

2016 Regular Session

HOUSE BILL NO. 233

BY REPRESENTATIVE STOKES

MOTOR VEHICLES: Provides relative to the regulation of autonomous vehicles operating on the highways of this state

1 AN ACT

2 To amend and reenact R.S. 32:1(16), (40), (44), and (92), 401(20), 851(5) and (8) and to
3 enact R.S. 32:1(1.2) and (1.3) and Part IX of Chapter 1 of Title 32 of the Louisiana
4 Revised Statutes of 1950, to be comprised of R.S. 32: 400.1 through 400.6, relative
5 to autonomous vehicles; to amend definitions relating to motor vehicles; to provide
6 for regulations for the operation and testing of autonomous vehicles on roads and
7 highways; to provide for insurance requirements for the testing of autonomous
8 vehicles; to provide for requirements for the registration of autonomous vehicles; and
9 to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 32:1(16), (40), (44), and (92), 401(20), 851(5) and (8) are hereby
12 amended and reenacted and R.S. 32:1(1.2) and (1.3) and Part IX of Chapter 1 of Title 32 of
13 the Louisiana Revised Statutes of 1950, comprised of R.S. 32:400.1 through 400.6, are
14 hereby enacted to read as follows:

15 §1. Definitions

16 When used in this Chapter, the following words and phrases have the
17 meanings ascribed to them in this Section, unless the context clearly indicates a
18 different meaning:

19 * * *

1 driver's seat, or if there is no person in the driver's seat, the person who causes the
2 autonomous technology to engage.

3 * * *

4 (92) "Vehicle" means every device, including an autonomous vehicle, by
5 which persons or things may be transported upon a public highway or bridge, except
6 devices moved by human power or used exclusively upon stationary rails or tracks.
7 A bicycle or a ridden animal shall be a vehicle, and a trailer or semitrailer shall be
8 a separate vehicle.

9 * * *

10 PART IX. AUTONOMOUS VEHICLES

11 §400.1. Autonomous vehicles testing; insurance of bond requirements

12 An autonomous vehicle may be operated on highways in this state for testing
13 purposes by employees, contractors, or other persons designated by manufacturers
14 of autonomous technology or autonomous vehicles after the manufacturer of the
15 autonomous technology or autonomous vehicle has submitted to the commissioner
16 acceptable proof of insurance or self-insurance in the amount of five million dollars.

17 §400.2. Autonomous vehicle testing; driver requirements

18 An employee, contractor, or other persons designated by the manufacturer of
19 autonomous technology, may operate an autonomous vehicle on the highways of this
20 state for the purpose of testing the vehicle or the autonomous technology, should all
21 of the following requirements be met:

22 (1) The driver or operator possesses the proper class of license for the type
23 of vehicle being operated.

24 (2) The driver or operator is present in the vehicle while it is being operated
25 on a highway and is monitoring the safe operation of the vehicle.

26 (3) The driver or operator is capable of taking over immediate manual
27 control of the vehicle in the event of an autonomous technology failure or other
28 emergency.

1 §400.3. Autonomous vehicle; testing or operation requirements

2 An autonomous vehicle may not be tested or operated on the highways of this
3 state unless all of the following requirements are met:

4 (1) The vehicle has a means to alert the operator if a technology failure
5 affecting the ability of the vehicle to safely operate autonomously is detected while
6 the vehicle is operating autonomously in order to indicate to the operator to take
7 control of the vehicle.

8 (2) The vehicle is capable of being operated in compliance with the
9 applicable traffic and motor vehicle laws of this state.

10 (3) The vehicle is equipped with a visual indicator located inside the
11 autonomous vehicle which indicates when autonomous technology is operating the
12 autonomous vehicle.

13 §400.4. Autonomous vehicle; registration requirements

14 An autonomous vehicle shall not be registered in this state unless the
15 autonomous vehicle meets all federal standards and regulations that are applicable
16 to a motor vehicle.

17 §400.5. Manufacturer not liable for certain changes

18 The manufacturer of a vehicle that has been converted by a third party into
19 an autonomous vehicle is not liable for damages to any person injured due to a defect
20 caused by the conversion of the vehicle or by any equipment installed to facilitate
21 the conversion of the motor unless the defect that caused the injury was present in
22 the vehicle as originally manufactured.

23 §400.6. Rules and regulations

24 The Department of Transportation and Development and the Department of
25 Public Safety and Corrections, public safety services, or both, may adopt rules and
26 regulations in accordance with the Administrative Procedures Act as necessary to
27 implement the provisions of this Part. Notwithstanding R.S. 49:968(B)(12), the
28 House Committee on Transportation, Highways and Public Works and the Senate

1 Committee on Transportation, Highways and Public Works shall have oversight of
2 rules and regulations promulgated pursuant to this Part.

3 §401. Definitions

4 The following words and phrases when used in this Chapter shall have the
5 meaning herein assigned unless the context clearly indicates otherwise:

6 * * *

7 (20) "Motor vehicle" means and includes automobiles, trucks, truck-tractors,
8 trailers, semitrailers, autonomous vehicles as defined in R.S. 32:1, and motorcycles,
9 propelled by steam, gasoline, electricity, or any other source of energy other than
10 muscular power, except farm implements temporarily operated or moved on a
11 highway or vehicles operated only on rails or tracks constructed therefor.

12 * * *

13 §851. Definitions

14 The following words and phrases, when used in this Chapter, shall, for the
15 purposes of this Chapter, have the meanings respectively ascribed to them in this
16 Section, except in those instances where the context clearly indicates a different
17 meaning:

18 * * *

19 (5) "Motor vehicle" means every self-propelled vehicle, autonomous vehicle
20 as defined in R.S. 32:1 (except traction engines, road rollers, farm tractors, tractor
21 cranes, power shovels, and well drillers), and every vehicle which is propelled by
22 electric power obtained from overhead wires but not operated upon rails.

23 * * *

24 (8) "Operator" means every person who is in actual physical control of a
25 motor vehicle. For purposes of an autonomous vehicle as defined in R.S. 32:1,
26 "operator" also shall mean the person who is seated in the driver's seat, or if there is
27 no person in the driver's seat, the person who causes the autonomous technology as
28 defined in R.S. 32:1 to engage.

29 * * *

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 233 Original

2016 Regular Session

Stokes

Abstract: Provides for definitions relative to autonomous vehicles and requirements for the testing, operation, and registration of autonomous vehicles in the state.

LOUISIANA HIGHWAY REGULATORY ACT

Proposed law defines "autonomous technology" and "autonomous vehicle".

Present law defines "driver" to mean every person who drives or is in actual physical control of a vehicle.

Proposed law adds that the definition of "driver" includes every person who drives or is in actual physical control of an autonomous vehicle.

Present law defines "motor vehicle" as every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, but excluding a motorized bicycle, and including a low-speed vehicle.

Proposed law adds that the definition of "motor vehicle" shall include an autonomous vehicle.

Present law defines "operator" as every person, other than a chauffeur, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

Proposed law adds that for purposes of an autonomous vehicle, "operator" shall also mean the person who is seated in the driver's seat, or if there is no person in the driver's seat, the person who causes the autonomous technology to engage.

Present law defines "vehicle" as every device by which persons or things may be transported upon a public highway or bridge, except devices moved by human power or used exclusively upon stationary rails or tracks.

Proposed law provides that the definition of vehicle includes an autonomous vehicle.

Proposed law provides that an autonomous vehicle may be operated on highways in this state for testing purposes by employees, contractors, or other persons designated by manufacturers of autonomous technology or autonomous vehicles after the manufacturer of the autonomous technology or autonomous vehicle has submitted to the commissioner acceptable proof of insurance or self-insurance in the amount of \$5 million.

Proposed law provides that an employee, contractor, or other persons designated by the manufacturer of autonomous technology, may operate an autonomous vehicle on the highways of this state for the purpose of testing the vehicle or the autonomous technology, if that person meets certain requirements.

Proposed law provides that an autonomous vehicle may not be tested or operated on the highways of this state unless the vehicle meets certain requirements.

Proposed law provides that an autonomous vehicle cannot be registered in this state unless the autonomous vehicle meets all federal standards and regulations that are applicable to a motor vehicle.

Proposed law provides that the manufacturer of a vehicle that has been converted by a third party into an autonomous vehicle is not liable for damages to any person injured due to a defect caused by the conversion of the vehicle or by any equipment installed to facilitate the conversion of the motor unless the defect that caused the injury was present in the vehicle as originally manufactured.

Proposed law provides that the Dept. of Transportation and Development and the Dept. of Public Safety and Corrections, public safety services, or both, may adopt rules and regulations in accordance with the Administrative Procedures Act as necessary to implement the provisions of proposed law.

Present law provides that the House Committee on the Judiciary and the Senate Committee on the Judiciary, Section B, shall exercise oversight for rules and regulations to be promulgated by the Dept. of Public Safety and Corrections, and all the agencies of the department related to public safety (except the office of motor vehicles).

Proposed law provides that the House and Senate committees on transportation, highways and public works shall exercise oversight for rules and regulations to be promulgated by the Dept. of Public Safety and Corrections, and all the agencies of the department related to public safety pursuant to proposed law.

DRIVER'S LICENSE LAW

Present law defines "motor vehicle" as and to include automobiles, trucks, truck-tractors, trailers, semitrailers, and motorcycles propelled by steam, gasoline, electricity, or any other source of energy other than muscular power, except farm implements temporarily operated or moved on a highway or vehicles operated only on rails or tracks constructed therefor.

Proposed law adds "autonomous vehicles" to the included list in the definition of "motor vehicle".

MOTOR VEHICLE SAFETY RESPONSIBILITY LAW

Present law defines "motor vehicle" to mean every self-propelled vehicle (except traction engines, road rollers, farm tractors, tractor cranes, power shovels, and well drillers) and every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails.

Proposed law adds autonomous vehicles to the definition of "motor vehicle".

Present law defines "operator" to mean every person who is in actual physical control of a motor vehicle.

Proposed law adds that for purposes of an autonomous vehicle, "operator" also shall mean the person who is seated in the driver's seat, or if there is no person in the driver's seat, the person who causes the autonomous technology to engage.

(Amends R.S. 32:1(16), (40), (44), and (92), 401(20), and 851(5) and (8); Adds R.S. 32:1(1.2), (1.3), and 400.1 - 400.6)