

By: Geren

H.B. No. 3475

A BILL TO BE ENTITLED

AN ACT

relating to the operation of automated motor vehicles on highways in this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 545, Transportation Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. OPERATION OF AUTOMATED MOTOR VEHICLES

Sec. 545.451. DEFINITIONS. In this subchapter:

(1) "Automated driving system" means hardware and software that are collectively capable, when installed on a motor vehicle and engaged, of performing all aspects of the dynamic driving task for the vehicle on a part-time or full-time basis without supervision by a human operator.

(2) "Automated motor vehicle" means a motor vehicle on which an automated driving system is installed.

(3) "Department" means the Texas Department of Motor Vehicles.

(4) "Dynamic driving task" means the operational and tactical aspects of operating a vehicle. The term:

(A) includes:

(i) operational aspects, including steering, braking, accelerating, and monitoring the vehicle and the roadway; and

(ii) tactical aspects, including

1 responding to events, determining when to change lanes, turning,
2 using signals, and other related actions; and

3 (B) does not include strategic aspects,
4 including determining destinations or waypoints.

5 Sec. 545.452. SUBCHAPTER AND DEPARTMENT GOVERN
6 EXCLUSIVELY. (a) Unless otherwise provided by this subchapter,
7 the following are governed exclusively by this subchapter:

8 (1) automated motor vehicles, including any
9 commercial use or operation of automated motor vehicles; and

10 (2) automated driving systems.

11 (b) The department is the only state agency that may
12 implement the provisions of this subchapter. No other state agency
13 or entity may impose requirements or adopt regulations governing
14 the operation of automated motor vehicles or automated driving
15 systems in this state that are in addition to or otherwise
16 inconsistent with this subchapter.

17 (c) A political subdivision of this state may not impose a
18 local fee, registration requirement, franchise, or other
19 regulation related to an automated motor vehicle or automated
20 driving system.

21 Sec. 545.453. OPERATOR OF AUTOMATED MOTOR VEHICLE. (a) When
22 engaged, an automated driving system installed on a motor vehicle
23 is:

24 (1) notwithstanding Section 541.001, considered the
25 operator of the vehicle for the purpose of assessing compliance
26 with applicable traffic or motor vehicle laws; and

27 (2) considered to be licensed to operate the vehicle

1 and satisfy all physical acts required of the operator of a vehicle.

2 (b) Notwithstanding any other law:

3 (1) an automated driving system installed on a motor
4 vehicle may be considered the operator of the vehicle; and

5 (2) a licensed human operator is not required to
6 operate a motor vehicle if an automated driving system installed on
7 the vehicle is engaged.

8 Sec. 545.454. AUTOMATED MOTOR VEHICLE OPERATION. (a)

9 Subject to this subchapter, the owner of an automated motor vehicle
10 or an operator authorized by the owner may operate the vehicle on a
11 highway in this state with the automated driving system engaged,
12 regardless of whether a human operator is physically present in the
13 vehicle:

14 (1) to test the vehicle;

15 (2) to provide a transportation service to individual
16 passengers; or

17 (3) for any other use.

18 (b) An automated motor vehicle may not be operated on a
19 highway in this state with the automated driving system engaged
20 unless the owner or authorized operator of the vehicle:

21 (1) obtains and provides evidence to the department,
22 in a form prescribed by the department, of an instrument of
23 insurance, surety bond, or proof of self-insurance in the amount of
24 at least \$10 million; and

25 (2) ensures that the vehicle is:

26 (A) capable of operating in compliance with
27 applicable traffic and motor vehicle laws of this state, subject to

1 this subchapter;

2 (B) equipped with a data recording system with
3 the capacity to record, before an accident involving the vehicle:

4 (i) the status of the automated driving
5 system; and

6 (ii) other vehicle attributes, including
7 speed, direction, and location;

8 (C) in compliance with applicable federal law;
9 and

10 (D) registered and titled in accordance with the
11 laws of this state.

12 Sec. 545.455. PRIVACY POLICY; DATA COLLECTION. (a) An
13 owner or operator of an automated motor vehicle that is used to
14 offer a transportation service to individual passengers shall make
15 publicly available a privacy statement disclosing the data handling
16 practices of the owner or operator in connection with the vehicle.

17 (b) An individual passenger of a transportation service
18 that uses automated motor vehicles is considered to consent to the
19 collection of data as described in an applicable privacy statement
20 under Subsection (a) while a passenger in the vehicle.

21 Sec. 545.456. LIABILITY. The manufacturer of an automated
22 motor vehicle is not liable, including for equitable relief, for
23 damage that arises from any modification made by a person other than
24 the manufacturer or without the consent of the manufacturer to:

25 (1) the automated motor vehicle; or

26 (2) an automated driving system installed on the
27 automated motor vehicle.

1 SECTION 2. This Act takes effect September 1, 2017.