

CS FOR HOUSE BILL NO. 217(TRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE TRANSPORTATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act regulating autonomous vehicles; and providing for an effective date."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 28.90 is amended by adding a new section to article 1 to read:

4 **Sec. 28.90.050. Autonomous vehicles.** (a) An autonomous vehicle registered
5 in this state must meet federal standards and regulations for a motor vehicle operated
6 on a public highway.

7 (b) An autonomous vehicle registered in this state may not be engaged in the
8 transport of interstate commerce, goods, or passengers unless

9 (1) the transport is for personal, noncommercial use, has a gross
10 vehicle weight of 10,000 pounds or less, and is designed to transport not more than 16
11 passengers, including the driver; or

12 (2) a human safety operator is physically present in the vehicle and has
13 the ability to monitor and intervene in the vehicle's performance, including operating
14 or shutting off the vehicle.

15 (c) A human safety operator must meet federal and state requirements for

1 operating autonomous and nonautonomous vehicles.

2 (d) In the event of a motor vehicle accident involving an autonomous vehicle,
3 the human safety operator of the autonomous vehicle is presumed liable for injury or
4 damage caused by the operation of the vehicle unless there is clear and convincing
5 evidence that the vehicle's software or hardware or a modification to the vehicle
6 caused the accident to occur. Damages relating to liability shall be first recovered from
7 the human safety operator, then to the modifier of the vehicle, followed by the
8 programmer of the vehicle's software, and then the manufacturer.

9 (e) The requirements of this section do not apply to a personal delivery device
10 that

11 (1) is electrically powered;

12 (2) is operated on a sidewalk or path within the right-of-way of a
13 highway;

14 (3) is intended primarily to transport property;

15 (4) weighs less than 120 pounds, excluding cargo;

16 (5) has a maximum speed of 10 miles per hour; and

17 (6) is equipped with technology to allow for operation of the device
18 with or without the active control or monitoring of an operator who monitors or
19 exercises direct physical control over the navigation system and operation of the
20 device.

21 (f) In this section,

22 (1) "autonomous technology" does not include collision avoidance
23 systems, electronic blind spot assistance, automated emergency braking systems, park
24 assist, adaptive cruise control, lane keep assist or lane departure warning systems,
25 traffic jam and queuing assist, or other systems that enhance safety or provide driver
26 assistance that are not capable, singularly or collectively, of driving the vehicle
27 without the active control or monitoring of a human safety operator;

28 (2) "autonomous vehicle" means a vehicle equipped with autonomous
29 technology that has the capability to drive a vehicle without active physical control or
30 monitoring by a human safety operator that has been integrated into that vehicle and is
31 considered to have conditional driving automation, high driving automation, or full

1 driving automation;

2 (3) "conditional driving automation" means the sustained and
3 operational design domain-specific performance by an automated driving system of
4 the entire dynamic driving task with the expectation that the dynamic driving task
5 fallback human safety operator is receptive to an automated driving system-issued
6 request to intervene, as well as to dynamic driving task performance-relevant system
7 failures in other vehicle systems, and will respond appropriately;

8 (4) "dynamic driving task" includes all real-time operational and
9 tactical functions required to operate a vehicle in traffic, but does not include trip
10 scheduling, the selection of destinations and waypoints, and other strategic functions;

11 (5) "dynamic driving task fallback" means the response by the human
12 safety operator to perform the dynamic driving task or achieve a stable, stopped
13 condition in order to reduce the risk of a crash after a dynamic driving task system
14 failure, an operational design domain exit, or a response by the automated driving
15 system;

16 (6) "full driving automation" means the sustained and unconditional
17 performance by an automated driving system of the entire dynamic driving task and
18 dynamic driving task fallback without any expectation that a fallback human safety
19 operator will need to intervene;

20 (7) "high driving automation" means the sustained and operational
21 design domain-specific performance by an automated driving system of the entire
22 dynamic driving task and dynamic driving task fallback without any expectation that a
23 fallback human safety operator will need to intervene;

24 (8) "operational design domain" includes the environmental,
25 geographical, and time-of-day restrictions, presence or absence of roadway or traffic
26 characteristics, and other operating conditions under which a given driving automation
27 system or feature is specifically designed to function.

28 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).