

**SB226 ENGROSSED**



1 SB226  
2 U1RQGXD-2  
3 By Senator Allen  
4 RFD: Transportation and Energy  
5 First Read: 19-Mar-24



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to motor vehicles; to provide requirements 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) ADS-EQUIPPED VEHICLE. A vehicle equipped with an automated driving system.

(2) 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.

(3) CONVENTIONAL HUMAN DRIVER. An individual, licensed or otherwise permitted by law to operate a vehicle, who manually exercises in-vehicle braking, accelerating, steering, and transmission gear selection input devices in order to operate a vehicle.

(4) DYNAMIC DRIVING TASK or DDT. All of the real-time operational and tactical functions required to operate a vehicle in on-road traffic, excluding the strategic functions



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29 such as trip scheduling and selection of destinations and  
30 waypoints, including, but not limited to:

- 31 a. Lateral vehicle motion control via steering.
- 32 b. Longitudinal vehicle motion control via acceleration  
33 and deceleration.
- 34 c. Monitoring the driving environment via object and  
35 event detection, recognition, classification, and response  
36 preparation.
- 37 d. Object and event response execution.
- 38 e. Manuever planning.
- 39 f. Enhancing conspicuity via lighting, signaling, and  
40 gesturing.

41 (5) FULLY AUTONOMOUS VEHICLE. A motor vehicle equipped  
42 with an automated driving system designed to function without  
43 a human driver as a Level 4 or Level 5 automation system under  
44 the Society of Automotive Engineers (SAE) Standard J3016.

45 (6) MINIMAL RISK CONDITION. A stable, stopped condition  
46 to which a user or an automated driving system may bring a  
47 vehicle after performing the DDT fallback in order to reduce  
48 the risk of a crash when a given trip cannot or should not be  
49 continued.

50 (7) ON-DEMAND AUTONOMOUS VEHICLE NETWORK. A  
51 transportation service or network that uses a software  
52 application or other digital means to dispatch or otherwise  
53 enable the prearrangement of transportation with ADS-equipped  
54 vehicles for purposes of transporting passengers or goods,  
55 including for-hire transportation and transportation of  
56 passengers or goods for compensation.



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57 (8) OPERATIONAL DESIGN DOMAIN or ODD. Operating  
58 conditions under which a given ADS or feature thereof is  
59 specifically designed to function, including, but not limited  
60 to, environmental, geographical, and time-of-day restrictions,  
61 and the requisite presence or absence of certain traffic or  
62 roadway characteristics

63 Section 2. (a) An person may operate an ADS-equipped  
64 vehicle with the ADS engaged on the public roads of this state  
65 only under the following conditions:

66 (1) The ADS-equipped vehicle is capable of complying  
67 with the following:

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

72 b. All applicable Federal Motor Vehicle Safety  
73 Standards, except to the extent an exemption has been granted  
74 under applicable federal law.

75 c. All applicable traffic control devices, including,  
76 but not limited to, speed limit signs, other regulatory signs,  
77 advisory signs, warning signs, barriers, and construction or  
78 work zone signs.

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

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



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85           Section 3. A fully autonomous vehicle may operate on  
86 public roads in this state only if a person submits proof to  
87 the Department of Revenue of financial responsibility that the  
88 fully autonomous vehicle has single limits liability coverage,  
89 by contract of insurance or by qualifying as a self-insurer,  
90 of not less than one hundred thousand dollars (\$100,000).

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

96           (1) The owner of the ADS-equipped vehicle, or a person  
97 acting on behalf of the owner, promptly contacts the  
98 applicable law enforcement agency to report the crash.

99           (2) If the ADS-equipped vehicle has the capability of  
100 promptly alerting a law enforcement agency or emergency  
101 services, the vehicle alerts a law enforcement agency or  
102 emergency services to the traffic accident.

103           (3) The ADS-equipped vehicle remains at the scene or in  
104 the immediate vicinity of the crash until law enforcement  
105 arrives.

106           (4) In accordance with Chapter 7A of Title 32, Code of  
107 Alabama 1975, the ADS-equipped vehicle's registration and  
108 insurance information is provided to the parties affected by  
109 the traffic accident.

110           (5) In the event an ADS-equipped vehicle is not an  
111 automated commercial motor vehicle under Section 32-9B-1 but  
112 is being operated by a commercial entity without a



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113 conventional human driver, the owner of the ADS-equipped  
114 vehicle shall be deemed the operator of the vehicle and shall  
115 maintain the ability to respond to damages for liability on  
116 account of any accidents arising from the use of the  
117 ADS-equipped vehicle or automated driving system in the  
118 minimum amount of one million dollars (\$1,000,000) per  
119 accident for death, bodily injury, and property damage to a  
120 third party.

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

124 Section 6. (a) Except as otherwise provided in this act  
125 or in Chapter 9B of Title 32, Code of Alabama 1975, and  
126 notwithstanding any other provision of law, ADS-equipped  
127 vehicles and automated driving systems are governed  
128 exclusively by this act.

129 (b) No state or local entity may impose requirements,  
130 including performance standards, specific to the operation of  
131 ADS-equipped vehicles, automated driving systems, or automated  
132 commercial vehicles as defined in Section 32-9B-1, Code of  
133 Alabama 1975, except as specifically authorized by this act.  
134 Nothing in this section shall be construed to repeal or in any  
135 way modify Section 32-9-29, Code of Alabama 1975.

136 (c) No municipality or other local or state entity may  
137 impose a tax on, or impose requirements on ADS-equipped  
138 vehicles or automated driving systems, where the tax or other  
139 requirement relates specifically to the operation of  
140 ADS-equipped vehicles.



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141 Section 7. For purposes of this act and for assessing  
142 compliance with applicable traffic or motor vehicle laws,  
143 including rules of the road, unless the context otherwise  
144 requires, the automated driving system shall be deemed to be  
145 the operator of an ADS-equipped vehicle when all of the  
146 following apply:

147 (1) The automated driving system is engaged and solely  
148 responsible for the driving task.

149 (2) The automated driving system is being operated and  
150 maintained as intended by the manufacturer of the ADS-equipped  
151 vehicle.

152 (3) A request to intervene has not been issued by the  
153 ADS-equipped vehicle.

154 Section 8. (a) Liability for a traffic accident  
155 involving an ADS-equipped vehicle shall be determined in  
156 accordance with applicable state law, federal law, or common  
157 law.

158 (b) The original manufacturer of a vehicle converted by  
159 a third party into an ADS-equipped vehicle may not be held  
160 liable in, and shall have a defense to and be dismissed from,  
161 any legal action brought against the original manufacturer by  
162 any individual injured due to an alleged vehicle defect caused  
163 by the conversion of the vehicle, or by equipment installed by  
164 the converter, unless the alleged defect was present in the  
165 vehicle as originally manufactured.

166 Section 9. (a) An ADS-equipped vehicle that is designed  
167 to be operated exclusively by an automated driving system for  
168 all trips shall not be subject to motor vehicle equipment laws



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169 or rules of this state that relate to or support motor vehicle  
170 operation by a conventional human driver but are not relevant  
171 to an automated driving system.

172 (b) Any ADS-equipped vehicle or automated commercial  
173 vehicle, as defined in Section 32-9B-1, Code of Alabama 1975,  
174 may be equipped with ADS marker lamps in accordance with the  
175 SAE Recommended Practice and Standard guidelines, including  
176 SAE J3134. For purposes of this section, an ADS marker lamp  
177 means a device that emits light to indicate when an ADS is  
178 engaged in the operation of the vehicle.

179 Section 10. An on-demand autonomous vehicle network  
180 shall be permitted to operate pursuant to state laws governing  
181 the operation of transportation network companies with the  
182 exception that any provision of this state's laws, including  
183 Chapter 7C of Title 32, Code of Alabama 1975, which reasonably  
184 applies only to a conventional human driver would not apply to  
185 the operation of ADS-equipped vehicles with the ADS engaged on  
186 an on-demand autonomous vehicle network. A fully autonomous  
187 vehicle with the automated driving system engaged while logged  
188 on to an on-demand autonomous vehicle network must meet the  
189 insurance requirements in Section 4.

190 Section 11. Nothing in this act is intended to, nor be  
191 construed to, require a county to construct, upgrade,  
192 maintain, or place traffic control devices on county roads in  
193 a manner that is above and beyond the manner in which roads  
194 are constructed, upgraded, maintained, or designed for all  
195 other vehicular traffic.

196 Section 12. This act shall become effective October 1,



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200 Senate

201 Read for the first time and referred .....19-Mar-24  
202 to the Senate committee on  
203 Transportation and Energy  
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205 Read for the second time and placed .....04-Apr-24  
206 on the calendar:  
207 1 amendment  
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209 Read for the third time and passed .....30-Apr-24  
210 as amended  
211 Yeas 33  
212 Nays 0  
213 Abstains 0  
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Patrick Harris,  
Secretary.

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