

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1754

Bill Subtitle: TO REGULATE THE TESTING OF VEHICLES WITH AUTONOMOUS TECHNOLOGY.

Basic Change :

Sponsor: Rep. Collins

HB1754 changes current law to regulate the testing of vehicles with autonomous technology. The bill provides definitions concerning autonomous vehicles and also provides guidance as to what is not defined as an autonomous vehicle.

“Autonomous vehicle” means a vehicle equipped with autonomous technology that can drive the vehicle without the active physical control or monitoring of a human operator for any duration of time. Unless a system alone or in combination with other systems enables the vehicle to drive without active control or monitoring by a human operator, "autonomous vehicle" does not include a vehicle equipped with one or more collision avoidance systems including without limitation:

1. Electronic blind spot assistance;
2. Automated emergency braking systems;
3. Park assist;
4. Adaptive cruise control;
5. Lane keeping assist;
6. Lane departure warning; or
7. Traffic jam and queuing assist or similar systems with enhance safety or provide driver assistance.

For the purpose of testing an autonomous vehicle in Arkansas, the driver must have a license for the type of vehicle being operated. The autonomous vehicle shall be registered as required by state law unless the autonomous vehicle is in the course of interstate operation, is properly registered in another state, and meets the insurance requirements of the Arkansas law.

Unless the autonomous vehicle is being tested in a closed course, the operator shall be seated in the driver's seat to monitor the safe operation of the vehicle and to take over manual control of the vehicle in the event of failure or an emergency. This bill further defines additional safety requirements and the release of the manufacturer from liability under certain conditions.

The Office of Motor Vehicle may promulgate rules.

Revenue Impact :

There is no revenue impact if this bill is passed.

Taxpayer Impact :

None.

Resources Required :

None.

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1754

Bill Subtitle: TO REGULATE THE TESTING OF VEHICLES WITH AUTONOMOUS TECHNOLOGY.

Time Required :

None.

Procedural Changes :

None.

Other Comments :

None.

Legal Analysis :

This bill creates a number of provisions of law regarding the testing of "autonomous vehicles" equipped with technology that has the capability to drive the vehicle without the active physical control or monitoring by a human operator. In the new § 27-51-1701, definitions are provided for autonomous technology, autonomous vehicle, manufacturer, and operator.

The bill provides that an autonomous vehicle may be operated on public roads for the purpose of testing by a driver who has the proper driver's license and is an employee, contractor, or other person certified by the manufacturer. The bill also requires the autonomous vehicle to be registered in Arkansas unless it is in the course of interstate operation, is properly registered in another state, and meets the insurance requirements of this state.

As detailed in this bill, autonomous vehicles tested in this state must have safety mechanisms for engaging and disengaging the technology, indicators inside the vehicle that show when the vehicle is in autonomous mode, and a means of alerting the operator of a technology failure.

Proof of insurance is required to be submitted to DFA before an autonomous vehicle is tested on the public roads of Arkansas. The bill also addresses liability issues for the manufacturer and creates a defense for the original manufacturer when legal action is taken due to issues arising from the conversion of a vehicle to an autonomous vehicle by a third party.

The liability section needs clarification because manufacturer is defined to include both the original manufacturer and the modifier of the vehicle to convert it to an autonomous vehicle. Subsequent use of the phrase "manufacturer" in the liability section does not clearly delineate how the two definitions of "manufacturer" apply to the liability provisions and could cause confusion.