

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1754

5 By: Representative Collins  
6

## For An Act To Be Entitled

8 AN ACT TO REGULATE THE TESTING OF VEHICLES WITH  
9 AUTONOMOUS TECHNOLOGY; AND FOR OTHER PURPOSES.  
10

### Subtitle

11 TO REGULATE THE TESTING OF VEHICLES WITH  
12 AUTONOMOUS TECHNOLOGY.  
13

14  
15  
16  
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
18

19 SECTION 1. Arkansas Code § 27-51-305 is amended to read as follows:  
20 27-51-305. Following too closely.

21 (a) The driver of a motor vehicle shall not follow another vehicle  
22 more closely than is reasonable and prudent, having ~~due~~ regard for the speed  
23 of vehicles and the traffic upon and the condition of the highway.

24 (b)(1) The driver of any motor truck or any motor vehicle drawing  
25 another vehicle when traveling upon a roadway outside of a business or  
26 residence district shall not follow within two hundred feet (200') of another  
27 motor vehicle.

28 (2) ~~The provisions of this~~ This subsection ~~shall not be~~  
29 ~~construed to~~ does not prevent overtaking and passing.

30 (c) A vehicle equipped with autonomous technology, including without  
31 limitation a driver-assistive truck platooning system, may follow another  
32 vehicle closer than allowed under subsection (a) and subdivision (b)(1) of  
33 this section.

34 (d) As used in this section, "driver-assistive truck platooning  
35 system" means vehicle autonomous technology that integrates sensor array,  
36 wireless communication, vehicle controls, and specialized software to



1 synchronize acceleration and braking between two (2) or more vehicles while  
 2 leaving each vehicle's steering control and systems command in the control of  
 3 its human operator.

4  
 5 SECTION 2. Arkansas Code Title 27, Chapter 51, is amended to add an  
 6 additional subchapter to read as follows:

7 Subchapter 17 – Autonomous Vehicles

8  
 9 27-51-1701. Definitions.

10 As used in this subchapter:

11 (1) "Autonomous technology" means technology installed on a  
 12 motor vehicle that has the capability to drive the vehicle without the active  
 13 physical control or monitoring by a human operator for any duration of time;

14 (2)(A) "Autonomous vehicle" means a vehicle equipped with  
 15 autonomous technology that can drive the vehicle without the active physical  
 16 control or monitoring of a human operator for any duration of time.

17 (B) Unless a system alone or in combination with other  
 18 systems enables the vehicle to drive without active control or monitoring by  
 19 a human operator, "autonomous vehicle" does not include a vehicle equipped  
 20 with:

21 (i) One (1) or more collision avoidance systems,  
 22 including without limitation:

- 23 (a) Electronic blind spot assistance;
- 24 (b) Automated emergency braking systems;
- 25 (c) Park assist;
- 26 (d) Adaptive cruise control;
- 27 (e) Lane keeping assist;
- 28 (f) Lane departure warning; or
- 29 (g) Traffic jam and queuing assist; or

30 (ii) Other similar systems that enhance safety or  
 31 provide driver assistance;

32 (3) "Manufacturer" of the autonomous technology means the person  
 33 or company that:

34 (A) Originally manufactured a vehicle and equipped  
 35 autonomous technology on the vehicle at the time of manufacture; or

36 (B) Modified a vehicle by installing autonomous technology

1 to convert the vehicle to an autonomous vehicle after the vehicle was  
 2 originally manufactured; and

3 (4) "Operator" means the individual who:

4 (A) Is present in the autonomous vehicle to monitor the  
 5 performance of the autonomous vehicle and intervene if necessary; or

6 (B) Engages the autonomous technology of an autonomous  
 7 vehicle while the autonomous vehicle is operating in autonomous mode whether  
 8 or not there is an individual present in the autonomous vehicle at the time  
 9 the autonomous technology is engaged.

10  
 11 27-51-1702. Operation of autonomous vehicles.

12 (a) For the purpose of testing the autonomous technology, an  
 13 autonomous vehicle may be operated on public roads of this state by:

14 (1) A driver who possesses the proper class of license for the  
 15 type of vehicle being operated; and

16 (2) An employee, contractor, or other person certified and  
 17 designated by the manufacturer of the autonomous technology.

18 (b) Unless the autonomous vehicle is being tested in a closed course,  
 19 the operator shall be seated in the driver's seat to:

20 (1) Monitor the safe operation of the autonomous vehicle; and

21 (2) Take over manual control of the autonomous vehicle in the  
 22 event of an autonomous technology failure or other emergency.

23 (c) An autonomous vehicle shall be registered as required under § 27-  
 24 14-713 unless the autonomous vehicle:

25 (1) Is in the course of interstate operation;

26 (2) Is properly registered in another state; and

27 (3) Meets the insurance requirements required under § 27-22-101  
 28 et seq.

29 (d) An autonomous vehicle tested in this state shall have:

30 (1) A mechanism to engage and disengage the autonomous  
 31 technology that is easily accessible to the operator;

32 (2) A visual indicator inside the passenger cabin to indicate  
 33 when the autonomous technology is engaged;

34 (3)(A) A system to safely alert the operator if an autonomous  
 35 technology failure is detected while the autonomous technology is engaged.

36 (B) If there is an autonomous technology failure, the

1 system shall:

2 (i) Require the operator to take control of the  
 3 autonomous vehicle; or

4 (ii) Force the autonomous vehicle to come to a  
 5 complete stop if the operator does not or is unable to take control of the  
 6 autonomous vehicle;

7 (4) Multiple ways for the operator to take control of the  
 8 autonomous vehicle, including without limitation the use of the:

9 (A) Brake;

10 (B) Accelerator pedal; or

11 (C) Steering wheel; and

12 (5) Autonomous technology that meets Federal Motor Vehicle  
 13 Safety Standards and Regulations, 49 C.F.R. § 571 et seq., for the vehicle's  
 14 model year and all other applicable safety standards and performance  
 15 requirements stated in state and federal law and the rules promulgated by the  
 16 Office of Motor Vehicle.

17  
 18 27-51-1703. Insurance requirement.

19 Before testing an autonomous vehicle on the public roads of this state,  
 20 the manufacturer of the autonomous vehicle shall submit proof of insurance  
 21 under the Motor Vehicle Safety Responsibility Act, § 27-19-101 et seq., and §  
 22 27-22-101 et seq. to the Department of Finance and Administration.

23  
 24 27-51-1704. Liability.

25 Unless the alleged defect was present in the vehicle as originally  
 26 manufactured, in any legal action brought against the original manufacturer  
 27 of the vehicle due to an alleged vehicle defect caused by the conversion of  
 28 the vehicle into an autonomous vehicle, the original manufacturer of the  
 29 vehicle converted by a third party into an autonomous vehicle shall:

30 (1) Not be liable; and

31 (2) Have a defense to and be dismissed from the legal action.

32  
 33 27-51-1705. Rules.

34 The Office of Motor Vehicle may promulgate rules to implement this  
 35 subchapter, including without limitation rules regarding the submission of  
 36 proof of insurance as required under § 27-51-1703.