

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1561

By: Representative McCollum

By: Senator M. Pitsch

For An Act To Be Entitled

AN ACT TO AUTHORIZE THE OPERATION OF AUTONOMOUS VEHICLES OR FULLY AUTONOMOUS VEHICLES ON THE STREETS AND HIGHWAYS OF THIS STATE UNDER AN AUTONOMOUS VEHICLE PILOT PROGRAM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE THE OPERATION OF AUTONOMOUS VEHICLES OR FULLY AUTONOMOUS VEHICLES ON THE STREETS AND HIGHWAYS OF THIS STATE UNDER AN AUTONOMOUS VEHICLE PILOT PROGRAM; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code Title 27, Chapter 51, Subchapter 14, is amended to add an additional section to read as follows:

27-51-1410. Autonomous vehicle pilot program.

(a) As used in this section:

(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 vehicle equipped with an automated driving system that can drive the vehicle for any duration of time without the active physical control or monitoring of a human operator;



(3)(A) "Dynamic driving task" means the real-time operational and tactical functions required to operate a vehicle in on-road traffic, including without limitation the operational functions of:

- (i) Lateral vehicle motion control via steering;
- (ii) Longitudinal motion control via acceleration and deceleration;
- (iii) Monitoring of the driving environment using object and event detection, recognition, classification, and response preparation;
- (iv) Object and event response execution;
- (v) Maneuver planning; and
- (vi) Lighting and signaling operation designed to enhance conspicuity of the vehicle.

(B) "Dynamic driving task" does not include the strategic functions of:

- (i) Trip scheduling; or
- (ii) Selection of destinations and waypoints;

(4) "Fully autonomous vehicle" means a vehicle equipped with an automated driving system designed to function as a level four-"high automation" or level five-"full automation" system under Society of Automobile Engineers "Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles" and may be designed to function solely by use of the automated driving system, or when the automated driving system is not engaged, to permit operation by a human operator;

(5) "Minimal risk condition" means a low-risk operating mode in which a fully autonomous vehicle operating without a human operator is brought to a complete stop upon experiencing a failure of the vehicle's automated driving system that renders the vehicle unable to perform the entire dynamic driving task;

(6) "Operational design domain" means a description of the specific operating domain in which an automated driving system is designed to properly operate, including without limitation:

- (A) Roadway types;
- (B) Speed range;
- (C) Environmental conditions; and
- (D) Other domain constraints; and

(7) "Person" means every natural person, firm, copartnership, association, corporation, or any political subdivision of the State of Arkansas, individually or collectively, including all counties, municipal corporations, public transit authorities, school districts, and special improvement districts.

(b)(1) An autonomous vehicle or a fully autonomous vehicle may be operated in this state under an autonomous vehicle pilot program approved by the State Highway Commission.

(2) The autonomous vehicle pilot program is automatically approved sixty (60) days after the date the autonomous vehicle pilot program is submitted to the commission for approval.

(c) An autonomous vehicle pilot program shall include without limitation the following:

(1) A statement of the commercial purpose of the autonomous vehicle pilot program;

(2) The identification of any additional requirements for proof of insurance under the Motor Vehicle Safety Responsibility Act, § 27-19-101 et seq., and § 27-22-101 et seq.; and

(3) A statement acknowledging that:

(A) 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;

(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

(4) A description of how a fully autonomous vehicle is capable of meeting the requirement of subdivision (c)(3)(C) of this section.

(d) For the purposes of this section, a person may operate:

(1) A fully autonomous vehicle that is not equipped with:

(A) Seat belts;

(B) A steering wheel; or

(C) A rearview mirror; and

(2) A maximum of three (3) autonomous vehicles or fully autonomous vehicles simultaneously on the streets and highways of this state.

(e) The commission shall adopt rules necessary for the implementation of this section.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that to foster innovation and the increased use of technology in Arkansas's transportation system, autonomous vehicle and fully autonomous vehicle testing and operation is necessary. 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.

APPROVED: 3/14/19