



Reprinted
March 6, 2018

ENGROSSED HOUSE BILL No. 1341

DIGEST OF HB 1341 (Updated March 5, 2018 5:31 pm - DI 132)

Citations Affected: IC 9-13; IC 9-26.5; IC 34-30; IC 35-52.

Synopsis: Autonomous vehicles. Provides that a political subdivision may not enact a measure, ordinance, policy, regulation, rule, or other restriction that prohibits the authorized use of: (1) an automated driving system; (2) an automated vehicle; or (3) an on demand automated vehicle network. Provides that a person in possession of a valid driver's license may operate an automated vehicle at a Level 1, 2 or 3 on a public highway. Requires any person or entity who operates an automated vehicle to maintain proof of financial responsibility with the bureau of motor vehicles (bureau). Requires automated vehicles to comply with all applicable federal and state laws pertaining to the type of motor vehicle being operated. Prohibits the use of an automated driving system or an automated vehicle that does not comply with federal and state laws concerning the functions operated by the automated driving system unless the operating entity or individual possesses a permit that has been approved by the automated vehicle oversight taskgroup (taskgroup). Provides that it is a Class C infraction to operate an automated driving system or automated vehicle that does

(Continued next page)

Effective: July 1, 2018.

Soliday, Sullivan, Ober, Hatfield

(SENATE SPONSORS — CRIDER, RAATZ, MELTON)

January 11, 2018, read first time and referred to Committee on Roads and Transportation.
January 18, 2018, amended, reported — Do Pass.
January 22, 2018, read second time, ordered engrossed. Engrossed.
January 25, 2018, read third time, passed. Yeas 94, nays 0.

SENATE ACTION

February 1, 2018, read first time and referred to Committee on Homeland Security and Transportation.
February 27, 2018, amended, reported favorably — Do Pass.
March 5, 2018, read second time, amended, ordered engrossed.

EH 1341—LS 7153/DI 123



not comply with applicable federal and state laws. Provides that it is a Class C misdemeanor to recklessly, knowingly, or intentionally operate an automated driving system or automated vehicle that does not comply with applicable federal and state laws. Allows a law enforcement officer to impound an automated vehicle in certain instances. Requires all automated vehicles to be registered with the bureau. Specifies required equipment for automated vehicles. Requires a person or entity wishing to test an automated vehicle or platooning automated vehicles to have at least \$5,000,000 worth of financial responsibility per entity prior to commercial deployment. Provides that a person or entity wishing to operate an on demand automated network must maintain proof of coverage as required for a transportation network company. Establishes the taskgroup. Specifies that taskgroup membership consists of: (1) the bureau commissioner or bureau chief of staff; (2) the department of insurance commissioner or department of insurance chief of staff; (3) the INDOT commissioner or INDOT chief of staff; (4) the Indiana State Police (ISP) superintendent, ISP assistant superintendent, or ISP chief of staff; (5) the appropriate county commissioner or county executive in certain instances; and (6) the appropriate mayor or town executive in certain instances. Requires a person or entity making application to the taskgroup to: (1) register the vehicle with the bureau; (2) maintain proof of financial responsibility with the bureau; (3) submit an application to the taskgroup; (4) submit an operational protocol to the taskgroup; and (5) await receipt of written taskgroup approval before operating or platooning automated vehicles on a public highway. Allows the taskgroup to immediately prohibit: (1) the continued operation of a previously approved automated vehicle or platoon; or (2) previously approved testing; if the continued operation, platooning, or testing of an automated vehicle presents a risk to public safety or fails to comply with certain requirements. Provides the taskgroup with emergency rulemaking authority. Provides that use of: (1) an automated driving system; or (2) an automated vehicle; does not exempt a responsible occupant or remote operator from certain obligations following an accident involving an automated vehicle. Provides civil immunity to the original manufacturer of a motor vehicle that is subsequently converted into an automated vehicle in certain instances. Provides civil immunity to a motor vehicle mechanic or motor vehicle repair facility that performs repairs on an automated vehicle in certain instances. Defines certain terms. Makes conforming amendments.



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March 6, 2018

Second Regular Session of the 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1341

A BILL FOR AN ACT to amend the Indiana Code concerning
motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-13-2-0.9 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2018]: **Sec. 0.9. "Active safety system" has the meaning set forth**
4 **in IC 9-26.5-1-2.**
- 5 SECTION 2. IC 9-13-2-6.2 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2018]: **Sec. 6.2. "Automated driving system" has the meaning set**
8 **forth in IC 9-26.5-1-3.**
- 9 SECTION 3. IC 9-13-2-6.4 IS ADDED TO THE INDIANA CODE
10 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2018]: **Sec. 6.4. "Automated vehicle" has the meaning set forth**
12 **in IC 9-26.5-1-4.**
- 13 SECTION 4. IC 9-13-2-14.5 IS ADDED TO THE INDIANA CODE
14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
15 1, 2018]: **Sec. 14.5. "BMV commissioner" has the meaning set forth**
16 **in IC 9-26.5-1-5.**
- 17 SECTION 5. IC 9-13-2-42.8 IS ADDED TO THE INDIANA CODE

EH 1341—LS 7153/DI 123



1 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2018]: **Sec. 42.8. "Dedicated highly automated vehicle" has the**
3 **meaning set forth in IC 9-26.5-1-7.**

4 SECTION 6. IC 9-13-2-42.9 IS ADDED TO THE INDIANA CODE
5 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
6 1, 2018]: **Sec. 42.9. "Department" has the meaning set forth in**
7 **IC 9-26.5-1-8.**

8 SECTION 7. IC 9-13-2-49.2 IS ADDED TO THE INDIANA CODE
9 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2018]: **Sec. 49.2. "Dynamic driving task" has the meaning set**
11 **forth in IC 9-26.5-1-9.**

12 SECTION 8. IC 9-13-2-49.4 IS ADDED TO THE INDIANA CODE
13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2018]: **Sec. 49.4. "Dynamic driving task fallback" has the**
15 **meaning set forth in IC 9-26.5-1-10.**

16 SECTION 9. IC 9-13-2-49.8 IS ADDED TO THE INDIANA CODE
17 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
18 1, 2018]: **Sec. 49.8. "Dynamic driving task performance relevant**
19 **system failure" has the meaning set forth in IC 9-26.5-1-11.**

20 SECTION 10. IC 9-13-2-65.5 IS ADDED TO THE INDIANA
21 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2018]: **Sec. 65.5. "FMVSS" has the meaning**
23 **set forth in IC 9-26.5-1-12.**

24 SECTION 11. IC 9-13-2-75.5 IS ADDED TO THE INDIANA
25 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2018]: **Sec. 75.5. "IDOI commissioner" has**
27 **the meaning set forth in IC 9-26.5-1-13.**

28 SECTION 12. IC 9-13-2-79.9 IS ADDED TO THE INDIANA
29 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2018]: **Sec. 79.9. "INDOT commissioner" has**
31 **the meaning set forth in IC 9-26.5-1-14.**

32 SECTION 13. IC 9-13-2-86.5 IS ADDED TO THE INDIANA
33 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2018]: **Sec. 86.5. "ISP superintendent" has**
35 **the meaning set forth in IC 9-26.5-1-15.**

36 SECTION 14. IC 9-13-2-92, AS AMENDED BY P.L.262-2013,
37 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2018]: Sec. 92. (a) "Law enforcement officer", except as
39 provided in subsection (b), includes the following:

- 40 (1) A state police officer.
- 41 (2) A city, town, or county police officer.
- 42 (3) A sheriff.



(4) A county coroner in accordance with IC 36-2-14-4.

(5) A conservation officer.

(6) An individual assigned duties and limitations under IC 10-11-2-26.

(7) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.

(8) An excise police officer of the alcohol and tobacco commission.

(9) A gaming control officer employed by the gaming control division under IC 4-33-20.

The term refers to a law enforcement officer having jurisdiction in Indiana, unless the context clearly refers to a law enforcement officer from another state or a territory or federal district of the United States.

(b) "Law enforcement officer", for purposes of **IC 9-26.5**, IC 9-30-6, and IC 9-30-7, has the meaning set forth in IC 35-31.5-2-185.

SECTION 15. IC 9-13-2-92.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 92.8. "Level 0 automation" has the meaning set forth in IC 9-26.5-1-17.**

SECTION 16. IC 9-13-2-92.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 92.9. "Level 1 automation" has the meaning set forth in IC 9-26.5-1-18.**

SECTION 17. IC 9-13-2-93.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 93.1. "Level 2 automation" has the meaning set forth in IC 9-26.5-1-19.**

SECTION 18. IC 9-13-2-93.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 93.4. "Level 3 automation" has the meaning set forth in IC 9-26.5-1-20.**

SECTION 19. IC 9-13-2-93.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 93.6. "Level 4 automation" has the meaning set forth in IC 9-26.5-1-21.**

SECTION 20. IC 9-13-2-93.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 93.7. "Level 5 automation" has the meaning set forth in IC 9-26.5-1-22.**

SECTION 21. IC 9-13-2-103.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 103.3. "Minimal risk condition"**



1 **has the meaning set forth in IC 9-26.5-1-23.**

2 SECTION 22. IC 9-13-2-111.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2018]: **Sec. 111.5. "NHTSA" has the meaning**
5 **set forth in IC 9-26.5-1-24.**

6 SECTION 23. IC 9-13-2-117.4 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2018]: **Sec. 117.4. "On demand automated**
9 **vehicle network" has the meaning set forth in IC 9-26.5-1-25.**

10 SECTION 24. IC 9-13-2-117.8 IS ADDED TO THE INDIANA
11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2018]: **Sec. 117.8. "Operational design**
13 **domain" has the meaning set forth in IC 9-26.5-1-26.**

14 SECTION 25. IC 9-13-2-125.6 IS ADDED TO THE INDIANA
15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2018]: **Sec. 125.6. "Platoon" has the meaning**
17 **set forth in IC 9-26.5-1-27.**

18 SECTION 26. IC 9-13-2-128 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 128. (a) Except as**
20 **provided in subsection (b), "political subdivision" means a county, a**
21 **township, a city, a town, a public school corporation, or any other**
22 **subdivision of the state recognized in any law, including any special**
23 **taxing district or entity and any public improvement district authority**
24 **or entity authorized to levy taxes or assessments.**

25 **(b) For purposes of IC 9-26.5, "political subdivision" has the**
26 **meaning set forth in IC 9-26.5-1-28.**

27 SECTION 27. IC 9-13-2-147.5 IS ADDED TO THE INDIANA
28 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2018]: **Sec. 147.5. "Remote operator" has the**
30 **meaning set forth in IC 9-26.5-1-30.**

31 SECTION 28. IC 9-13-2-152.6 IS ADDED TO THE INDIANA
32 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2018]: **Sec. 152.6. "Request to intervene" has**
34 **the meaning set forth in IC 9-26.5-1-31.**

35 SECTION 29. IC 9-13-2-177.1 IS ADDED TO THE INDIANA
36 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2018]: **Sec. 177.1. "Taskgroup" has the**
38 **meaning set forth in IC 9-26.5-1-32.**

39 SECTION 30. IC 9-26.5 IS ADDED TO THE INDIANA CODE AS
40 A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
41 2018]:

42 **ARTICLE 26.5. AUTOMATED VEHICLES**



Chapter 1. Definitions

Sec. 1. Except as otherwise provided, the definitions in this chapter apply throughout this article.

Sec. 2. "Active safety system" means a vehicle system that senses and monitors conditions inside and outside a motor vehicle for the purpose of identifying perceived present and potential dangers to the motor vehicle, occupants, or other motorists and automatically intervenes to help avoid or mitigate potential collisions through various methods, including alerts to the driver, vehicle system adjustments, or active control of vehicle subsystems.

Sec. 3. "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 it is limited to a specific operational design domain. This term applies to a Level 3, Level 4, or Level 5 driving automation system. The term does not individually include the following:

- (1) Adaptive cruise control systems.
- (2) Blind spot detection systems.
- (3) Camera systems.
- (4) Collision avoidance or detection systems.
- (5) Emergency braking systems.
- (6) Lane departure assistance or warning systems.
- (7) Lane keeping assistance systems.
- (8) Parking assistance systems.
- (9) Queuing assistance systems.

Sec. 4. "Automated vehicle" means a motor vehicle that operates at Level 4 automation or Level 5 automation.

Sec. 5. "BMV commissioner" means the commissioner of the bureau of motor vehicles.

Sec. 6. "Bureau" has the meaning set forth in IC 9-13-2-16.

Sec. 7. "Dedicated highly automated vehicle" means an automated vehicle designed to be exclusively operated by a Level 4 or Level 5 automated driving system for all trips.

Sec. 8. "Department" means the Indiana department of transportation.

Sec. 9. "Dynamic driving task" means all of the real time operational and tactical functions required to operate a vehicle in on-road traffic. The term includes lateral vehicle motion control through steering, longitudinal vehicle motion control through acceleration and deceleration, monitoring of the driving environment through object and event detection, recognition, classification, response preparation, object and event response



1 execution, maneuver planning, and enhancing conspicuity through
 2 lighting, signaling, and gesturing. The term does not include
 3 strategic functions such as trip scheduling or selection of
 4 destinations or waypoints.

5 Sec. 10. "Dynamic driving task fallback" means a response by
 6 the user or the automated driving system to perform the dynamic
 7 driving task or achieve a minimal risk condition after occurrence
 8 of a dynamic driving task performance relevant system failure or
 9 departure from the operational design domain of the vehicle.

10 Sec. 11. "Dynamic driving task performance relevant system
 11 failure" means a malfunction in an automated driving system or
 12 other vehicle system that prevents the automated driving system
 13 from reliably sustaining dynamic driving task performance.

14 Sec. 12. "FMVSS" means federal motor vehicle safety
 15 standards.

16 Sec. 13. "IDOI commissioner" means the commissioner of the
 17 Indiana department of insurance.

18 Sec. 14. "INDOT commissioner" means the commissioner of the
 19 Indiana department of transportation.

20 Sec. 15. "ISP superintendent" means the superintendent of the
 21 Indiana state police.

22 Sec. 16. "Law enforcement officer" has the meaning set forth in
 23 IC 35-31.5-2-185.

24 Sec. 17. "Level 0 automation" means the performance by the
 25 driver of the dynamic driving task, even when enhanced by active
 26 safety systems.

27 Sec. 18. "Level 1 automation" means the sustained and
 28 operational design domain specific execution by a driving
 29 automation system of the lateral or the longitudinal vehicle motion
 30 control subtask of the dynamic driving task (but not both
 31 simultaneously) with the expectation that the driver performs the
 32 remainder of the dynamic driving task.

33 Sec. 19. "Level 2 automation" means the sustained and
 34 operational design domain specific execution by a driving
 35 automation system of both the lateral and longitudinal vehicle
 36 motion control subtasks of the dynamic driving task with the
 37 expectation that the driver will complete the object and event
 38 detection and object and event response execution subtasks and
 39 supervise the driving automation system.

40 Sec. 20. "Level 3 automation" means the sustained and
 41 operational design domain specific performance by an automated
 42 driving system of the entire dynamic driving task with the



1 expectation that the dynamic driving task fallback ready user is
 2 receptive to automated driving system issued requests to intervene,
 3 as well as to dynamic driving task performance relevant system
 4 failures in other vehicle systems and will respond appropriately.

5 Sec. 21. "Level 4 automation" means the sustained and
 6 operational design domain specific performance by an automated
 7 driving system of the entire dynamic driving task and dynamic
 8 driving task fallback, without any expectation that a user will
 9 respond to a request to intervene.

10 Sec. 22. "Level 5 automation" means the sustained and
 11 unconditional performance by an automated driving system of the
 12 entire dynamic driving task and dynamic driving task fallback
 13 without any expectation that a user will respond to a request to
 14 intervene.

15 Sec. 23. "Minimal risk condition" means a condition that a user
 16 or automated driving system brings a vehicle to after performing
 17 the dynamic driving task fallback in order to reduce the risk of a
 18 crash when a given trip cannot or should not be completed.

19 Sec. 24. "NHTSA" means the National Highway Traffic Safety
 20 Administration.

21 Sec. 25. "On demand automated vehicle network" means a
 22 passenger transport network that uses a software application or
 23 other digital means to connect passengers to automated vehicles for
 24 transportation, including for-hire transportation and
 25 transportation for compensation.

26 Sec. 26. "Operational design domain" means the specific
 27 conditions under which a given driving automation system or
 28 feature is designed to function. The term includes, but is not limited
 29 to, driving modes, environmental conditions, geographic
 30 limitations, speed limits, trip ranges, types of roadways, and
 31 weather conditions.

32 Sec. 27. "Platoon" means a group of individual motor vehicles
 33 using vehicle to vehicle communication or networking technology
 34 to travel:

- 35 (1) in a coordinated manner;
- 36 (2) at an electronically controlled speed; and
- 37 (3) at a following distance that is closer than would be
- 38 reasonable or prudent without such coordination.

39 Sec. 28. "Political subdivision" has the meaning set forth in
 40 IC 3-5-2-38.

41 Sec. 29. "Public highway" has the meaning set forth in
 42 IC 9-25-2-4.



1 **Sec. 30. "Remote operator" means any person who:**

2 **(1) is not physically located in an automated vehicle; and**

3 **(2) exercises control over:**

4 **(A) the acceleration, braking, steering, and transmission of**
 5 **the automated vehicle; or**

6 **(B) the activation and deactivation of the automated**
 7 **driving system.**

8 **The term does not include a person who creates a relevant**
 9 **condition that is communicated to or sensed by the automated**
 10 **driving system.**

11 **Sec. 31. "Request to intervene" means a notification by an**
 12 **automated driving system to a driver indicating a need to promptly**
 13 **perform the dynamic driving task fallback.**

14 **Sec. 32. "Taskgroup" means the automated vehicle oversight**
 15 **taskgroup established by IC 9-26.5-7-1(a).**

16 **Chapter 2. Exclusive Authority; Local Regulation of Automated**
 17 **Driving Systems and Automated Vehicles**

18 **Sec. 1. Except as otherwise provided, the following are governed**
 19 **exclusively by this article:**

20 **(1) Automated driving systems.**

21 **(2) Automated vehicles.**

22 **(3) Platoons.**

23 **(4) On demand automated vehicle networks.**

24 **Sec. 2. (a) A political subdivision may not enact a measure,**
 25 **ordinance, policy, regulation, rule, or other restriction prohibiting**
 26 **the authorized operation, testing, or use of an automated driving**
 27 **system, an automated vehicle, or an on demand automated vehicle**
 28 **network on its public highways.**

29 **(b) A political subdivision may not regulate automated driving**
 30 **systems, automated vehicles, or an on demand automated vehicle**
 31 **network in a manner inconsistent with this article.**

32 **(c) Except as provided in subsection (d), a political subdivision**
 33 **may not impose a tax, fee, or other requirement on an automated**
 34 **driving system, an automated vehicle, or an on demand automated**
 35 **vehicle network that is related to the operation of the automated**
 36 **vehicle.**

37 **(d) Subsection (c) does not apply to:**

38 **(1) the county motor vehicle excise surtax established by**
 39 **IC 6-3.5-4;**

40 **(2) the county wheel tax established by IC 6-3.5-5;**

41 **(3) the municipal motor vehicle license excise tax established**
 42 **by IC 6-3.5-10;**



(4) the municipal wheel tax established by IC 6-3.5-11.

(e) This chapter does not affect the authority of a local subdivision to enforce IC 9-21 (Traffic Regulation) with respect to automated driving systems and automated vehicles.

Chapter 3. Authorization and Use of Automated Driving Systems and Automated Vehicles

Sec. 1. Operation of a motor vehicle equipped with an automated driving system capable of performing the entire dynamic driving task on a sustained basis regardless of whether a responsible occupant is expected to respond to a request to intervene is lawful under this chapter.

Sec. 2. Operation of a motor vehicle with Level 0, Level 1, Level 2, or Level 3 automation is permitted by any person in possession of a valid driver's license.

Sec. 3. (a) A person may operate an automated vehicle on a public highway if the following conditions are met:

(1) The public highway conforms to the operational design domain of the automated vehicle being operated.

(2) The public highway is compatible with the automated driving system operating the automated vehicle.

(3) The automated driving system meets the requirements under subsection (e) and either of the following conditions is satisfied:

(A) the automated driving system meets the requirements of subsection (c); or

(B) the operating entity or individual possesses a permit that has been approved by the taskgroup (as described in IC 9-26.5-7).

(4) Maintains financial responsibility under IC 9-25, and if applicable IC 9-26.5-6.

(b) It is unlawful for the parent or legal guardian of a person less than twelve (12) years of age to knowingly or intentionally permit that person to occupy an automated vehicle that:

(1) is in motion; or

(2) has its engine running;

without the supervision of another person who is not less than eighteen (18) years of age.

(c) Except as otherwise provided, if an automated driving system is capable of complying with federal and state laws applicable to the functions being controlled or operated by the automated driving system, the automated driving system may be used to control or operate an automated vehicle on a public



highway.

(d) In addition to the requirements described in subsection (c),
an:

(1) automated driving system; or

(2) automated vehicle;

must comply with applicable federal and state standards
pertaining to the type of vehicle being operated.

(e) The operation of an automated driving vehicle on a public
highway that does not comply with subsection (c) is prohibited
unless:

(1) the operation was approved by the taskgroup;

(2) the operating entity or individual possesses a permit that
has been approved by the taskgroup (as described in
IC 9-26.5-7); and

(3) the operation conforms to the protocol specified in the
permit issued by the taskgroup (as described in IC 9-26.5-7).

Sec. 4. Notwithstanding any other law or provision, each
automated vehicle to be operated or platooned on a public highway
must:

(1) be capable of complying with all applicable:

(A) local ordinances;

(B) regulations; and

(C) statutes;

concerning the orderly and safe operation of motor vehicles
unless explicitly exempted by statute; and

(2) either:

(A) comply with all applicable federal motor vehicle safety
standards; or

(B) have received a valid exemption from NHTSA
concerning the automated vehicle's exemption from
applicable FMVSS.

Sec. 5. IC 9-26-3-1(b), IC 9-26-3-2, and IC 9-26-3-3 do not apply
to an automated vehicle that:

(1) is being operated solely for testing purposes; and

(2) fully complies with this chapter.

Sec. 6. IC 9-21-8-14 and IC 9-21-8-15 do not apply to an
operator or motor vehicle that is traveling:

(1) in a nonleading position; and

(2) as part of a taskgroup approved platoon.

Sec. 7. The operator of an automated vehicle that is traveling as
part of a platoon shall allow other motorists sufficient space to:

(1) enter a public highway;



(2) exit a public highway; or

(3) execute a lane change on a public highway.

Sec. 8. Except as otherwise provided, a person shall not activate or use an automated driving system or automated vehicle that is not capable of complying with federal and state laws applicable to:

(1) the functions being controlled or operated by the automated driving system; and

(2) the type of vehicle being operated.

Sec. 9. (a) A person who violates section 3 of this chapter commits a Class C infraction. However, the offense is a Class C misdemeanor if the person recklessly, knowingly or intentionally violates section 3 of this chapter.

(b) A law enforcement officer with probable cause to believe that a violation of section 3 of this chapter has occurred may impound the vehicle.

Chapter 4. Registration of Automated Vehicles

Sec. 1. Except as provided in section 2 of this chapter, all automated vehicles must be registered with the bureau in accordance with IC 9-18.1.

Sec. 2. (a) A vehicle with Level 4 automation or Level 5 automation must have a notation, in a form prescribed by the bureau, indicating the motor vehicle's automation status.

(b) The bureau may adopt emergency rules under IC 4-22-2-37.1 to implement this section.

(c) An emergency rule described in subsection (b) expires on the earlier of the following dates:

(1) The expiration date stated in the emergency rule.

(2) The date the emergency rule is amended or repealed by a later rule adopted under IC 4-22-2-24 through IC 4-22-2-36 or under IC 4-22-2-37.1.

Chapter 5. Required Equipment and Prerequisites for Automated Vehicles

Sec. 1. A Level 4 vehicle being operated on a public highway outside of its operational design domain must have a licensed driver in the vehicle during vehicle operation.

Sec. 2. (a) Use of an automated driving system does not exempt any occupant of an automated vehicle from the use of safety belts or child safety restraints unless applicable FMVSS do not require the use of safety belts or child safety restraints.

(b) All occupants of an automated vehicle must comply with the requirements under IC 9-19-10 and IC 9-19-11, as applicable, unless applicable FMVSS do not require the use of safety belts or



1 child safety restraints.

2 **Chapter 6. Proof of Financial Responsibility for Automated**
 3 **Vehicles**

4 **Sec. 1. A person or entity wishing to test:**

5 (1) an automated vehicle; or

6 (2) platooning automated vehicles;

7 prior to commercial deployment, shall maintain proof of financial
 8 responsibility with the bureau in accordance with IC 9-25, however
 9 the minimum amounts of financial responsibility under this
 10 chapter must be at least five million dollars (\$5,000,000) per entity.

11 **Sec. 2. A person or entity wishing to operate an on demand**
 12 **automated vehicle network shall maintain proof of coverage with**
 13 **the bureau under IC 8-2.1-19.1-8.**

14 **Chapter 7. Automated Vehicle Oversight Taskgroup**

15 **Sec. 1. (a) The automated vehicle oversight taskgroup is**
 16 **established.**

17 **(b) The taskgroup shall consist of the following individuals:**

18 (1) The BMV commissioner or BMV chief of staff.

19 (2) The IDOI commissioner or IDOI chief of staff.

20 (3) The INDOT commissioner or INDOT chief of staff.

21 (4) The ISP superintendent, ISP assistant superintendent, or
 22 ISP chief of staff.

23 (5) The appropriate county commissioner or county executive
 24 if an operational protocol uses a county public highway. If
 25 more than one (1) county commissioner or executive is eligible
 26 for taskgroup participation, one (1) representative shall be
 27 elected from the pool of taskgroup eligible county
 28 commissioners or executives.

29 (6) The appropriate mayor or town executive of a political
 30 subdivision if an operational test protocol uses a city or town
 31 public highway.

32 **(c) If rules established by the taskgroup require a vote prior to**
 33 **taskgroup action, taskgroup votes shall be apportioned in the**
 34 **following manner:**

35 (1) Individuals described in subsection (b)(1) through (b)(4)
 36 shall be given one (1) vote per individual.

37 (2) Individuals described in subsection (b)(5) and (b)(6):

38 (A) shall elect one (1) representative from the pool of
 39 taskgroup eligible persons; and

40 (B) allow the person described in clause (A) to issue one (1)
 41 vote on behalf of the pool of taskgroup eligible persons.

42 **Sec. 2. (a) Any person or entity wishing to operate or platoon an**



1 automated vehicle on a public highway under IC 9-26.5-3-3(e)
2 shall:

3 (1) register, in accordance with IC 9-18.1, each automated
4 vehicle to be operated;

5 (2) maintain, in accordance with IC 9-25 or IC 9-26.5-6, as
6 applicable, proof of financial responsibility for each
7 automated vehicle to be operated or tested;

8 (3) possess a valid driver's license;

9 (4) submit, in the manner and form prescribed by the
10 taskgroup, a written:

11 (A) application; and

12 (B) operational protocol;

13 to the taskgroup for review and approval;

14 (5) receive written approval of the person or entity's
15 submitted:

16 (A) application; and

17 (B) operational protocol;

18 before operating or platooning any automated vehicle; and

19 (6) satisfy any other condition or requirement considered
20 necessary by the taskgroup to ensure public safety.

21 (b) Any person wishing to platoon a motor vehicle with Level 1,
22 Level 2, or Level 3 automation must comply with the requirements
23 described in subsection (a).

24 (c) A person or entity submitting a written application for
25 review by the taskgroup shall, in the form and manner prescribed
26 by the taskgroup, do the following unless explicitly exempted by the
27 bureau or taskgroup as applicable:

28 (1) Certify that the automated driving systems or automated
29 vehicles to be platooned or operated comply, as applicable
30 with all of IC 9-26.5-3 except IC 9-26.5-3-3(c) and provide a
31 list of all federal and state laws that are not in compliance.

32 (2) Certify that the automated driving systems or automated
33 vehicles to be platooned or operated comply, as applicable,
34 with the following chapters:

35 (A) IC 9-26.5-4 (Registration of Automated Vehicles).

36 (B) IC 9-26.5-5 (Required Equipment and Prerequisites for
37 Automated Vehicles).

38 (C) IC 9-26.5-6 (Proof of Financial Responsibility for
39 Automated Vehicles).

40 (D) This chapter (Automated Vehicle Oversight
41 Taskgroup).

42 (3) Certify that the automated driving systems or automated



vehicles to be platooned or operated:

(A) comply with all applicable federal motor vehicle safety standards; or

(B) are exempt from applicable FMVSS due to receipt of a valid exemption from NHTSA.

(4) Provide, as applicable, proof of the valid exemption from NHTSA described in subdivision (3)(B).

(5) Provide any additional information considered necessary by the taskgroup in order to ensure public safety.

(d) A person or entity submitting an operational protocol for review by the taskgroup shall, in the form and manner prescribed by the taskgroup, provide the following:

(1) The starting time of the desired platooning or operation.

(2) The anticipated end time of the desired platooning or operation.

(3) The beginning date of the desired platooning or operation.

(4) The anticipated end date of the desired platooning or operation.

(5) The beginning location of the desired platooning or operation.

(6) The ending location of the desired platooning or operation.

(7) The route, including alternate routes, as applicable, to be used or taken during proposed platooning or operation.

(8) A certification verifying that the routes described in subdivision (7) are compatible with the operational design domain of each automated vehicle to be platooned or operated.

(9) Any additional information considered necessary by the taskgroup to ensure public safety.

(e) The taskgroup shall not approve an application or operational protocol that does not comply with this section.

Sec. 3. (a) Not more than thirty (30) days after receiving an:

(1) application described in section 2(a)(4)(A) of this chapter; and

(2) operational protocol described in section 2(a)(4)(B) of this chapter;

the taskgroup shall approve or reject each submitted application and operational protocol.

(b) If a person's or entity's operational protocol is approved, the platooning or operation described in the approved operational protocol may commence in accordance with the terms provided in the approved operational protocol.



1 (c) If a person's or entity's application or operational protocol
 2 is rejected, the taskgroup shall specify the reasons for the rejection
 3 of the submitted application or operational protocol.

4 (d) A person or entity in receipt of a rejected application or
 5 operational protocol may attempt, in a subsequent application or
 6 operational protocol, to address the reasons for the taskgroup's
 7 rejection of the person's or entity's original application or
 8 operational protocol.

9 Sec. 4. The operation or platooning of an automated vehicle may
 10 be immediately prohibited by the taskgroup if the taskgroup
 11 determines that:

12 (1) a person's or entity's continued operation or platooning
 13 poses a threat to public safety; or

14 (2) a person or entity ceases compliance with:

15 (A) this chapter; or

16 (B) the person's or entity's taskgroup approved application
 17 or operational protocol.

18 Sec. 5. (a) The taskgroup may adopt emergency rules under
 19 IC 4-22-2-37.1 to implement this chapter.

20 (b) An emergency rule described in subsection (a) expires on the
 21 earlier of the following dates:

22 (1) The expiration date stated in the emergency rule.

23 (2) The date the emergency rule is amended or repealed by a
 24 later rule adopted under IC 4-22-2-24 through IC 4-22-2-36
 25 or under IC 4-22-2-37.1.

26 Sec. 6. The taskgroup may enter into contracts with third party
 27 agencies approved by the INDOT commissioner in order to
 28 implement this chapter.

29 Sec. 7. (a) Not later than November 1 of each year, the
 30 taskgroup shall annually submit a report to the interim study
 31 committee on roads and transportation on the status of the
 32 automated vehicle program under IC 9-26.5.

33 (b) A report under this section must be submitted in an
 34 electronic format under IC 5-14-6.

35 Sec. 8. Not later than July 1, 2018, the department shall initiate
 36 a study to develop technical guidance for the incorporation of
 37 automated vehicles in the construction, design, planning,
 38 reconstruction, and operation of projects in the design manual of
 39 the department. The department shall consider specifications and
 40 guidelines in all weather conditions for highly reflective, highly
 41 durable, highly contrastable pavement markings and other traffic
 42 control devices to enable and promote the safe operation of



1 automated vehicles.

2 **Chapter 8. Duties After Accident**

3 **Sec. 1. (a) Use or operation of:**

4 (1) an automated driving system; or

5 (2) an automated vehicle;

6 does not exempt a human operator, passenger, owner, or remote
7 operator from the duties specified in IC 9-26-1-1.1, IC 9-26-1-1.2,
8 or IC 9-26-1-1.5.

9 **(b) An owner or person who:**

10 (1) leaves the automated vehicle at the scene of an accident or
11 as close to the accident as is practicable and safe;

12 (2) does not obstruct traffic more than is necessary;

13 (3) contacts an emergency dispatch operator or law
14 enforcement agency immediately after an accident;

15 (4) safely moves or relocates the automated vehicle (if
16 necessary and practicable) after notifying an emergency
17 dispatch operator, law enforcement agency, or law
18 enforcement officer;

19 (5) provides their name, address, driver's license number,
20 driver's license issuing state, vehicle registration number for
21 the automated vehicle or dedicated highly automated vehicle
22 involved in the accident, and a clear description of the
23 coverage maintained under IC 9-25 and if applicable
24 IC 9-26.5-6 to:

25 (A) all persons involved in the accident; or

26 (B) the responding law enforcement agency;

27 (6) provides the emergency dispatch operator or responding
28 law enforcement agency with any requested information; and

29 (7) fully complies with any additional requests made by the
30 emergency dispatch operator or responding law enforcement
31 agency;

32 shall be considered in compliance with the owner's or remote
33 operator's statutory obligations under IC 9-26-1.

34 **Chapter 9. Liability**

35 **Sec. 1.** The original manufacturer of a motor vehicle converted
36 by a third party into an automated vehicle is not liable in, and shall
37 be dismissed from, any legal action or request for damages,
38 including punitive damages, brought against the original
39 manufacturer by a person injured due to an alleged vehicle defect
40 caused by the conversion of the motor vehicle, or by equipment
41 installed by the converter, unless the alleged defect was present in
42 the vehicle as originally manufactured.



1 **Sec. 2. A motor vehicle mechanic or motor vehicle repair facility**
2 **that repairs an automated driving system or an automated vehicle**
3 **according to specifications provided by the manufacturer of the**
4 **automated motor vehicle is not liable in a product liability action**
5 **for damages, including punitive damages, resulting from the**
6 **performed repairs.**

7 SECTION 31. IC 34-30-2-31.6 IS ADDED TO THE INDIANA
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2018]: **Sec. 31.6. IC 9-26.5-9 (Concerning the**
10 **original manufacturer of a motor vehicle converted by a third**
11 **party into an automated vehicle and a motor vehicle mechanic or**
12 **motor vehicle repair facility that repairs an automated driving**
13 **system or an automated vehicle).**

14 SECTION 32. IC 35-52-9-42.5, IS ADDED TO THE INDIANA
15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2018]: **Sec. 42.5. IC 9-26.5-3-9 defines a**
17 **crime concerning operation of an automated vehicle on a public**
18 **highway.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1341, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 23, delete "the" and insert "**the entire**".

Page 8, delete lines 30 through 35, begin a new paragraph and insert:

"Sec. 3. (a) A person may operate an automated vehicle on a public highway if the following conditions are met:

(1) The public highway conforms to the operational design domain of the automated vehicle being operated.

(2) The public highway is compatible with the automated driving system operating the automated vehicle.

(3) The responsible occupant of the automated vehicle is not less than twelve (12) years of age, if applicable.

(b) It is unlawful for the parent or legal guardian of a person less than twelve (12) years of age to knowingly or intentionally permit that person to occupy an automated vehicle that:

(1) is in motion; or

(2) has its engine running;

without the supervision of another person who is not less than eighteen (18) years of age.

(c) A person who violates this section commits a Class C infraction."

Page 8, line 36, delete "(b)" and insert "**(d)**".

Page 8, line 42, delete "(c)" and insert "**(e)**".

Page 8, line 42, delete "(b)," and insert "**(d),**".

Page 9, line 6, delete "(d)" and insert "**(f)**".

Page 16, line 9, delete "remote operator" and insert "**person**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1341 as introduced.)

SOLIDAY

Committee Vote: yeas 12, nays 0.

EH 1341—LS 7153/DI 123



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred House Bill No. 1341, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 15.

Delete pages 2 through 3.

Page 4, delete lines 1 through 5, begin a new paragraph and insert:

"SECTION 1. IC 9-13-2-0.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 0.9. "Active safety system" has the meaning set forth in IC 9-26.5-1-2.**

SECTION 2. IC 9-13-2-6.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 6.2. "Automated driving system" has the meaning set forth in IC 9-26.5-1-3.**

SECTION 3. IC 9-13-2-6.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 6.4. "Automated vehicle" has the meaning set forth in IC 9-26.5-1-4.**

SECTION 4. IC 9-13-2-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 14.5. "BMV commissioner" has the meaning set forth in IC 9-26.5-1-5.**

SECTION 5. IC 9-13-2-42.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 42.8. "Dedicated highly automated vehicle" has the meaning set forth in IC 9-26.5-1-7.**

SECTION 6. IC 9-13-2-42.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 42.9. "Department" has the meaning set forth in IC 9-26.5-1-8.**

SECTION 7. IC 9-13-2-49.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 49.2. "Dynamic driving task" has the meaning set forth in IC 9-26.5-1-9.**

SECTION 8. IC 9-13-2-49.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 49.4. "Dynamic driving task fallback" has the meaning set forth in IC 9-26.5-1-10.**

EH 1341—LS 7153/DI 123



SECTION 9. IC 9-13-2-49.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 49.8. "Dynamic driving task performance relevant system failure" has the meaning set forth in IC 9-26.5-1-11.**

SECTION 10. IC 9-13-2-65.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 65.5. "FMVSS" has the meaning set forth in IC 9-26.5-1-12.**

SECTION 11. IC 9-13-2-75.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 75.5. "IDOI commissioner" has the meaning set forth in IC 9-26.5-1-13.**

SECTION 12. IC 9-13-2-79.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 79.9. "INDOT commissioner" has the meaning set forth in IC 9-26.5-1-14.**

SECTION 13. IC 9-13-2-86.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 86.5. "ISP superintendent" has the meaning set forth in IC 9-26.5-1-15.**

SECTION 14. IC 9-13-2-92, AS AMENDED BY P.L.262-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 92. (a) "Law enforcement officer", except as provided in subsection (b), includes the following:

- (1) A state police officer.
- (2) A city, town, or county police officer.
- (3) A sheriff.
- (4) A county coroner in accordance with IC 36-2-14-4.
- (5) A conservation officer.
- (6) An individual assigned duties and limitations under IC 10-11-2-26.
- (7) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.
- (8) An excise police officer of the alcohol and tobacco commission.
- (9) A gaming control officer employed by the gaming control division under IC 4-33-20.

The term refers to a law enforcement officer having jurisdiction in Indiana, unless the context clearly refers to a law enforcement officer from another state or a territory or federal district of the United States.

(b) "Law enforcement officer", for purposes of **IC 9-26.5**, IC 9-30-6, and IC 9-30-7, has the meaning set forth in IC 35-31.5-2-185.



SECTION 15. IC 9-13-2-92.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 92.8. "Level 0 automation" has the meaning set forth in IC 9-26.5-1-17.**

SECTION 16. IC 9-13-2-92.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 92.9. "Level 1 automation" has the meaning set forth in IC 9-26.5-1-18.**

SECTION 17. IC 9-13-2-93.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 93.1. "Level 2 automation" has the meaning set forth in IC 9-26.5-1-19.**

SECTION 18. IC 9-13-2-93.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 93.4. "Level 3 automation" has the meaning set forth in IC 9-26.5-1-20.**

SECTION 19. IC 9-13-2-93.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 93.6. "Level 4 automation" has the meaning set forth in IC 9-26.5-1-21.**

SECTION 20. IC 9-13-2-93.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 93.7. "Level 5 automation" has the meaning set forth in IC 9-26.5-1-22.**

SECTION 21. IC 9-13-2-103.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 103.3. "Minimal risk condition" has the meaning set forth in IC 9-26.5-1-23.**

SECTION 22. IC 9-13-2-111.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 111.5. "NHTSA" has the meaning set forth in IC 9-26.5-1-24.**

SECTION 23. IC 9-13-2-117.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 117.4. "On demand automated vehicle network" has the meaning set forth in IC 9-26.5-1-25.**

SECTION 24. IC 9-13-2-117.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 117.8. "Operational design domain" has the meaning set forth in IC 9-26.5-1-26.**

SECTION 25. IC 9-13-2-125.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2018]: **Sec. 125.6. "Platoon" has the meaning set forth in IC 9-26.5-1-27.**

SECTION 26. IC 9-13-2-128 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 128. **(a) Except as provided in subsection (b), "political subdivision" means a county, a township, a city, a town, a public school corporation, or any other subdivision of the state recognized in any law, including any special taxing district or entity and any public improvement district authority or entity authorized to levy taxes or assessments.**

(b) For purposes of IC 9-26.5, "political subdivision" has the meaning set forth in IC 9-26.5-1-28.

SECTION 27. IC 9-13-2-147.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 147.5. "Remote operator" has the meaning set forth in IC 9-26.5-1-30.**

SECTION 28. IC 9-13-2-152.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 152.6. "Request to intervene" has the meaning set forth in IC 9-26.5-1-31.**

SECTION 29. IC 9-13-2-177.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 177.1. "Taskgroup" has the meaning set forth in IC 9-26.5-1-32."**

Page 4, delete lines 13 through 42.

Delete pages 5 through 6.

Page 7, delete lines 1 through 30, begin a new paragraph and insert:

"Sec. 2. "Active safety system" means a vehicle system that senses and monitors conditions inside and outside a motor vehicle for the purpose of identifying perceived present and potential dangers to the motor vehicle, occupants, or other motorists and automatically intervenes to help avoid or mitigate potential collisions through various methods, including alerts to the driver, vehicle system adjustments, or active control of vehicle subsystems.

Sec. 3. "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 it is limited to a specific operational design domain. This term applies to a Level 3, Level 4, or Level 5 driving automation system. The term does not individually include the following:

- (1) Adaptive cruise control systems.**
- (2) Blind spot detection systems.**
- (3) Camera systems.**



- (4) Collision avoidance or detection systems.
- (5) Emergency braking systems.
- (6) Lane departure assistance or warning systems.
- (7) Lane keeping assistance systems.
- (8) Parking assistance systems.
- (9) Queuing assistance systems.

Sec. 4. "Automated vehicle" means a motor vehicle that operates at Level 4 automation or Level 5 automation.

Sec. 5. "BMV commissioner" means the commissioner of the bureau of motor vehicles.

Sec. 6. "Bureau" has the meaning set forth in IC 9-13-2-16.

Sec. 7. "Dedicated highly automated vehicle" means an automated vehicle designed to be exclusively operated by a Level 4 or Level 5 automated driving system for all trips.

Sec. 8. "Department" means the Indiana department of transportation.

Sec. 9. "Dynamic driving task" means all of the real time operational and tactical functions required to operate a vehicle in on-road traffic. The term includes lateral vehicle motion control through steering, longitudinal vehicle motion control through acceleration and deceleration, monitoring of the driving environment through object and event detection, recognition, classification, response preparation, object and event response execution, maneuver planning, and enhancing conspicuity through lighting, signaling, and gesturing. The term does not include strategic functions such as trip scheduling or selection of destinations or waypoints.

Sec. 10. "Dynamic driving task fallback" means a response by the user or the automated driving system to perform the dynamic driving task or achieve a minimal risk condition after occurrence of a dynamic driving task performance relevant system failure or departure from the operational design domain of the vehicle.

Sec. 11. "Dynamic driving task performance relevant system failure" means a malfunction in an automated driving system or other vehicle system that prevents the automated driving system from reliably sustaining dynamic driving task performance.

Sec. 12. "FMVSS" means federal motor vehicle safety standards.

Sec. 13. "IDOI commissioner" means the commissioner of the Indiana department of insurance.

Sec. 14. "INDOT commissioner" means the commissioner of the Indiana department of transportation.



Sec. 15. "ISP superintendent" means the superintendent of the Indiana state police.

Sec. 16. "Law enforcement officer" has the meaning set forth in IC 35-31.5-2-185.

Sec. 17. "Level 0 automation" means the performance by the driver of the dynamic driving task, even when enhanced by active safety systems.

Sec. 18. "Level 1 automation" means the sustained and operational design domain specific execution by a driving automation system of the lateral or the longitudinal vehicle motion control subtask of the dynamic driving task (but not both simultaneously) with the expectation that the driver performs the remainder of the dynamic driving task.

Sec. 19. "Level 2 automation" means the sustained and operational design domain specific execution by a driving automation system of both the lateral and longitudinal vehicle motion control subtasks of the dynamic driving task with the expectation that the driver will complete the object and event detection and object and event response execution subtasks and supervise the driving automation system.

Sec. 20. "Level 3 automation" means the sustained and operational design domain specific performance by an automated driving system of the entire dynamic driving task with the expectation that the dynamic driving task fallback ready user is receptive to automated driving system issued requests to intervene, as well as to dynamic driving task performance relevant system failures in other vehicle systems and will respond appropriately.

Sec. 21. "Level 4 automation" means the sustained and operational design domain specific performance by an automated driving system of the entire dynamic driving task and dynamic driving task fallback, without any expectation that a user will respond to a request to intervene.

Sec. 22. "Level 5 automation" means the sustained and unconditional performance by an automated driving system of the entire dynamic driving task and dynamic driving task fallback without any expectation that a user will respond to a request to intervene.

Sec. 23. "Minimal risk condition" means a condition that a user or automated driving system brings a vehicle to after performing the dynamic driving task fallback in order to reduce the risk of a crash when a given trip cannot or should not be completed.

Sec. 24. "NHTSA" means the National Highway Traffic Safety



Administration.

Sec. 25. "On demand automated vehicle network" means a passenger transport network that uses a software application or other digital means to connect passengers to automated vehicles for transportation, including for-hire transportation and transportation for compensation.

Sec. 26. "Operational design domain" means the specific conditions under which a given driving automation system or feature is designed to function. The term includes, but is not limited to, driving modes, environmental conditions, geographic limitations, speed limits, trip ranges, types of roadways, and weather conditions.

Sec. 27. "Platoon" means a group of individual motor vehicles using vehicle to vehicle communication or networking technology to travel:

- (1) in a coordinated manner;
- (2) at an electronically controlled speed; and
- (3) at a following distance that is closer than would be reasonable or prudent without such coordination.

Sec. 28. "Political subdivision" has the meaning set forth in IC 3-5-2-38.

Sec. 29. "Public highway" has the meaning set forth in IC 9-25-2-4.

Sec. 30. "Remote operator" means any person who:

- (1) is not physically located in an automated vehicle; and
- (2) exercises control over:
 - (A) the acceleration, braking, steering, and transmission of the automated vehicle; or
 - (B) the activation and deactivation of the automated driving system.

The term does not include a person who creates a relevant condition that is communicated to or sensed by the automated driving system.

Sec. 31. "Request to intervene" means a notification by an automated driving system to a driver indicating a need to promptly perform the dynamic driving task fallback.

Sec. 32. "Taskgroup" means the automated vehicle oversight taskgroup established by IC 9-26.5-7-1(a)."

Page 8, line 24, delete "with the expectation that".

Page 8, delete line 25.

Page 8, line 26, delete "intervene".

Page 8, delete lines 36 through 37, begin a new line block indented



and insert:

"(3) The automated driving system meets the requirements under subsection (e) and either of the following conditions is satisfied:

(A) The automated driving system meets the requirements of subsection (d).

(B) The operating entity or individual possesses a permit that has been approved by the taskgroup (as described in IC 9-26.5-7).

(4) Maintains financial responsibility under IC 9-25, and if applicable IC 9-26.5-6."

Page 9, delete lines 5 through 10, begin a new paragraph and insert:

"(d) Except as otherwise provided, if an automated driving system is capable of complying with federal and state laws applicable to the functions being controlled or operated by the automated driving system, the automated driving system may be used to control or operate an automated vehicle on a public highway."

Page 9, delete lines 17 through 25, being a new paragraph and insert:

"(f) The operation of an automated driving vehicle on a public highway that does not comply with subsection (d) is prohibited unless:

(1) the operation was approved by the taskgroup;

(2) the operating entity or individual possesses a permit that has been approved by the taskgroup (as described in IC 9-26.5-7); and

(3) the operation conforms to the protocol specified in the permit issued by the taskgroup (as described in IC 9-26.5-7)."

Page 9, between lines 25 and 26, begin a new paragraph and insert:

"Sec. 4. Notwithstanding any other law or provision, each automated vehicle to be operated or platooned on a public highway must:

(1) be capable of complying with all applicable:

(A) local ordinances;

(B) regulations; and

(C) statutes;

concerning the orderly and safe operation of motor vehicles unless explicitly exempted by statute; and

(2) either:

(A) comply with all applicable federal motor vehicle safety standards; or



(B) have received a valid exemption from NHTSA concerning the automated vehicle's exemption from applicable FMVSS.

Sec. 5. IC 9-26-3-1(b), IC 9-26-3-2, and IC 9-26-3-3 do not apply to an automated vehicle that:

- (1) is being operated solely for testing purposes; and
- (2) fully complies with this chapter.

Sec. 6. IC 9-21-8-14 and IC 9-21-8-15 do not apply to an operator or motor vehicle that is traveling:

- (1) in a nonleading position; and
- (2) as part of a taskgroup approved platoon.

Sec. 7. The operator of an automated vehicle that is traveling as part of a platoon shall allow other motorists sufficient space to:

- (1) enter a public highway;
- (2) exit a public highway; or
- (3) execute a lane change on a public highway."

Page 9, line 26, delete "Sec. 4." and insert "Sec. 8.".

Page 9, line 32, delete "Sec. 5." and insert "Sec. 9.".

Page 10, between lines 9 and 10, begin a new paragraph and insert:

"(d) The department shall provide regular updates on unusual road conditions or road hazards to any vehicle with a notation under section 2 of this chapter.".

Page 10, line 12, delete "In addition to the requirements described in".

Page 10, line 13, delete "IC 9-26.5-7-2, a" and insert "A".

Page 10, line 14, delete "shall" and insert "**must**".

Page 10, delete lines 26 through 37, begin a new paragraph and insert:

"Sec. 1. (a) This chapter applies to commercial operation.

(b) Commercial operation does not include the operation of:

- (1) A personal vehicle.
- (2) A vehicle subject to a tax under IC 6-6-9.

Sec. 2. A person or entity wishing to operate or platoon an automated vehicle shall maintain proof of financial responsibility with the bureau in accordance with IC 9-25, however the minimum amounts of financial responsibility under this chapter must be at least five million dollars (\$5,000,000) per entity."

Page 10, line 38, delete "Operation and Platooning of Automated Vehicles" and insert "**Automated Vehicle Oversight Taskgroup**".

Page 11, line 1, delete "comissioner" and insert "**commissioner**".

Page 11, line 25, after "highway" insert "**under IC 9-26.5-3-3(f)**".

Page 12, between lines 8 and 9, begin a new line block indented and



insert:

"(1) Certify that the automated driving systems or automated vehicles to be platooned or operated comply, as applicable with all of IC 9-26.5-3 except IC 9-26.5-3-3(d) and provide a list of all federal and state laws that are not in compliance."

Page 12, line 9, delete "(1)" and insert **"(2)"**.

Page 12, delete line 12 through 13.

Page 12, line 14, delete "(B)" and insert **"(A)"**.

Page 12, line 15, delete "(C)" and insert **"(B)"**.

Page 12, line 17, delete "(D)" and insert **"(C)"**.

Page 12, line 19, delete "(E)" and insert **"(D)"**.

Page 12, line 21, delete "(2)" and insert **"(3)"**.

Page 12, line 25, delete "(3)" and insert **"(4)"**.

Page 12, line 30, delete "NHTSA waiver." and insert **"exemption from NHTSA."**

Page 12, line 31, delete "(4)" and insert **"(5)"**.

Page 12, line 31, delete "NHTSA waiver" and insert **"valid exemption from NHTSA"**.

Page 12, line 33, delete "(5)" and insert **"(6)"**.

Page 13, delete lines 13 through 42.

Page 14, delete lines 1 through 15.

Page 14, line 16, delete "(i)" and insert **"(e)"**.

Page 15, delete lines 4 through 32

Page 15, line 33, delete "Sec. 9." and insert **"Sec. 5."**

Page 15, line 41, delete "Sec. 10." and insert **"Sec. 6."**

Page 16, line 2, delete "Sec. 11." and insert **"Sec. 7."**

Page 16, line 4, delete "Sec. 12." and insert **"Sec. 8."**

Page 17, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 28. IC 34-30-2-31.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 31.6. IC 9-26.5-9 (Concerning the original manufacturer of a motor vehicle converted by a third party into an automated vehicle and a motor vehicle mechanic or



motor vehicle repair facility that repairs an automated driving system or an automated vehicle).".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1341 as printed January 19, 2018.)

CRIDER, Chairperson

Committee Vote: Yeas 7, Nays 1.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1341 be amended to read as follows:

Page 9, line 11, after "basis" insert **"regardless of whether a responsible occupant is expected to respond to a request to intervene"**.

Page 9, line 25, delete "The automated" and insert **"the automated"**.

Page 9, line 26, delete "(d)." and insert **"(c); or"**.

Page 9, line 27, delete "The operating" and insert **"the operating"**.

Page 9, line delete lines 39 through 40.

Page 9, line 41, delete "(d)" and insert **"(c)"**.

Page 10, line 5, delete "(e)" and insert **"(d)"**.

Page 10, line 5, delete "(d)," and insert **"(c),"**.

Page 10, line 11, delete "(f)" and insert **"(e)"**.

Page 10, line 12, delete "(d)" and insert **"(c)"**.

Page 10, line 17, delete "9-26-5-7);" and insert **"9-26.5-7);"**.

Page 11, delete lines 12 through 13, begin a new paragraph and insert:

"Sec. 9. (a) A person who violates section 3 of this chapter commits a Class C infraction. However, the offense is a Class C misdemeanor if the person recklessly, knowingly or intentionally violates section 3 of this chapter."

Page 11, delete lines 32 through 34.

Page 12, delete lines 8 through 16, begin a new paragraph and insert:

"Sec. 1. A person or entity wishing to test:

- (1) an automated vehicle; or**
- (2) platooning automated vehicles;**



prior to commercial deployment, shall maintain proof of financial responsibility with the bureau in accordance with IC 9-25, however the minimum amounts of financial responsibility under this chapter must be at least five million dollars (\$5,000,000) per entity.

Sec. 2. A person or entity wishing to operate an on demand automated vehicle network shall maintain proof of coverage with the bureau under IC 8-2.1-19.1-8."

Page 13, line 4, delete "9-26.5-3-3(f)" and insert **"9-26.5-3-3(e)"**.

Page 13, line 33, delete "9-26.5-3-3(d)" and insert **"9-26.5-3-3(c)"**.

Page 14, line 1, delete "(Operation and Platooning of Automated" and insert **"(Automated Vehicle Oversight Taskgroup)"**.

Page 14, delete line 2 through 6.

Page 14, line 7, delete "(4)" and insert **"(3)"**.

Page 14, line 13, delete "(5)" and insert **"(4)"**.

Page 14, line 15, delete "(6)" and insert **"(5)"**.

Page 15, line 14, delete "person" and insert **"person's"**.

Page 15, delete lines 36 through 37, begin a new paragraph and insert:

"Sec. 7. (a) Not later than November 1 of each year, the taskgroup shall annually submit a report to the interim study committee on roads and transportation on the status of the automated vehicle program under IC 9-26.5.

(b) A report under this section must be submitted in an electronic format under IC 5-14-6."

Page 16, line 26, after "under" insert **"IC 9-25 and if applicable"**.

Page 17, line 18, delete "9-26.5-3-5" and insert **"9-26.5-3-9"**.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1341 as printed February 28, 2018.)

CRIDER

