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SENATE BILL NO. 67
INTRODUCED BY D. LOGE
BY REQUEST OF THE TRANSPORTATION INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE USE OF AUTONOMOUS VEHICLES ON STATE PUBLIC HIGHWAYS; PROVIDING RULEMAKING AUTHORITY; PROVIDING DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Short title. [Sections 1 through 6] may be cited as the "Montana Autonomous Vehicle Act".

NEW SECTION. Section 2. Purpose. The purpose of [sections 1 through 6] is to allow the use of autonomous vehicles on the public highways of this state in a way that:

- (1) is safe for the traveling public;
- (2) creates long-term predictability for individuals and businesses;
- (3) recognizes that this state may have more challenging and variable driving conditions than other states; and
- (4) integrates as closely as possible with existing state law related to motor vehicles.

NEW SECTION. Section 3. Definitions. As used in [sections 1 through 6], unless the context clearly indicates otherwise, the following definitions apply:

- (1) "Automated driving system" means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether the automated driving system is limited to a specific operational design domain.
- (2) "Autonomous vehicle" means a partially autonomous vehicle or a fully autonomous vehicle.
- (3) "Department" means the department of transportation.

1 (4) "Driver's seat" means the seat in an autonomous vehicle nearest to the steering wheel,
2 accelerator, and brake pedal, if they exist.

3 (5) (a) "Dynamic driving task" means all of the real-time operational and tactical functions required
4 to operate a motor vehicle in highway traffic, including:

- 5 (i) lateral vehicle motion control through steering;
- 6 (ii) longitudinal vehicle motion control through acceleration and deceleration;
- 7 (iii) monitoring the driving environment through object and event detection, recognition,
8 classification, and response preparation;

9 (iv) object and event response execution;

10 (v) maneuver planning; and

11 (vi) enhancement of the conspicuousness of the vehicle with lights, signals, and gestures.

12 (b) The term does not include strategic functions such as trip scheduling and the selection of
13 destinations and waypoints.

14 (6) "Fallback ready user" means the user of a vehicle equipped with an engaged level 3 automated
15 driving system who is a human driver and who is responsible to operate the vehicle if the automated driving
16 system issues a request for the user of the vehicle to intervene or a system failure occurs.

17 (7) "Fully autonomous vehicle" means a vehicle equipped with an engaged level 4 automated
18 driving system or level 5 automated driving system.

19 (8) "Level 1 automated driving system" means an automated driving system that provides a driver
20 with one of the following:

21 (a) braking and accelerating support; or

22 (b) steering support.

23 (9) "Level 2 automated driving system" means an automated driving system that provides a driver
24 with both of the following:

25 (a) braking and accelerating support; and

26 (b) steering support.

27 (10) "Level 3 automated driving system" means an automated driving system that:

28 (a) has the capability to perform on a sustained basis the entire dynamic driving task within its

1 operational design domain; and

2 (b) requires a fallback ready user to operate the vehicle after the automated driving system issues
3 a request for the fallback ready user to intervene or a system failure occurs.

4 (11) "Level 4 automated driving system" means an automated driving system feature that, without
5 any expectation a human driver will respond to a request to intervene, has the capability to perform:

6 (a) on a sustained basis the entire dynamic driving task within its operational design domain; and

7 (b) any maneuvers necessary to achieve a minimal risk condition in response to:

8 (i) an exit from the operational design domain of the automated driving system; or

9 (ii) a system failure.

10 (12) "Level 5 automated driving system" means an automated driving system feature that, without
11 any expectation a human driver will respond to a request to intervene, has the capability to perform:

12 (a) on a sustained basis the entire dynamic driving task under all conditions that can reasonably
13 be managed by a human driver; and

14 (b) any maneuvers necessary to respond to a system failure.

15 (13) "Operational design domain" means the operating conditions under which an automated driving
16 system or a feature of an automated driving system is specifically designed to function, including:

17 (a) speed-range, environmental, geographical, and time-of-day restrictions; or

18 (b) the requisite presence or absence of certain traffic or roadway conditions.

19 (14) "Partially autonomous vehicle" means a vehicle equipped with an engaged level 1 automated
20 driving system, level 2 automated driving system, or level 3 automated driving system.

21 (15) "Public highways of this state" has the same meaning as provided in 60-1-201.

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23 NEW SECTION. **Section 4. Use of partially autonomous vehicles.** (1) Partially autonomous
24 vehicles may be used on the public highways of this state.

25 (2) A person sitting in the driver's seat of a partially autonomous vehicle must have a valid driver's
26 license for that class of vehicle.

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28 NEW SECTION. **Section 5. Use of fully autonomous vehicles.** (1) Fully autonomous vehicles may

1 be used on the public highways of this state subject to limitations established by department rulemaking as
2 provided in [section 6].

3 (2) If a fully autonomous vehicle has a driver's seat, a person sitting in the driver's seat must have
4 a valid driver's license for that class of vehicle.

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6 **NEW SECTION. Section 6. Department of transportation rulemaking authority.** (1) The
7 department may adopt rules that limit the use of fully autonomous vehicles in actual or predicted periods of
8 dangerous road conditions.

9 (2) The department may exempt from limitation autonomous vehicles that are demonstrated to be
10 capable of operating safely during dangerous road conditions.

11 (3) The department shall consult interested stakeholders prior to proposing rules on autonomous
12 vehicles, such as members of the transportation interim committee and representatives of law enforcement
13 agencies, motor vehicle and insurance industries, drivers, pedestrians, and tribal and local governments.

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15 **NEW SECTION. Section 7. Codification instruction.** [Sections 1 through 6] are intended to be
16 codified as an integral part of Title 61, and the provisions of Title 61 apply to [sections 1 through 6].

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18 **NEW SECTION. Section 8. Effective date.** [This act] is effective October 1, 2025.

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