

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 627

Introduced by Larson, 40.

Read first time January 18, 2017

Committee:

1 A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,287,
2 Reissue Revised Statutes of Nebraska, and sections 60-601, 60-605,
3 and 60-6,179.01, Revised Statutes Cumulative Supplement, 2016; to
4 provide for the operation of autonomous motor vehicles as
5 prescribed; to define terms; to harmonize provisions; and to repeal
6 the original sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-601, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 60-601 Sections 60-601 to 60-6,383 and sections 3, 4, 5, and 6 of
4 this act shall be known and may be cited as the Nebraska Rules of the
5 Road.

6 Sec. 2. Section 60-605, Revised Statutes Cumulative Supplement,
7 2016, is amended to read:

8 60-605 For purposes of the Nebraska Rules of the Road, the
9 definitions found in sections 60-606 to 60-676 and sections 3 and 4 of
10 this act shall be used.

11 Sec. 3. Autonomous motor vehicle means any motor vehicle equipped
12 with autonomous technology.

13 Sec. 4. Autonomous technology means technology installed on a motor
14 vehicle that has the capability to drive the motor vehicle on which the
15 technology is installed without active control or monitoring by a human
16 operator. The term excludes a motor vehicle equipped with active safety
17 systems or driver assistance systems, including, without limitation, a
18 system to provide electronic blind spot assistance, crash avoidance,
19 emergency braking, parking assistance, adaptive cruise control, lane keep
20 assistance, lane departure warning, or a traffic jam and queuing
21 assistant, unless any such system alone or in combination with other
22 systems enables the motor vehicle on which the technology is installed to
23 drive without active control or monitoring by a human operator.

24 Sec. 5. (1) A person who possesses a valid operator's license may
25 operate an autonomous motor vehicle in autonomous mode on the highways of
26 this state.

27 (2) For purposes of the Nebraska Rules of the Road and all other
28 laws that apply to the operation of a motor vehicle in this state, a
29 person shall be deemed to be the operator of an autonomous motor vehicle
30 operating in autonomous mode when the person causes the motor vehicle's
31 autonomous technology to engage, regardless of whether the person is

1 physically present in the motor vehicle while the motor vehicle is
2 operating in autonomous mode.

3 Sec. 6. An autonomous motor vehicle operating on the highways of
4 this state shall meet applicable federal standards and regulations and
5 state laws and rules and regulations for such motor vehicle. The
6 autonomous motor vehicle shall:

7 (1) Have a system to safely alert the operator if an autonomous
8 technology failure is detected while the autonomous technology is
9 engaged. When an alert is given, the system must:

10 (a) Require the operator to take control of the autonomous motor
11 vehicle; and

12 (b) Be capable of bringing the autonomous motor vehicle to a
13 complete stop if the operator does not, or is not able to, take control
14 of the autonomous motor vehicle;

15 (2) Have a means, inside the autonomous motor vehicle, to visually
16 indicate when the autonomous motor vehicle is operating in autonomous
17 mode; and

18 (3) Be capable of being operated in compliance with all traffic and
19 motor vehicle laws of this state.

20 Sec. 7. Section 60-6,179.01, Revised Statutes Cumulative Supplement,
21 2016, is amended to read:

22 60-6,179.01 (1) This section does not apply to an operator of a
23 commercial motor vehicle if section 60-6,179.02 applies.

24 (2) Except as otherwise provided in subsection (3) of this section,
25 no person shall use a handheld wireless communication device to read a
26 written communication, manually type a written communication, or send a
27 written communication while operating a motor vehicle which is in motion.

28 (3) The prohibition in subsection (2) of this section does not apply
29 to:

30 (a) A person performing his or her official duties as a law
31 enforcement officer, a firefighter, an ambulance driver, or an emergency

1 medical technician;~~or~~

2 (b) A person operating an autonomous motor vehicle while the
3 autonomous motor vehicle is operating in autonomous mode; or

4 (c) (b) A person operating a motor vehicle in an emergency
5 situation.

6 (4) Enforcement of this section by state or local law enforcement
7 agencies shall be accomplished only as a secondary action when a driver
8 of a motor vehicle has been cited or charged with a traffic violation or
9 some other offense.

10 (5) Any person who violates this section shall be guilty of a
11 traffic infraction. Any person who is found guilty of a traffic
12 infraction under this section shall be assessed points on his or her
13 motor vehicle operator's license pursuant to section 60-4,182 and shall
14 be fined:

15 (a) Two hundred dollars for the first offense;

16 (b) Three hundred dollars for a second offense; and

17 (c) Five hundred dollars for a third and subsequent offense.

18 (6) For purposes of this section:

19 (a) Commercial motor vehicle has the same meaning as in section
20 75-362;

21 (b)(i) Handheld wireless communication device means any device that
22 provides for written communication between two or more parties and is
23 capable of receiving, displaying, or transmitting written communication.

24 (ii) Handheld wireless communication device includes, but is not
25 limited to, a mobile or cellular telephone, a text messaging device, a
26 personal digital assistant, a pager, or a laptop computer.

27 (iii) Handheld wireless communication device does not include an
28 electronic device that is part of the motor vehicle or permanently
29 attached to the motor vehicle or a handsfree wireless communication
30 device; and

31 (c) Written communication includes, but is not limited to, a text

1 message, an instant message, electronic mail, and Internet web sites.

2 Sec. 8. Section 60-6,287, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 60-6,287 It ~~is shall be~~ unlawful to operate upon any public highway
5 in this state a motor vehicle which is equipped with or in which is
6 located a television set so placed that the viewing screen is visible to
7 the driver while operating such motor vehicle, including an autonomous
8 motor vehicle operating in autonomous mode. Any person violating this
9 section ~~is shall be~~ guilty of a Class V misdemeanor.

10 Sec. 9. Original section 60-6,287, Reissue Revised Statutes of
11 Nebraska, and sections 60-601, 60-605, and 60-6,179.01, Revised Statutes
12 Cumulative Supplement, 2016, are repealed.