

1 SB379  
2 185338-1  
3 By Senators Holtzclaw, Whatley, Ward, Allen, Dial and  
4 Smitherman  
5 RFD: Transportation and Energy  
6 First Read: 20-APR-17

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8 SYNOPSIS: Existing law does not authorize the  
9 operation of autonomous vehicles.

10 This bill would authorize the operation of  
11 autonomous vehicles on public and private roads at  
12 certain testing sites and would require the testing  
13 and approval of autonomous technology prior to  
14 operation.

15 This bill would also require an entity  
16 operating autonomous technology to share certain  
17 safety data.

18  
19 A BILL  
20 TO BE ENTITLED  
21 AN ACT  
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23 To authorize the operation of autonomous vehicles on  
24 public and private roads at certain testing sites; to require  
25 the testing and approval of autonomous technology prior to  
26 operation; to require each autonomous vehicle operated on a  
27 public and private road to carry a certain amount of

1 insurance; and to require a public or private entity operating  
2 autonomous technology to share certain safety data.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. The Legislature finds and declares the  
5 following:

6 (1) Bringing industry leaders of cutting-edge  
7 research and development into the state is an important public  
8 interest.

9 (2) The development of autonomous vehicles is  
10 imminent.

11 (3) The testing of autonomous vehicles is necessary  
12 to satisfy public safety concerns.

13 Section 2. For purposes of this act, the following  
14 terms shall have the following meanings:

15 (1) AUTOMATED DRIVING SYSTEM. Hardware and software  
16 that is collectively capable of performing all aspects of the  
17 driving task for a vehicle on a part-time or full-time basis  
18 without any supervision by a human operator.

19 (2) AUTONOMOUS VEHICLE.

20 a. A motor vehicle that uses an automated driving  
21 system, sensors, and global positioning system coordinates to  
22 drive itself without active intervention of a human operator.

23 b. The term does not include a vehicle enabled with  
24 a safety system or driver assistance system, including,  
25 without limitation, a system to provide electronic blind spot  
26 assistance, crash avoidance, emergency braking, parking  
27 assistance, adaptive cruise control, lane keep assistance,

1 lane departure warnings, and traffic jam and queuing  
2 assistance, unless the vehicle is also enabled with artificial  
3 intelligence and technology that allows the vehicle to carry  
4 out all the mechanical operations of driving without the  
5 active control or continuous monitoring of a natural person.

6 Section 3. (a) A municipality or county may  
7 authorize the testing of autonomous vehicles pursuant to this  
8 act.

9 (b) Autonomous vehicles may be tested at a testing  
10 site approved by the municipality in which the testing is to  
11 be done or, if the testing is to be conducted outside of a  
12 municipality, by the county in which the testing is to be  
13 done.

14 Section 4. (a) All of the following shall apply to  
15 the testing of an autonomous vehicle:

16 (1) The autonomous vehicle must be licensed for  
17 testing pursuant to Section 5.

18 (2) The testing shall be conducted only within the  
19 defined boundaries of an approved testing site.

20 (3) The person operating the autonomous vehicle in  
21 autonomous mode shall be deemed the driver of the autonomous  
22 vehicle regardless of whether the person is physically present  
23 in the autonomous vehicle while it is engaged.

24 (4) The municipality or county, as appropriate,  
25 shall erect signs at testing site entry points that identify  
26 that the testing site is a testing ground for autonomous  
27 vehicles.

1 (5) The autonomous vehicle shall operate at speeds  
2 of less than 35 miles per hour.

3 (6) The autonomous vehicle shall have adequate  
4 safety systems and redundancies to prevent collision.

5 (b) Each autonomous vehicle operated in the testing  
6 site shall be registered and licensed in the same manner as  
7 other motor vehicles.

8 (c) Each autonomous vehicle approved shall carry  
9 liability insurance in an amount of at least five million  
10 dollars (\$5,000,000).

11 Section 5. (a) Each make and model of autonomous  
12 vehicle to be tested within an approved testing site must be  
13 licensed by the municipality or county, as appropriate, for  
14 that purpose.

15 (b) A person applying for a license to test an  
16 autonomous vehicle pursuant to this section shall submit all  
17 of the following:

18 (1) Certification that, prior to testing on public  
19 roads, the autonomous vehicle has been tested under controlled  
20 conditions that simulate, as closely as practicable, the real  
21 world conditions that the autonomous vehicle will be subject  
22 to during testing, and that the municipality or county has  
23 made a reasonable determination that it is safe to operate the  
24 autonomous vehicle on public roads under these conditions.

25 (2) Acknowledgement that the autonomous vehicle may  
26 only operate in autonomous mode in the geographic area and

1 environmental, traffic, and speed conditions authorized in  
2 this act.

3 (3) Certification that the testing complies with  
4 National Highway Traffic Safety Administration guidance, if  
5 any, on the safe testing, deployment, and operation of  
6 autonomous vehicles.

7 (4) Proof of insurance, a surety bond, or a deposit  
8 of cash in the amount of five million dollars (\$5,000,000).

9 (5) One of the following:

10 a. Certification that the autonomous vehicle used  
11 for testing complies with all applicable federal Motor Vehicle  
12 Safety Standards or written evidence that the National Highway  
13 Traffic Safety Administration has granted the autonomous  
14 vehicle an exemption from compliance with the relevant  
15 standards.

16 b. Written evidence that the National Highway  
17 Traffic Safety Administration considers the absence of a  
18 steering wheel, a brake pedal, or an accelerator permissible  
19 under federal Motor Vehicle Safety Standards.

20 (6) Identification of each autonomous vehicle to be  
21 used during the testing. For each vehicle, the manufacturer  
22 shall provide to the municipality or county the make, model,  
23 and model year of the vehicle, the full vehicle identification  
24 number, the license plate number, and the state of issuance.

25 (7) Proof that the exterior of each autonomous  
26 vehicle used for testing purposes clearly indicates the  
27 vehicle is being operated for testing purposes.

1           (8) Certification that the vehicle is equipped with  
2 a communication link between the vehicle and a remote operator  
3 to provide information on the vehicle's location and status  
4 and to allow two-way communication between the remote operator  
5 and the vehicle's passengers if the vehicle experiences a  
6 failure that would endanger the safety of the passengers or  
7 other road users while operating without a driver.

8           (9) Proof that a law enforcement interaction plan  
9 has been created to instruct the law enforcement agencies that  
10 have jurisdiction over a testing site on how to interact with  
11 an autonomous vehicle in emergency and traffic enforcement  
12 situations.

13           (c) If the municipality or county has reasonable  
14 cause to believe that a specific model of autonomous vehicle  
15 or artificial intelligence and technology used in an  
16 autonomous vehicle presents an unsafe condition for operation  
17 on the highways of the state, the municipality or county may  
18 refuse to license the model or the technology for testing.

19           Section 6. The municipality or county shall require  
20 data collection for evaluating the safety of the vehicles  
21 tested in the testing site, including, but not limited to, all  
22 the following:

23           (1) A report to the municipality or county of any  
24 accident originating from the operation of the autonomous  
25 vehicle on a public road that resulted in the damage of  
26 property, bodily injury, or death. Accidents shall be reported

1 within 10 days in the form and manner specified by the  
2 municipality or county.

3 (2) The submission to the municipality or county of  
4 an annual report of the data collected in the form and manner  
5 specified by the municipality or county.

6 (3) Additional information, documentation, and  
7 affirmations the municipality or county deems necessary or  
8 appropriate before approving an application to test autonomous  
9 vehicles that is submitted pursuant to this act.

10 Section 7. (a) The municipality or county may  
11 suspend, revoke, deny, or refuse to renew a license for  
12 testing an autonomous vehicle for any of the following  
13 reasons:

14 (1) Failure to comply with the traffic laws of this  
15 state.

16 (2) Any material misstatement on the application for  
17 the issuance or renewal of a license.

18 (3) A finding that the operation of an autonomous  
19 vehicle by the person would create a danger to the public.

20 (4) Failure to comply with the other requirements of  
21 this act.

22 (b) A person may appeal a suspension, revocation,  
23 denial, or refusal to renew a license to test an autonomous  
24 vehicle within 30 days of receipt of notice of the adverse  
25 action. The appeal shall be conducted in accordance with the  
26 rules of the municipality or county.



1                   Section 8. This act shall become effective on the  
2 first day of the third month following its passage and  
3 approval by the Governor, or its otherwise becoming law.