

SENATE BILL NO. 148

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATOR MYERS

Introduced: 3/28/25

Referred: Transportation, State Affairs

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; or

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

13 (c) A human safety operator must meet federal and state requirements for
14 operating autonomous and nonautonomous vehicles.

15 (d) In the event of a motor vehicle accident involving an autonomous vehicle,

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

7 (e) In this section,

8 (1) "autonomous technology" does not include collision avoidance
9 systems, electric blind spot assistance, automated emergency braking systems, park
10 assist, adaptive cruise control, lane keep assist or lane departure warning systems,
11 traffic jam and queuing assist, or other systems that enhance safety or provide driver
12 assistance that are not capable, singularly or collectively, of driving the vehicle
13 without the active control or monitoring of a human safety operator;

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

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

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

28 (5) "dynamic driving task fallback" means the response by the human
29 safety operator to perform the dynamic driving task or achieve a stable, stopped
30 condition in order to reduce the risk of a crash after a dynamic driving task system
31 failure, an operational design domain exit, or a response by the automated driving

1 system;

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

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

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

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