

SENATE CS FOR HOUSE BILL NO. 217()
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE TRANSPORTATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to commercial motor vehicle licensing examinations; regulating**
2 **autonomous vehicles; and providing for an effective date."**

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

4 *** Section 1.** AS 28.33.100 is amended by adding a new subsection to read:

5 (j) If an applicant does not successfully complete any portion of a driving test
6 required under this section, the department may only require the applicant to retake the
7 failed or incomplete portions of the test.

8 *** Sec. 2.** AS 28.90 is amended by adding a new section to article 1 to read:

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

12 (b) An autonomous vehicle registered in this state may not be engaged in the
13 transport of

14 (1) commerce or goods unless the transport is for personal,

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

3 (2) passengers unless the vehicle has a gross vehicle weight of 10,000
4 pounds or less and is designed to transport not more than 16 passengers.

5 (c) Except for a commercial autonomous vehicle that is transporting
6 passengers, an autonomous vehicle operated in this state must have physically present
7 in the vehicle a human safety operator who has the ability to monitor and intervene in
8 the vehicle's performance, including operating or shutting off the vehicle.

9 (d) A human safety operator must meet federal and state requirements for
10 operating autonomous and nonautonomous vehicles.

11 (e) In a civil action regarding a motor vehicle accident involving an
12 autonomous vehicle, percentage of fault and apportionment of damages shall be
13 determined under AS 09.17.080.

14 (f) The requirements of this section do not apply to a personal delivery device
15 that

16 (1) is electrically powered;

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

19 (3) is intended primarily to transport property;

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

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

22 (6) is equipped with technology to allow for operation of the device
23 with or without the active control or monitoring of an operator who monitors or
24 exercises direct physical control over the navigation system and operation of the
25 device.

26 (g) In this section,

27 (1) "autonomous technology" does not include collision avoidance
28 systems, electronic blind spot assistance, automated emergency braking systems, park
29 assist, adaptive cruise control, lane keep assist or lane departure warning systems,
30 traffic jam and queuing assist, or other systems that enhance safety or provide driver
31 assistance that are not capable, singularly or collectively, of driving the vehicle

1 without the active control or monitoring of a human safety operator;

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

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

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

16 (5) "dynamic driving task fallback" means the response by the human
17 safety operator to perform the dynamic driving task or achieve a stable, stopped
18 condition to reduce the risk of a crash after a dynamic driving task system failure, an
19 operational design domain exit, or a response by the automated driving system;

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

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

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

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* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).