

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1562

Amendment Number: H1

Bill Subtitle: TO AMEND THE LAW CONCERNING AUTONOMOUS VEHICLES.

Basic Change :

Sponsors: Rep. McCollum and Sen. L. Eads

House Amendment No. 1 --- HB1562-H1 (engrossed 3/8/2021) changes the requirement that a fully autonomous vehicle be capable of safely negotiating railroad crossings. HB1562-H1 would only require the vehicle to have this capability "if applicable."

HB1562-H1 also adds language to ensure the provisions of HB1562 do not limit the applicability of the Arkansas Motor Vehicle Act, § 23-112-101 et seq. The Arkansas Motor Vehicle Act allows the state to regulate and license motor vehicle manufacturers, factory branches and divisions, distributors, distributor branches and divisions, distributor representatives, new motor vehicle dealers, and salespersons doing business in Arkansas.

Original Bill --- Act 468 of 2019 created an Autonomous Vehicle Pilot Program which authorized the operation of autonomous vehicles or fully autonomous vehicles on the streets and highways of the state under a pilot program for testing and operation.

An "autonomous vehicle" is defined as a vehicle equipped with an automated driving system that can drive the vehicle for any duration of time without the active physical control or monitoring of a human operator. A "fully autonomous vehicle" is defined as a vehicle equipped with an automated driving system designed to function as a level four "high automation" or level five "full automation" system under the Society of Automobile Engineers 'Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles' and may be designed to function solely by use of the automated driving system, or when the automated driving system is not engaged, to permit operation by a human operator.

HB1562 authorizes the operation of autonomous vehicles on Arkansas roadways. The bill discontinues the pilot program and authorizes the State Highway Commission to approve programs for the operation of autonomous vehicles or fully autonomous vehicles under expanded operating requirements. The State Highway Commission will be given the sole authority to implement the laws regarding autonomous vehicles and fully autonomous vehicles.

Revenue Impact :

None.

Taxpayer Impact :

Fully autonomous vehicle may be operated in the state under an autonomous vehicle program approved by the state Highway Commission.

Resources Required :

None.

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Time Required :

Adequate time has been provided for implementation.

Procedural Changes :

None.

Other Comments :

None.

Legal Analysis :

Original Bill --- HB1562 discontinues the Autonomous Vehicle Pilot Program and instead provides that an autonomous vehicle or a fully autonomous vehicle may be operated on public roads in Arkansas under an autonomous vehicle program approved by the State Highway Commission.

HB1562 continues to allow a person to operate a fully autonomous vehicle that is not equipped with seat belts, a steering wheel, or a rearview mirror.

HB1562 requires that an autonomous and fully autonomous vehicle be registered and titled as required under the Motor Vehicle Administration, Certificate of Title, and Antitheft Act, § 27-14-101 et seq. The bill adds a requirement that a human operator or remote operator of an autonomous vehicle or fully autonomous vehicle hold a valid driver's license for the class of vehicle being driven.

The State Highway Commission will have the sole authority to implement the laws for autonomous vehicles and fully autonomous vehicles and shall adopt rules necessary for implementation. This bill prohibits local entities from imposing additional requirements on autonomous vehicles or fully autonomous vehicles including, but not limited to, any requirement providing for the safe operation of these vehicles. A local entity is also prohibited from imposing a tax on autonomous vehicles or fully autonomous vehicles or their operation.

The bill further provides that liability for an accident involving an autonomous or fully autonomous vehicle is determined in accordance with applicable state and federal law, except that the original manufacturer of a vehicle converted by a third-party into an autonomous or fully autonomous vehicle is shielded from liability.