates on the basis of disability
(as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).