

SB311 INTRODUCED



1 X99U7E-1
2 By Senator Allen
3 RFD: Transportation and Energy
4 First Read: 11-May-23
5
6 2023 Regular Session



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SYNOPSIS:

This bill would authorize motor vehicles to be operated on the public roads of this state that are equipped with an automated driving system, which is defined as hardware and software that performs the entire dynamic driving task on a sustained basis.

A BILL
TO BE ENTITLED
AN ACT

Relating to motor vehicles; to provide for the authorization and use of motor vehicles equipped with an automated driving system.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For purposes of this act, the following terms have the following meanings:

(1) AUTOMATED DRIVING SYSTEM or ADS. The hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis regardless of whether it is limited to a specific operational design domain.

(2) ADS-EQUIPPED VEHICLE. A vehicle equipped with an automated driving system.

(3) CONVENTIONAL HUMAN DRIVER. An individual, licensed



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29 or otherwise permitted by law to operate a vehicle, who
30 manually exercises in-vehicle braking, accelerating, steering,
31 and transmission gear selection input devices in order to
32 operate a vehicle.

33 (4) DYNAMIC DRIVING TASK or DDT. All of the real-time
34 operational and tactical functions required to operate a
35 vehicle in on-road traffic, excluding the strategic functions
36 such as trip scheduling and selection of destinations and
37 waypoints.

38 (5) MINIMAL RISK CONDITION. A reasonably safe state to
39 which an ADS brings an ADS-equipped vehicle upon experiencing
40 a performance-relevant failure of the vehicle or the vehicle's
41 ADS that renders the ADS unable to perform the entire DDT.

42 (6) OPERATIONAL DESIGN DOMAIN or ODD. Operating
43 conditions under which a given ADS or feature thereof is
44 specifically designed to function, including, but not limited
45 to, environmental, geographical, and time-of-day restrictions,
46 and the requisite presence or absence of certain traffic or
47 roadway characteristics

48 Section 2. (a) An individual may operate an
49 ADS-equipped vehicle with the ADS engaged on the public roads
50 of this state only under the following conditions:

51 (1) The ADS-equipped vehicle is capable of complying
52 with both of the following:

53 a. All applicable traffic and motor vehicle safety laws
54 and rules of this state which govern the performance of the
55 dynamic driving task, unless an exemption has been granted
56 pursuant to subsection (b).



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57 b. All applicable Federal Motor Vehicle Safety
58 Standards, except to the extent an exemption has been granted
59 under applicable federal law.

60 (2) The ADS-equipped vehicle shall be registered and
61 titled in accordance with the laws of this state.

62 (b) An ADS-equipped vehicle may be operated on the
63 public roads of this state without a conventional human driver
64 physically present in the vehicle if the vehicle is capable of
65 achieving a minimal risk condition.

66 Section 3. An ADS-equipped vehicle may operate on
67 public roads in this state only if a person submits proof to
68 the Department of Revenue of financial responsibility
69 satisfactory to the department that the ADS-equipped vehicle
70 meets all of the requirements of the Mandatory Liability
71 Insurance Act, Chapter 7A of Title 32, Code of Alabama 1975.

72 Section 4. If a traffic accident occurs that involves
73 an ADS-equipped vehicle that is being operated without a
74 conventional human driver, the requirements of Chapter 10 of
75 Title 32, Code of Alabama 1975, do not apply to the
76 ADS-equipped vehicle, provided all of the following occur:

77 (1) The owner of the ADS-equipped vehicle, or an
78 individual acting on behalf of the owner, promptly contacts
79 the applicable law enforcement agency to report the crash.

80 (2) If the ADS-equipped vehicle has the capability of
81 promptly alerting a law enforcement agency or emergency
82 services, the vehicle alerts a law enforcement agency or
83 emergency services to the traffic accident.

84 (3) The ADS-equipped vehicle remains at the scene or in



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85 the immediate vicinity of the crash until law enforcement
86 arrives.

87 (4) The ADS-equipped vehicle's registration and
88 insurance information is provided to the parties affected by
89 the traffic accident.

90 Section 5. A conventional human driver of an
91 ADS-equipped vehicle is required to have a valid driver
92 license for the class of vehicle being operated.

93 Section 6. (a) Except as otherwise provided in this act
94 and notwithstanding any other provision of law, ADS-equipped
95 vehicles and automated driving systems are governed
96 exclusively by this act.

97 (b) No state or local entity may impose requirements,
98 including performance standards, specific to the operation of
99 ADS-equipped vehicles or automated driving systems, except as
100 specifically authorized by this act.

101 (c) No municipality or other local or state entity may
102 impose a tax on, or impose requirements on ADS-equipped
103 vehicles or automated driving systems, where the tax or other
104 requirement relates specifically to the operation of
105 ADS-equipped vehicles.

106 Section 7. When engaged, the automated driving system
107 shall be deemed the driver or operator of the ADS-equipped
108 vehicle for the purpose of assessing compliance with
109 applicable traffic or motor vehicle laws and shall be deemed
110 to satisfy all physical acts required by a driver or operator
111 of a vehicle via electronic means.

112 Section 8. (a) Liability for a traffic accident



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113 involving an ADS-equipped vehicle shall be determined in
114 accordance with applicable state law, federal law, or common
115 law.

116 (b) The original manufacturer of a vehicle converted by
117 a third party into an ADS-equipped vehicle may not be held
118 liable in, and shall have a defense to and be dismissed from,
119 any legal action brought against the original manufacturer by
120 any individual injured due to an alleged vehicle defect caused
121 by the conversion of the vehicle, or by equipment installed by
122 the converter, unless the alleged defect was present in the
123 vehicle as originally manufactured.

124 Section 9. An ADS-equipped vehicle that is designed to
125 be operated exclusively by an automated driving system for all
126 trips shall not be subject to motor vehicle equipment laws or
127 rules of this state that relate to or support motor vehicle
128 operation by a conventional human driver but are not relevant
129 to an automated driving system.

130 Section 10. This act shall become effective on the
131 first day of the third month following its passage and
132 approval by the Governor, or its otherwise becoming law.