

Regular Session, 2014

HOUSE BILL NO. 938

BY REPRESENTATIVE LEGER

MOTOR VEHICLES: Authorizes the research and testing of autonomous vehicles

1 AN ACT

2 To enact Part XVII of Chapter 3 of Title 32 of the Louisiana Revised Statutes of 1950, to be  
3 comprised of R.S. 32:691 through 693, relative to researching and testing of  
4 autonomous motor vehicles; to provide requirements for autonomous motor vehicle  
5 testing; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Part XVII of Chapter 3 of Title 32 of the Louisiana Revised Statutes of  
8 1950, comprised of R.S. 32:691 through 693, is hereby enacted to read as follows:

9 PART XVII. RESEARCH AND TESTING OF AUTONOMOUS VEHICLES

10 §691. Autonomous motor vehicles; requirements for testing

11 A. An autonomous motor vehicle may be operated on public roads for testing  
12 purposes if:

13 (1) The entity performing the testing has submitted a certificate of  
14 mandatory liability insurance or proof of self-insurance acceptable to the Department  
15 of Transportation and Development in an amount not less than five million dollars;  
16 and

17 (2) A person, designated by the testing entity, with a valid driver's license  
18 is present in the autonomous motor vehicle to monitor the vehicle's performance and  
19 intervene if there is a failure of the autonomous technology.

1           B. Except as provided in Subsection A of this Section, an autonomous motor  
2           vehicle shall not be operated on public roads before the manufacturer receives an  
3           autonomous motor vehicle permit from the Department of Transportation and  
4           Development. The Department of Transportation and Development has the sole  
5           authority over the issuance of autonomous motor vehicle permits and may establish  
6           and collect costs for permits pending legislative approval of such costs.

7           C. The application for an autonomous motor vehicle permit shall contain all  
8           of the following certifications:

9           (1) The autonomous motor vehicle has a mechanism to disengage the  
10          autonomous technology that is accessible to the operator.

11          (2) The autonomous motor vehicle has a visual indicator inside the cabin and  
12          outside the vehicle to indicate when the autonomous technology is engaged.

13          (3)(a) The autonomous motor vehicle has a system to safely alert the  
14          operator if an autonomous technology failure is detected while the autonomous  
15          technology is engaged, and when an alert is given, the system must require the  
16          operator to take control of the autonomous motor vehicle.

17          (b) The operator must be able to take control of the autonomous motor  
18          vehicle in multiple manners, including through the use of the brake, the accelerator  
19          pedal, or the steering wheel, and the vehicle must alert the operator that the  
20          autonomous technology has been disengaged.

21          (c) If the operator does not or is unable to take control of the autonomous  
22          motor vehicle, the autonomous motor vehicle must be capable of coming to a  
23          complete and safe stop on its own.

24          (4) The autonomous motor vehicle and its technology meet the Federal  
25          Motor Vehicle Safety Standards, 49 CFR Part 571, for the vehicle's model year and  
26          all applicable safety and performance requirements set forth in state and federal law  
27          and the regulations promulgated pursuant to those laws.

28          (5)(a) The autonomous motor vehicle has a separate mechanism, in addition,  
29          and separate from, any other mechanism required by law, to capture and store the

1 autonomous technology sensor data for at least thirty seconds before a collision  
2 occurs between the autonomous motor vehicle and another vehicle or object while  
3 the vehicle is operating autonomously.

4 (b) The sensor data must be captured and stored in a read-only format by the  
5 mechanism so that the data is retained until extracted from the mechanism by an  
6 external device capable of downloading and storing the data. The data must be  
7 preserved for three years after the date of the collision.

8 §692. Progress report

9 The secretary of the Department of Transportation and Development shall  
10 submit a report to the legislature evaluating the feasibility and safety implications of  
11 authorizing the operation of autonomous motor vehicles beyond the testing phase,  
12 indicating the progress of the adoption or amendment of relevant administrative rules  
13 issued pursuant to this Part, and recommending any additional legislation or  
14 regulatory action that may be required for the safe testing and operation of  
15 autonomous vehicles no later than the final adjournment of the 2016 Regular Session  
16 of the Legislature.

17 §693. Liability

18 The original manufacturer of a non-autonomous motor vehicle converted by  
19 a third party into an autonomous motor vehicle shall not be liable for, and shall have  
20 a defense to, any legal action brought against the original manufacturer by any  
21 person injured due to an alleged vehicle defect caused by the conversion of the  
22 vehicle, or by equipment installed during the conversion, unless the alleged defect  
23 was present in the vehicle as originally manufactured, or the original manufacturer  
24 directed or approved the conversion.

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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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Leger

HB No. 938

**Abstract:** Authorizes the research and testing of autonomous motor vehicles in the state.

Proposed law allows testing of autonomous vehicles on public roads if the testing entity has met various requirements, including but not limited to submitting a certificate of mandatory liability insurance or proof of self-insurance acceptable to the Dept. of Transportation and Development, a person with a valid driver's license is in the vehicle and is able to intervene if there is a failure in the technology, and the manufacturer applies for and receives an autonomous motor vehicle permit from the Dept. of Transportation and Development.

Proposed law requires that the application for an autonomous motor vehicle permit contain certifications, including, but not limited to a certification that the autonomous vehicle has a mechanism to disengage the autonomous technology accessible to the operator, certification that the autonomous vehicle has a system to alert the operator if an autonomous technology failure is detected, and a certification that the autonomous vehicle and its technology meet the Federal Motor Vehicle Safety Standards, 49 CFR 571, for the vehicle's model year.

Proposed law requires the secretary of the Dept. of Transportation and Development to submit a report recommending any additional legislation or regulatory action that may be required for the safe testing and use of autonomous vehicles by the final adjournment of the 2016 Regular Session.

Proposed law limits the liability of non-autonomous motor vehicle manufacturers who manufacture vehicles that are later converted to autonomous motor vehicles.

(Adds R.S. 32:691 - 693)