HOUSE BILL NO. 217

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Introduced: 5/2/25
Referred: Transportation, Community and Regional Affairs

A BILL

FOR AN ACT ENTITLED

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

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

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

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

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

(1) the transport is for personal, noncommercial use; or

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

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

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

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

(e) In this section,

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

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

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

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

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

system;

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

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

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

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