

SB226 ENROLLED



1 SB226
2 L1ICWYW-2
3 By Senator Allen
4 RFD: Transportation and Energy
5 First Read: 19-Mar-24



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1 Enrolled, An Act,

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

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

9 (1) ADS-EQUIPPED VEHICLE. A vehicle equipped with an
10 automated driving system.

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

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

20 (4) DYNAMIC DRIVING TASK or DDT. All of the real-time
21 operational and tactical functions required to operate a
22 vehicle in on-road traffic, excluding the strategic functions
23 such as trip scheduling and selection of destinations and
24 waypoints, including, but not limited to:

25 a. Lateral vehicle motion control via steering.

26 b. Longitudinal vehicle motion control via acceleration
27 and deceleration.

28 c. Monitoring the driving environment via object and



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29 event detection, recognition, classification, and response
30 preparation.

31 d. Object and event response execution.

32 e. Manuever planning.

33 f. Enhancing conspicuity via lighting, signaling, and
34 gesturing.

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

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

44 (7) ON-DEMAND AUTONOMOUS VEHICLE NETWORK. A
45 transportation service or network that uses a software
46 application or other digital means to dispatch or otherwise
47 enable the prearrangement of transportation with ADS-equipped
48 vehicles for purposes of transporting passengers or goods,
49 including for-hire transportation and transportation of
50 passengers or goods for compensation.

51 (8) OPERATIONAL DESIGN DOMAIN or ODD. Operating
52 conditions under which a given ADS or feature thereof is
53 specifically designed to function, including, but not limited
54 to, environmental, geographical, and time-of-day restrictions,
55 and the requisite presence or absence of certain traffic or
56 roadway characteristics



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

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

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

66 b. All applicable Federal Motor Vehicle Safety
67 Standards, except to the extent an exemption has been granted
68 under applicable federal law.

69 c. All applicable traffic control devices, including,
70 but not limited to, speed limit signs, other regulatory signs,
71 advisory signs, warning signs, barriers, and construction or
72 work zone signs.

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

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

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



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

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

93 (2) If the ADS-equipped vehicle has the capability of
94 promptly alerting a law enforcement agency or emergency
95 services, the vehicle alerts a law enforcement agency or
96 emergency services to the traffic accident.

97 (3) The ADS-equipped vehicle remains at the scene or in
98 the immediate vicinity of the crash until law enforcement
99 arrives.

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

104 (5) In the event an ADS-equipped vehicle is not an
105 automated commercial motor vehicle under Section 32-9B-1 but
106 is being operated by a commercial entity without a
107 conventional human driver, the owner of the ADS-equipped
108 vehicle shall be deemed the operator of the vehicle and shall
109 maintain the ability to respond to damages for liability on
110 account of any accidents arising from the use of the
111 ADS-equipped vehicle or automated driving system in the
112 minimum amount of one million dollars (\$1,000,000) per



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113 accident for death, bodily injury, and property damage to a
114 third party.

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

118 Section 6. (a) Except as otherwise provided in this act
119 or in Chapter 9B of Title 32, Code of Alabama 1975, and
120 notwithstanding any other provision of law, the operation of
121 ADS-equipped vehicles and automated driving systems is
122 governed exclusively by this act.

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

130 (c) No municipality or other local or state entity may
131 impose a tax on, or impose requirements on ADS-equipped
132 vehicles or automated driving systems, where the tax or other
133 requirement relates specifically to the operation of
134 ADS-equipped vehicles.

135 Section 7. For purposes of this act and for assessing
136 compliance with applicable traffic or motor vehicle laws,
137 including rules of the road, unless the context otherwise
138 requires, the automated driving system shall be deemed to be
139 the operator of an ADS-equipped vehicle when all of the
140 following apply:



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

143 (2) The automated driving system is being operated and
144 maintained as intended by the manufacturer of the ADS-equipped
145 vehicle.

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

148 Section 8. (a) Liability for a traffic accident
149 involving an ADS-equipped vehicle shall be determined in
150 accordance with applicable state law, federal law, or common
151 law.

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

160 Section 9. (a) An ADS-equipped vehicle that is designed
161 to be operated exclusively by an automated driving system for
162 all trips shall not be subject to motor vehicle equipment laws
163 or rules of this state that relate to or support motor vehicle
164 operation by a conventional human driver but are not relevant
165 to an automated driving system.

166 (b) Any ADS-equipped vehicle or automated commercial
167 vehicle, as defined in Section 32-9B-1, Code of Alabama 1975,
168 may be equipped with ADS marker lamps in accordance with the



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169 SAE Recommended Practice and Standard guidelines, including
170 SAE J3134. For purposes of this section, an ADS marker lamp
171 means a device that emits light to indicate when an ADS is
172 engaged in the operation of the vehicle.

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

184 Section 11. Nothing in this act is intended to, nor be
185 construed to, require a county to construct, upgrade,
186 maintain, or place traffic control devices on county roads in
187 a manner that is above and beyond the manner in which roads
188 are constructed, upgraded, maintained, or designed for all
189 other vehicular traffic.

190 Section 12. This act shall become effective October 1,
191 2024.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

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Senate 30-Apr-24

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed: 09-May-24

Senate concurred in House amendment 09-May-24

By: Senator Allen