

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 operators; 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 commercial motor
2 vehicle equipped with an automated driving system, including those designed to
3 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, such as bringing the vehicle to a complete stop and activating the vehicle's
13 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 the 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 Transportation and Development shall be the sole and exclusive agency with
3 jurisdiction over autonomous commercial motor vehicles and automated driving
4 systems and shall implement the provisions of this Part.

5 §400.3. Operations

6 A. Prior to operating an autonomous commercial motor vehicle on a public
7 road in this state, without a conventional human driver present in the vehicle, a
8 person shall submit proof to the Department of Transportation and Development that
9 the vehicle is covered by insurance or self-insurance that satisfies the requirements
10 of R.S. 32:861 and R.S. 32:900.

11 B. Prior to operating an autonomous commercial motor vehicle without a
12 conventional human driver present in the vehicle, a person shall submit a written
13 statement to the Department of Transportation and Development certifying that the
14 vehicle is:

15 (1) Capable of operating in compliance with applicable traffic and motor
16 vehicle laws and regulations of this state including but not limited to the laws and
17 regulations relative to safely negotiating railroad crossings, unless an exemption for
18 the operation of autonomous commercial motor vehicles at specifically identified
19 crossings is granted by the Secretary of the Department of Transportation and
20 Development. The department shall consult with railroad companies operating in this
21 state when considering an exemption that affects the operation of autonomous
22 commercial motor vehicles at railroad crossings.

23 (2) In compliance with all applicable federal laws and regulations that govern
24 the operation of autonomous commercial motor vehicles, unless an exemption is
25 granted under applicable laws and regulations of the United States Department of
26 Transportation, the National Highway Traffic Safety Administration, and the Federal
27 Motor Carrier Safety Administration.

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

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

6 C. No provision of this Section shall be construed to limit the applicability
7 of state dealer franchise laws under the provisions of R.S. 32:1251 through 1269.

8 §400.4. Owners and operators of an autonomous commercial motor vehicle

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

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

16 §400.5. Reporting an accident

17 If an accident occurs involving an autonomous commercial motor vehicle
18 while the automated driving system is engaged, the autonomous commercial motor
19 vehicle shall remain at the scene of the accident, as required by R.S. 14:100, and the
20 owner or operator or any person on behalf of the owner or operator of the
21 autonomous commercial motor vehicle shall comply with the provisions of R.S.
22 32:398 relative to contacting the appropriate law enforcement agency and furnishing
23 all relevant information.

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)]

HB 455 Engrossed

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 commercial motor 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, such as 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 the 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 Transportation and Development (DOTD) is the sole and exclusive agency with jurisdiction over autonomous commercial motor vehicles and automated driving systems.

Proposed law requires autonomous commercial motor vehicles have proof of insurance, be properly registered and titled, and a written statement be provided to the DOTD certifying compliance with certain federal and state motor vehicle and traffic laws. Also requires written certification that the vehicle is capable of achieving a minimal risk condition if a failure of the automated driving system occurs.

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 or any person on behalf of 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)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Name the Dept. of Transportation and Development as the sole and exclusive agency with jurisdiction over autonomous commercial motor vehicles instead of the Dept. of Public Safety and Corrections, office of motor vehicles.
2. Delete the provision that authorize the Dept. of Public Safety and Corrections, office of motor vehicles, to promulgate rules and regulations establishing procedures for the application process.
3. Delete the requirements relative to manufacturers of autonomous commercial motor vehicles.
4. Require the operator of an autonomous commercial motor vehicle to submit proof of insurance and a statement certifying compliance with certain federal and state motor vehicle and traffic laws to the Dept. of Transportation and Development prior to operating the autonomous commercial motor vehicle.
5. Clarify that state dealer franchise laws will apply to the provisions of proposed law.
6. Clarify that the owner or operator or any person on behalf of the owner or operator of an autonomous commercial motor vehicle is required to comply with the provisions of present law relative to contacting the appropriate law enforcement agency and furnishing all relevant information following an accident or incident involving the autonomous commercial motor vehicle.
7. Make technical changes.