WEST VIRGINIA CODE: §17H-1-5

§17H-1-5. Operation of fully autonomous vehicles without a human driver.

(a) A person may operate a fully autonomous vehicle on the public roads of this state without a human driver provided that the ADS is engaged and the vehicle meets the following conditions:

(1) If a failure of the ADS occurs which renders the system unable to perform the entire dynamic driving task (DDT) relevant to its intended operational design domain, the fully autonomous vehicle will achieve a minimal risk condition;

(2) The fully autonomous vehicle is capable of operating in compliance with the applicable traffic and motor vehicle safety laws and regulations of this state when reasonable to do so, unless an exemption has been granted by the Department of Transportation; and

(3) When required by federal law, the vehicle bears the required manufacturer's certification label indicating that at the time of its manufacture it has been certified to be in compliance with all applicable Federal Motor Vehicle Safety Standards, including reference to any exemption granted by the National Highway Traffic Safety Administration.

(b) Prior to operating a fully autonomous vehicle on the public roads of this state without a human driver, a person as defined in this article shall submit a law enforcement interaction plan to the department that describes:

(1) How to communicate with a fleet support specialist who is available during the times the vehicle is in operation;

(2) How to safely remove the fully autonomous vehicle from the roadway and steps to safely tow the vehicle;

(3) How to recognize whether the fully autonomous vehicle is in autonomous mode; and

(4) Any additional information the manufacturer or owner deems necessary regarding hazardous conditions or public safety risks associated with the operation of the fully autonomous vehicle.

WV Legislature