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3 SENATE TRANSPORTATION AND ENERGY COMMITTEE SUBSTITUTE FOR SB47
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8 SYNOPSIS: A bill would authorize the operation of an
9 automated commercial motor vehicle and a commercial
10 motor vehicle with a teleoperation system if the
11 vehicles meet certain criteria.
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13 A BILL
14 TO BE ENTITLED
15 AN ACT
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17 Relating to motor vehicles; to authorize autonomous
18 commercial vehicles operated by an automated driving system
19 and commercial motor vehicles with teleoperation systems.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. For the purposes of this act, the
22 following words shall have the following meanings:

23 (1) AUTOMATED COMMERCIAL MOTOR VEHICLE. A commercial
24 motor vehicle equipped with an automated driving system.

25 (2) AUTOMATED DRIVING SYSTEM. The hardware and
26 software that are collectively capable of performing the
27 entire dynamic driving task on a sustained basis, regardless

1 of whether it is limited to a specific operational design
2 domain.

3 (3) COMMERCIAL MOTOR VEHICLE. A commercial motor
4 vehicle as defined in subdivision (2) of Section 32-9A-1, Code
5 of Alabama 1975.

6 (4) CONVENTIONAL DRIVER. A driver who manually
7 exercises in-vehicle braking, accelerating, steering, and
8 transmission gear selection input devices in order to operate
9 a vehicle.

10 (5) DYNAMIC DRIVING TASK. All of the real-time
11 operational and tactical functions required to operate a
12 vehicle in on-road traffic excluding strategic functions such
13 as trip scheduling and selection of destinations and
14 waypoints.

15 (6) MINIMAL RISK CONDITION. A condition to which a
16 user or an automated driving system may bring a vehicle in
17 order to reduce the risk of a crash when a given trip cannot
18 or should not be completed.

19 (7) OPERATIONAL DESIGN DOMAIN. A description of the
20 specific operating domain in which an automated commercial
21 motor vehicle is designed to properly operate, including, but
22 not limited to, roadway types, speed, environmental
23 conditions, and other domain constraints.

24 (8) REMOTE DRIVER. A natural person who is not
25 seated in a position to manually exercise braking,
26 accelerating, steering, and transmission gear selection input

1 devices but is able to perform the entire dynamic driving
2 task.

3 (9) TELEOPERATION SYSTEM. Hardware and software
4 installed on a commercial motor vehicle that allow a remote
5 driver to operate the motor vehicle.

6 Section 2. (a) Unless otherwise provided by this
7 act, an automated commercial motor vehicle and a teleoperation
8 system, including any commercial use or operation of either,
9 are governed exclusively by this act.

10 (b) Notwithstanding any other provision of law, the
11 Department of Transportation is the sole and exclusive state
12 agency with jurisdiction over automated commercial motor
13 vehicles and teleoperation systems that may implement this
14 act.

15 (c) A political subdivision of this state or a state
16 agency may not impose requirements, including taxes or
17 performance standards, related specifically to the operation
18 of a teleoperation system or automated commercial motor
19 vehicle in addition to the requirements of this act.

20 Section 3. Notwithstanding any other provision of
21 law, an automated commercial motor vehicle may operate in this
22 state without a conventional driver physically present in the
23 vehicle if the vehicle meets all of the following criteria:

24 (1) The automated commercial vehicle is capable of
25 operating in compliance with applicable federal law and the
26 traffic and motor vehicle laws of this state.

1 (2) The automated commercial vehicle is registered
2 and titled in accordance with the laws of this state.

3 (3) The automated commercial vehicle is certified in
4 accordance with 49 C.F.R. Part 567 as being in compliance with
5 federal motor vehicle safety standards and bears the required
6 certification label or labels, including reference to any
7 exemption granted under applicable federal law.

8 (4) The automated commercial vehicle can achieve a
9 minimal risk condition if a failure occurs rendering the
10 vehicle unable to perform the dynamic driving task relevant to
11 its intended operational design domain or if the vehicle exits
12 its operational design domain.

13 (5) The automated commercial vehicle is covered by
14 motor vehicle liability coverage in an amount not less than
15 two million dollars (\$2,000,000).

16 (6) The registration of an automated commercial
17 motor vehicle shall not be interpreted to abrogate or amend
18 any statutory or regulatory provisions or any aspects of
19 common law pertaining to liability for any harm or injury
20 caused.

21 Section 4. (a) The owner of an automated commercial
22 vehicle, or the lessee if the vehicle is leased or rented, is
23 considered the operator of the vehicle for the purpose of
24 assessing compliance with applicable traffic or motor vehicle
25 laws, including the rules of the road.

26 (b) The automated driving system is considered to be
27 licensed to operate the vehicle.

1 Section 5. When an accident occurs involving an
2 automated commercial motor vehicle, the requirements of
3 Chapter 10, Title 32, Code of Alabama 1975, shall be deemed
4 satisfied if the vehicle remains on the scene of the accident
5 and the vehicle, owner, a person on behalf of the owner, or
6 operator promptly contacts appropriate law enforcement
7 entities and communicates the information required by Chapter
8 10, Title 32, Code of Alabama 1975.

9 Section 6. (a) Notwithstanding any other provision
10 of this act, a commercial motor vehicle equipped with a
11 teleoperation system may operate without a conventional driver
12 physically present in the vehicle if a remote driver is
13 operating the vehicle.

14 (b) When a remote driver is operating a commercial
15 motor vehicle, the remote driver is considered to be the
16 operator of the vehicle for the purpose of assessing
17 compliance with applicable traffic or motor vehicle laws,
18 including the rules of the road.

19 (c) The remote driver shall hold the proper class of
20 license required for a conventional driver to operate the
21 vehicle.

22 (d) When an accident occurs involving a commercial
23 motor vehicle equipped with a teleoperation system, the
24 requirements of Chapter 10, Title 32, Code of Alabama 1975,
25 shall be deemed satisfied if the vehicle remains on the scene
26 of the accident and the owner or remote driver promptly
27 contacts appropriate law enforcement entities and communicates

1 the information required by Chapter 10, Title 32, Code of
2 Alabama 1975.

3 Section 7. A commercial motor vehicle equipped with
4 a teleoperation system registered in this state shall meet all
5 of the following requirements:

6 (1) The motor vehicle shall be in compliance with
7 applicable federal law.

8 (2) The motor vehicle shall be certified in
9 accordance with federal regulations in 49 C.F.R. Part 567 as
10 being in compliance with applicable federal motor vehicle
11 safety standards and shall bear the required certification
12 label or labels, including reference to any exemption granted
13 under applicable federal law.

14 (3) The motor vehicle shall be capable of being
15 operated in compliance with the applicable traffic and motor
16 vehicle laws of this state, regardless of whether the vehicle
17 is operated by a remote driver.

18 (4) The motor vehicle shall be covered by motor
19 vehicle liability coverage in an amount of not less than two
20 million dollars (\$2,000,000).

21 (5) The motor vehicle shall be able to achieve a
22 reasonably safe state, such as bringing the vehicle to a stop,
23 if a failure of the teleoperation system occurs that renders
24 the remote driver unable to perform the entire dynamic driving
25 task for the vehicle.

26 Section 8. This act is supplemental and shall not be
27 construed to repeal, modify, or preempt any liability that may

1 be incurred under existing common or statutory law applicable
2 to a vehicle owner, operator, manufacturer, component part
3 supplier, or retailer.

4 Section 9. This act shall become effective
5 immediately following its passage and approval by the
6 Governor, or its otherwise becoming law.