

1 State of Arkansas As Engrossed: H3/27/19 S4/4/19

2 92nd General Assembly

# A Bill

3 Regular Session, 2019

HOUSE BILL 1822

4

5 By: Representatives Christiansen, Breaux, Cavanaugh, Dalby, A. Davis, D. Douglas, Eaves, K. Ferguson,  
6 Fielding, M. Gray, Hillman, M. Hodges, Rye, Scott, Sorvillo

7 By: Senators J. Dismang, K. Hammer, B. Sample

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## For An Act To Be Entitled

10 AN ACT CONCERNING THE OPERATION OF AUTONOMOUS  
11 VEHICLES AT RAILROAD CROSSINGS; TO DECLARE AN  
12 EMERGENCY; AND FOR OTHER PURPOSES.

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15

## Subtitle

16

CONCERNING THE OPERATION OF AUTONOMOUS  
17 VEHICLES AT RAILROAD CROSSINGS; AND TO  
18 DECLARE AN EMERGENCY.

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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code § 27-51-1410(c)(3), as amended by Acts 2019  
24 No. 468, and concerning an autonomous vehicle pilot program, is amended to  
25 read as follows:

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(3) A statement acknowledging that:

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(A)(i) The autonomous vehicle or fully autonomous vehicle  
28 is capable of complying with all applicable traffic and motor vehicle safety  
29 laws of this state and rules adopted by the Office of Motor Vehicle,

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including without limitation the laws and rules concerning the capability to  
31 safely negotiate railroad crossings unless an exemption for the operation of  
32 autonomous vehicles or fully autonomous vehicles at railroad crossings is  
33 granted by the Arkansas Department of Transportation.

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(ii) The department shall consult with railroad  
35 companies operating in the state when considering an exemption that affects  
36 the operation of autonomous vehicles or fully autonomous vehicles at railroad



1 crossings;

2 (B) The fully autonomous vehicle is capable of achieving a  
3 reasonably safe state if a failure of the automated driving system occurs  
4 that renders the automated driving system unable to perform the entire  
5 dynamic driving task; and

6 (C) A fully autonomous vehicle involved in a motor vehicle  
7 accident is capable of meeting the requirements of §§ 27-53-101, 27-53-102,  
8 and 27-53-105; and

9  
10 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
11 General Assembly of the State of Arkansas that autonomous vehicles may begin  
12 operating on public streets, roads, and highways as soon as March 14, 2019;  
13 that there may be an issue with negotiating railroad crossings if an  
14 exemption is not granted for autonomous vehicles by the Arkansas Department  
15 of Transportation; and that railroad companies and the department need to be  
16 aware of this issue and work together to resolve this potential issue for the  
17 safety of railroad and motor vehicle traffic. Therefore, an emergency is  
18 declared to exist, and this act being immediately necessary for the  
19 preservation of the public peace, health, and safety shall become effective  
20 on:

21 (1) The date of its approval by the Governor;

22 (2) If the bill is neither approved nor vetoed by the Governor,  
23 the expiration of the period of time during which the Governor may veto the  
24 bill; or

25 (3) If the bill is vetoed by the Governor and the veto is  
26 overridden, the date the last house overrides the veto.

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28  
29 /s/Christiansen

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32 APPROVED: 4/16/19