HOUSE BILL NO. 1192

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROWLAND.

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to driverless-capable commercial vehicles, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be known as section 304.950, to read as follows:

304.950. 1. As used in this section, the following terms mean:

(1) "ADS-equipped vehicle", a vehicle equipped with an automated driving system, as defined in this section;

(2) "Automated driving system" or "ADS", the hardware and software that are collectively capable of performing an entire dynamic driving task within its specific operational design domain, independent of real-time input by a conventional human driver;

(3) "Driverless-capable vehicle", a vehicle equipped with an ADS capable of performing all aspects of the dynamic driving task within its operational design domain, including achieving a minimal risk condition, without any intervention or supervision by a conventional human driver;

(4) "Dynamic driving task", the combination of all of the real-time functions required to operate a vehicle within its specific operational design domain, excluding strategic functions such as trip scheduling and selection of destinations and waypoints;

(5) "Fleet", any group of ten or more vehicles owned by the same owner;

(6) "Fleet vehicle", a motor vehicle that is included as part of a fleet;

17   **(7) "Minimal risk condition", a reasonably safe state to which an automated**
18 **driving system brings an ADS-equipped vehicle that experiences a malfunction of the ADS**
19 **that renders the vehicle unable to continue performing a dynamic driving task, such as**
20 **bringing the vehicle to a complete stop and activating the hazard lamps;**
21   **(8) "Operational design domain", the conditions in which an ADS is designed to**
22 **properly operate including, but not limited to, roadway types, speed range, environmental**
23 **conditions such as weather and lighting, and other constraints. An ADS-equipped vehicle**
24 **with no such constraints shall be deemed to always be within its operational design domain.**
25   **2. Notwithstanding any other provision of law, any business that employs more**
26 **than fifty employees may incorporate driverless-capable vehicles into its vehicle fleet,**
27 **provided the business complies with the provisions of this section.**
28   **3. Any driverless-capable vehicle operated on the public roads of this state without**
29 **a conventional human driver under the provisions of this section shall meet the following**
30 **conditions:**
31   **(1) While in driverless operation, the vehicle is capable of achieving a minimal risk**
32 **condition if a malfunction of the ADS occurs that renders the system unable to perform the**
33 **entire dynamic driving task within the scope of its operational design domain;**
34   **(2) While in driverless operation, the vehicle is capable of operating in compliance**
35 **with the applicable traffic and motor vehicle laws and regulations of this state, unless an**
36 **exemption has been granted by the department of revenue;**
37   **(3) The ADS feature, while engaged, is designed to operate only within its**
38 **operational design domain and in compliance with the applicable traffic and motor safety**
39 **laws and regulations of this state, unless an exemption has been granted by the department**
40 **of revenue; and**
41   **(4) The vehicle has been certified to be in compliance with all applicable federal**
42 **motor vehicle safety standards, except to the extent an exemption has been granted under**
43 **federal law.**
44   **4. No business that employs more than fifty employees shall convert more than one-**
45 **sixteenth of its vehicle fleet per year from conventional vehicles to driverless-capable**
46 **vehicles.**
47   **5. A business in violation of subsection 4 of this section shall be subject to the**
48 **following:**
49   **(1) For a business that is required to pay state income tax, such entity shall be**
50 **prohibited from deducting any business expenses relating to its vehicle fleet or depreciating**
51 **the value of any vehicles in its vehicle fleet for the tax year in which a violation of**
52 **subsection 4 of this section occurred; and**

53   **(2) For a business with no state tax liability, such entity shall be required to pay a**

54 **"miles driven" fee in the amount of seventeen cents per mile for each mile driven by**

55 **driverless-capable vehicles in the business's fleet during the calendar year in which the**

56 **violation occurred.**

57   **6. Revenue from the miles driven fee collected under subdivision (2) of subsection**

58 **5 of this section shall be deposited in the state road fund to be used and expended as**

59 **provided by Article IV, Section 30(b) of the Constitution of Missouri.**

60   **7. The director of the department of revenue shall promulgate rules necessary to**

61 **implement this section, which shall include the development of a system to record annual**

62 **odometer readings for driverless-capable vehicles that operate for any duration within this**

63 **state. Any rule or portion of a rule, as that term is defined in section 536.010, that is**

64 **created under the authority delegated in this section shall become effective only if it**

65 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**

66 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**

67 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**

68 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**

69 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2019,**

70 **shall be invalid and void.**

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