

1 SB47  
2 200574-4  
3 By Senator Allen  
4 RFD: Transportation and Energy  
5 First Read: 05-MAR-19  
6 PFD: 03/04/2019

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 Relating to motor vehicles; to authorize autonomous  
12 commercial vehicles operated by an automated driving system  
13 and commercial motor vehicles with teleoperation systems.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. For the purposes of this act, the  
16 following words shall have the following meanings:

17 (1) AUTOMATED COMMERCIAL MOTOR VEHICLE. A commercial  
18 motor vehicle equipped with an automated driving system.

19 (2) AUTOMATED DRIVING SYSTEM. The hardware and  
20 software that are collectively capable of performing the  
21 entire dynamic driving task on a sustained basis, regardless  
22 of whether it is limited to a specific operational design  
23 domain.

24 (3) COMMERCIAL MOTOR VEHICLE. A commercial motor  
25 vehicle as defined in subdivision (2) of Section 32-9A-1, Code  
26 of Alabama 1975.

1 (4) CONVENTIONAL DRIVER. A driver who manually  
2 exercises in-vehicle braking, accelerating, steering, and  
3 transmission gear selection input devices in order to operate  
4 a vehicle.

5 (5) DYNAMIC DRIVING TASK. All of the real-time  
6 operational and tactical functions required to operate a  
7 vehicle in on-road traffic excluding strategic functions such  
8 as trip scheduling and selection of destinations and  
9 waypoints.

10 (6) MINIMAL RISK CONDITION. A condition to which a  
11 user or an automated driving system may bring a vehicle in  
12 order to reduce the risk of a crash upon experiencing a  
13 failure of the vehicle's automated driving system that renders  
14 the vehicle unable to perform the entire dynamic driving task.

15 (7) OPERATIONAL DESIGN DOMAIN. A description of the  
16 specific operating domain in which an automated commercial  
17 motor vehicle is designed to properly operate, including, but  
18 not limited to, roadway types, speed, environmental  
19 conditions, and other domain constraints.

20 (8) REMOTE DRIVER. A natural person who is not  
21 seated in a commercial motor vehicle, but is able to perform  
22 the entire dynamic driving task.

23 (9) TELEOPERATION SYSTEM. Hardware and software  
24 installed on a commercial motor vehicle that allow a remote  
25 driver to operate the motor vehicle.

26 Section 2. (a) Unless otherwise provided by this  
27 act, an automated commercial motor vehicle and a teleoperation

1 system, including any commercial use or operation of either,  
2 are governed exclusively by this act.

3 (b) Notwithstanding any other provision of law, the  
4 Department of Transportation is the sole and exclusive state  
5 agency with jurisdiction over automated commercial motor  
6 vehicles and teleoperation systems that may implement this  
7 act.

8 (c) A political subdivision of this state or a state  
9 agency may not impose requirements, including taxes or  
10 performance standards, related specifically to the operation  
11 of a teleoperation system or automated commercial motor  
12 vehicle in addition to the requirements of this act.

13 Section 3. Notwithstanding any other provision of  
14 law, an automated commercial motor vehicle may operate in this  
15 state without a conventional driver physically present in the  
16 vehicle if the vehicle meets all of the following criteria:

17 (1) The automated commercial vehicle is capable of  
18 operating in compliance with applicable federal law and the  
19 traffic and motor vehicle laws of this state, including  
20 without limitation, applicable laws concerning the capability  
21 to safely navigate and negotiate railroad crossings.

22 (2) The automated commercial vehicle is registered  
23 and titled in accordance with the laws of this state.

24 (3) The automated commercial vehicle is certified in  
25 accordance with 49 C.F.R. Part 567 as being in compliance with  
26 federal motor vehicle safety standards and bears the required

1 certification label or labels, including reference to any  
2 exemption granted under applicable federal law.

3 (4) The automated commercial vehicle can achieve a  
4 minimal risk condition if a failure occurs rendering the  
5 vehicle unable to perform the dynamic driving task relevant to  
6 its intended operational design domain or if the vehicle exits  
7 its operational design domain.

8 (5) The automated commercial vehicle is covered by  
9 motor vehicle liability coverage in an amount not less than  
10 two million dollars (\$2,000,000).

11 (6) The registration of an automated commercial  
12 motor vehicle shall not be interpreted to abrogate or amend  
13 any statutory or regulatory provisions or any aspects of  
14 common law pertaining to liability for any harm or injury  
15 caused.

16 Section 4. (a) The owner of an automated commercial  
17 vehicle, or the lessee if the vehicle is leased or rented, is  
18 considered the operator of the vehicle for the purpose of  
19 assessing compliance with applicable traffic or motor vehicle  
20 laws, including the rules of the road.

21 (b) The automated driving system is considered to be  
22 licensed to operate the vehicle.

23 Section 5. When an accident occurs involving an  
24 automated commercial motor vehicle, the requirements of  
25 Chapter 10, Title 32, Code of Alabama 1975, shall be deemed  
26 satisfied if the vehicle remains on the scene of the accident  
27 and the vehicle, owner, a person on behalf of the owner, or

1 operator promptly contacts appropriate law enforcement  
2 entities and communicates the information required by Chapter  
3 10, Title 32, Code of Alabama 1975.

4 Section 6. (a) Notwithstanding any other provision  
5 of this act, a commercial motor vehicle equipped with a  
6 teleoperation system may operate without a conventional driver  
7 physically present in the vehicle if a remote driver is  
8 operating the vehicle.

9 (b) When a remote driver is operating a commercial  
10 motor vehicle, the remote driver is considered to be the  
11 operator of the vehicle for the purpose of assessing  
12 compliance with applicable traffic or motor vehicle laws,  
13 including the rules of the road.

14 (c) The remote driver shall hold the proper class of  
15 license required for a conventional driver to operate the  
16 vehicle.

17 (d) When an accident occurs involving a commercial  
18 motor vehicle equipped with a teleoperation system, the  
19 requirements of Chapter 10, Title 32, Code of Alabama 1975,  
20 shall be deemed satisfied if the vehicle remains on the scene  
21 of the accident and the owner or remote driver promptly  
22 contacts appropriate law enforcement entities and communicates  
23 the information required by Chapter 10, Title 32, Code of  
24 Alabama 1975.

25 Section 7. A commercial motor vehicle equipped with  
26 a teleoperation system registered in this state shall meet all  
27 of the following requirements:

1           (1) The motor vehicle shall be in compliance with  
2 applicable federal law.

3           (2) The motor vehicle shall be certified in  
4 accordance with federal regulations in 49 C.F.R. Part 567 as  
5 being in compliance with applicable federal motor vehicle  
6 safety standards and shall bear the required certification  
7 label or labels, including reference to any exemption granted  
8 under applicable federal law.

9           (3) The motor vehicle shall be capable of being  
10 operated in compliance with the applicable traffic and motor  
11 vehicle laws of this state, regardless of whether the vehicle  
12 is operated by a remote driver, including without limitation,  
13 applicable laws concerning the capability to safely navigate  
14 and negotiate railroad crossings.

15           (4) The motor vehicle shall be covered by motor  
16 vehicle liability coverage in an amount of not less than two  
17 million dollars (\$2,000,000).

18           (5) The motor vehicle shall be able to achieve a  
19 reasonably safe state, such as bringing the vehicle to a stop,  
20 if a failure of the teleoperation system occurs that renders  
21 the remote driver unable to perform the entire dynamic driving  
22 task for the vehicle.

23           Section 8. This act shall not be construed to  
24 repeal, modify, or preempt any liability that may be incurred  
25 under existing common or statutory law applicable to a vehicle  
26 owner, operator, manufacturer, component part supplier, or  
27 retailer.

1                   Section 9. This act shall become effective  
2 immediately following its passage and approval by the  
3 Governor, or its otherwise becoming law.



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Senate

Read for the first time and referred to the Senate  
committee on Transportation and Energy..... 05-MAR-19

Read for the second time and placed on the calen-  
dar with 1 substitute and 3 amendments ..... 07-MAY-19

Read for the third time and passed as amended .... 21-MAY-19

Yeas 26  
Nays 0

Patrick Harris,  
Secretary.