

2019 Regular Session

HOUSE BILL NO. 455

BY REPRESENTATIVE TERRY LANDRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MOTOR VEHICLES: Provides relative to autonomous commercial motor vehicles

1 AN ACT

2 To enact Part IX of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be  
3 comprised of R.S. 32:400.1 through 400.5, relative to autonomous commercial motor  
4 vehicles; to provide for definitions; to establish the controlling authority for  
5 autonomous commercial motor vehicles; to provide relative to applications to  
6 operate an autonomous commercial motor vehicle; to provide relative to  
7 requirements of manufacturers; to establish the reporting requirements following an  
8 accident; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Part IX of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950,  
11 to be comprised of R.S. 32:400.1 through 400.5, is hereby enacted to read as follows:

12 PART IX. AUTONOMOUS COMMERCIAL MOTOR VEHICLES

13 §400.1. Definitions

14 When used in this Part, the following words and phrases have the meanings  
15 ascribed to them, unless the context clearly indicates a different meaning:

16 (1) "Automated driving system" means the hardware and software that are  
17 collectively capable of performing the entire dynamic driving task of an autonomous  
18 commercial motor vehicle on a sustained basis, regardless of whether it is limited to  
19 a specific operational design domain.

1           (2) "Autonomous commercial motor vehicle" means a heavy-duty truck  
2           tractor that is a commercial motor vehicle equipped with an automated driving  
3           system, including those designed to function without a human driver.

4           (3) "Conventional human driver" means a natural person who is physically  
5           present in a vehicle equipped with an automated driving system.

6           (4) "Dynamic driving task" means the real-time operational and tactical  
7           functions required to operate a vehicle in on-road traffic within its specific  
8           operational design domain, if any, excluding strategic functions such as trip  
9           scheduling and selection of destinations and waypoints.

10           (5) "Minimal risk condition" means a reasonably safe position or condition  
11           to which an automated driving system brings an autonomous commercial motor  
12           vehicle, which shall include bringing the vehicle to a complete stop and activating  
13           the vehicle's hazard lamps.

14           (6) "Operational design domain" means a description of the specific  
15           operating domain in which an autonomous commercial motor vehicle is designed to  
16           properly operate, including but not limited to roadway types, speed, environmental  
17           conditions, and other domain constraints.

18           (7) "Remote human driver" means a natural person who is not seated in a  
19           position to manually exercise in-vehicle braking, accelerating, steering, and  
20           transmission gear selection input devices, but is able to perform the entire dynamic  
21           driving task for the commercial motor vehicle.

22           (8) "Teleoperation system" means hardware and software installed in a  
23           motor vehicle that allow a remote human driver to operate a commercial motor  
24           vehicle.

25           §400.2. Controlling authority; compliance

26           A. Notwithstanding any provision of law to the contrary, autonomous  
27           commercial motor vehicles, including any commercial use or operations, and  
28           automated driving systems shall be governed exclusively by this Part.

1           B. Notwithstanding any provision of law to the contrary, the Department of  
2           Public Safety and Corrections, office of motor vehicles, shall be the sole and  
3           exclusive agency with jurisdiction over autonomous commercial motor vehicles and  
4           automated driving systems and shall implement the provisions of this Part in  
5           conjunction with the Department of Transportation and Development.

6           C. A manufacturer remotely operating an autonomous commercial motor  
7           vehicle in this state shall be in compliance with all applicable federal laws and  
8           regulations of the United States Department of Transportation, including the  
9           National Highway Traffic Safety Administration and the Federal Motor Carrier  
10          Safety Administration, that govern the operation of autonomous commercial motor  
11          vehicles.

12          D. Unless otherwise provided by this Part, the Department of Public Safety  
13          and Corrections, office of motor vehicles, or the Department of Transportation and  
14          Development, autonomous commercial motor vehicles shall operate in compliance  
15          with the applicable traffic and motor vehicle laws and regulations of this state.

16          §400.3. Applications for autonomous commercial motor vehicles

17          A. The Department of Public Safety and Corrections, office of motor  
18          vehicles, shall promulgate rules and regulations, in consultation with the Department  
19          of Transportation and Development, as soon as practicable, establishing procedures  
20          for the submission of applications to operate autonomous commercial motor vehicles  
21          in this state without a conventional human driver physically present in the cab and  
22          shall establish application approval requirements for manufacturers.

23          B. At a minimum, manufacturers shall demonstrate that an autonomous  
24          commercial motor vehicle is:

25                  (1) Capable of operating in compliance with applicable traffic and motor  
26                  vehicle laws and regulations of this state.

27                  (2) Properly registered and titled in accordance with R.S. 32:701 et seq., and  
28                  R.S. 47:463.

29                  (3) In compliance with applicable federal law.

1           (4) Capable of achieving a minimal risk condition if a failure of an  
2           automated driving system occurs that renders the system unable to perform the entire  
3           dynamic driving task relevant to its intended operational design domain.

4           (5) Covered by compulsory motor vehicle liability security in accordance  
5           with R.S. 32:861 or self-insurance in accordance with R.S. 32:1042 that satisfies the  
6           requirements of federal law and the provisions of R.S. 32:900.

7           §400.4. Owners and operators of an autonomous commercial motor vehicle

8           A. The owner of an autonomous commercial motor vehicle or automated  
9           driving system shall be considered the operator of the vehicle for the purpose of  
10           assessing compliance with applicable traffic or motor vehicle laws and regulations  
11           of the state, regardless of whether a person is physically present in the autonomous  
12           commercial motor vehicle while it is operating.

13           B. The automated driving system shall be considered licensed to operate the  
14           autonomous commercial motor vehicle.

15           §400.5. Reporting an accident

16           If an accident occurs involving an autonomous commercial motor vehicle  
17           while the automated driving system is engaged, the autonomous commercial motor  
18           vehicle shall remain at the scene of the accident, as required by R.S. 14:100, and the  
19           owner or operator of the autonomous commercial motor vehicle shall comply with  
20           the provisions of R.S. 32:398 relative to contacting the appropriate law enforcement  
21           agency and furnishing all relevant information.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 455 Original

2019 Regular Session

Terry Landry

**Abstract:** Provides relative to the operation of autonomous commercial motor vehicles.

Proposed law defines "automated driving system" as the hardware and software that are collectively capable of performing the entire dynamic driving task of an autonomous commercial motor vehicle on a sustained basis, regardless of whether it is limited to a specific operational design domain.

Proposed law defines "autonomous commercial motor vehicle" as a vehicle equipped with an automated driving system, including those designed to function without a human driver.

Proposed law defines "conventional human driver" as a natural person who is physically present in a vehicle equipped with an automated driving system.

Proposed law defines "dynamic driving task" as the real-time operational and tactical functions required to operate a vehicle in on-road traffic within its specific operational design domain, if any, excluding strategic functions such as trip scheduling and selection of destinations and waypoints.

Proposed law defines "minimal risk condition" as a reasonably safe position or condition to which an automated driving system brings an autonomous commercial motor vehicle, which includes bringing the vehicle to a complete stop and activating the vehicle's hazard lamps.

Proposed law defines "operational design domain" as a description of the specific operating domain in which an autonomous commercial motor vehicle is designed to properly operate, including but not limited to roadway types, speed, environmental conditions, and other domain constraints.

Proposed law defines "remote human driver" as a natural person who is not seated in a position to manually exercise in-vehicle braking, accelerating, steering, and transmission gear selection input devices, but is able to perform the entire dynamic driving task for the vehicle.

Proposed law defines "teleoperation system" as hardware and software installed in a motor vehicle that allow a remote human driver to operate a commercial vehicle.

Proposed law provides that autonomous commercial motor vehicles, including any commercial use or operations, and automated driving systems are governed exclusively by proposed law.

Proposed law specifies that the Dept. of Public Safety and Corrections, office of motor vehicles, is the sole and exclusive agency with jurisdiction over autonomous commercial motor vehicles and automated driving systems and requires that the department implement the provisions of proposed law in conjunction with the Dept. of Transportation and Development.

Proposed law requires that a manufacturer operating an autonomous commercial motor vehicle in this state be in compliance with all applicable federal laws and regulations of the U.S. Dept. of Transportation, including the National Hwy. Traffic Safety Administration and the Federal Motor Carrier Safety Administration, that govern the operation of autonomous commercial motor vehicles.

Proposed law requires autonomous commercial motor vehicles to operate in compliance with the applicable traffic and motor vehicle laws and regulations of this state unless otherwise provided by proposed law, the Dept. of Public Safety and Corrections, office of motor vehicles, or the Dept. of Transportation and Development.

Proposed law requires the Dept. of Public Safety and Corrections, office of motor vehicles, in conjunction with the Dept. of Transportation and Development, as soon as practicable, to establish procedures for the submission of applications to operate autonomous commercial motor vehicles in this state without a conventional human driver physically present in the cab and requires the department to establish application approval requirements for manufacturers.

Proposed law requires that manufacturers demonstrate, at a minimum, that the vehicle meet the following requirements: (1) is capable of operating in compliance with applicable traffic

and motor vehicle laws and regulations of this state; (2) is properly registered and titled in accordance with present law; (3) is in compliance with applicable federal law; (4) is capable of achieving a minimal risk condition if a failure of an automated driving system occurs that renders the system unable to perform the entire dynamic driving task relevant to its intended operational design domain; and (5) is covered by compulsory motor vehicle liability security or self-insurance in accordance with present law that satisfies the requirements of federal law and present law.

Proposed law requires that an owner of an autonomous commercial motor vehicle or automated driving system be considered the operator of the vehicle for the purpose of assessing compliance with applicable traffic or motor vehicle laws and regulations of the state, regardless of whether a person is physically present in the autonomous commercial motor vehicle while it is operating.

Proposed law clarifies that an automated driving system is considered licensed to operate an autonomous commercial motor vehicle.

Proposed law specifies that if an accident occurs involving an autonomous commercial motor vehicle, while the automated driving system is engaged, the autonomous commercial motor vehicle must remain at the scene of the accident, as required by present law, and the owner or operator of the autonomous commercial motor vehicle must comply with the provisions of present law relative to contacting the appropriate law enforcement agency and furnishing all relevant information.

(Adds R.S. 32:400.1-400.5)