

Stricken language would be deleted from and underlined language would be added to present law.
Act 1052 of the Regular Session

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H3/27/19 S4/4/19
A Bill

HOUSE BILL 1822

By: Representatives Christiansen, Breaux, Cavanaugh, Dalby, A. Davis, D. Douglas, Eaves, K. Ferguson, Fielding, M. Gray, Hillman, M. Hodges, Rye, Scott, Sorvillo

By: Senators J. Dismang, K. Hammer, B. Sample

For An Act To Be Entitled

AN ACT CONCERNING THE OPERATION OF AUTONOMOUS
VEHICLES AT RAILROAD CROSSINGS; TO DECLARE AN
EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE OPERATION OF AUTONOMOUS
VEHICLES AT RAILROAD CROSSINGS; AND TO
DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 27-51-1410(c)(3), as amended by Acts 2019 No. 468, and concerning an autonomous vehicle pilot program, is amended to read as follows:

(3) A statement acknowledging that:

(A)(i) The autonomous vehicle or fully autonomous vehicle is capable of complying with all applicable traffic and motor vehicle safety laws of this state and rules adopted by the Office of Motor Vehicle, including without limitation the laws and rules concerning the capability to safely negotiate railroad crossings unless an exemption for the operation of autonomous vehicles or fully autonomous vehicles at railroad crossings is granted by the Arkansas Department of Transportation.

(ii) The department shall consult with railroad companies operating in the state when considering an exemption that affects the operation of autonomous vehicles or fully autonomous vehicles at railroad



crossings;

(B) The fully autonomous vehicle is capable of achieving a reasonably safe state if a failure of the automated driving system occurs that renders the automated driving system unable to perform the entire dynamic driving task; and

(C) A fully autonomous vehicle involved in a motor vehicle accident is capable of meeting the requirements of §§ 27-53-101, 27-53-102, and 27-53-105; and

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that autonomous vehicles may begin operating on public streets, roads, and highways as soon as March 14, 2019; that there may be an issue with negotiating railroad crossings if an exemption is not granted for autonomous vehicles by the Arkansas Department of Transportation; and that railroad companies and the department need to be aware of this issue and work together to resolve this potential issue for the safety of railroad and motor vehicle traffic. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Christiansen

APPROVED: 4/16/19