

By: Rodriguez of Travis

H.B. No. 4018

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the operation of automated motor vehicles on highways  
3 in this state for research and testing purposes.

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

5 SECTION 1. Subchapter C, Chapter 503, Transportation Code,  
6 is amended by adding Section 503.072 to read as follows:

7 Sec. 503.072. LICENSE PLATES FOR AUTOMATED MOTOR VEHICLES.

8 (a) In this section, "automated motor vehicle" has the meaning  
9 assigned by Section 545.428.

10 (b) The department shall establish a program to provide  
11 license plates with an automated motor vehicle designation.

12 (c) A license plate provided under Subsection (b) may be  
13 used only on an automated motor vehicle in compliance with Section  
14 545.428.

15 SECTION 2. Section 541.001(1), Transportation Code, is  
16 amended to read as follows:

17 (1) "Operator" means, as used in reference to a  
18 vehicle, a person who drives or has physical control of a vehicle,  
19 except as provided by Section 545.428(b).

20 SECTION 3. Subchapter I, Chapter 545, Transportation Code,  
21 is amended by adding Section 545.428 to read as follows:

22 Sec. 545.428. OPERATION OF AUTOMATED MOTOR VEHICLES FOR  
23 TESTING AND RESEARCH. (a) In this section:

24 (1) "Automated motor vehicle" means a motor vehicle on

1 which an automated technology has been installed, either by a  
2 manufacturer of automated technology or an upfitter, that enables  
3 the motor vehicle to be operated without any control or monitoring  
4 by a human operator. The term does not include a motor vehicle  
5 enabled with one or more active safety systems or operator  
6 assistance systems, including a system installed on a vehicle to  
7 provide electronic blind spot assistance, crash avoidance,  
8 emergency braking, parking assistance, adaptive cruise control,  
9 lane-keeping assistance, lane departure warning, or traffic jam and  
10 queuing assistance, unless one or more of those systems alone or in  
11 combination with other systems enables the vehicle to operate  
12 without any control or monitoring by an operator.

13           (2) "Automated technology" means technology installed  
14 on a motor vehicle that has the capability to assist, make decisions  
15 for, or replace a human operator.

16           (3) "Automatic mode" means the mode of operating an  
17 automated motor vehicle when automated technology is engaged to  
18 enable the motor vehicle to operate without any control or  
19 monitoring by an operator.

20           (4) "Manufacturer of automated technology" means a  
21 manufacturer or subcomponent system producer that develops or  
22 produces automated technology.

23           (5) "Upfitter" means a person that modifies a motor  
24 vehicle after it was manufactured by installing automated  
25 technology in that motor vehicle to convert it to an automated motor  
26 vehicle. The term includes a subcomponent system producer that  
27 develops or produces automated driving technology.

1       (b) An operator of an automated motor vehicle is the person  
2 who causes an automated motor vehicle to move under its own power in  
3 automatic mode, including by engaging the automated technology,  
4 regardless of whether the person is physically present in the  
5 automated motor vehicle at that time.

6       (c) A person may not operate an automated motor vehicle on a  
7 highway in this state in automatic mode unless:

8               (1) the automated motor vehicle is operated for the  
9 purpose of research or testing of:

10                       (A) the automated motor vehicle; or

11                       (B) automated technology that is installed on the  
12 motor vehicle;

13               (2) the manufacturer of the vehicle or of automated  
14 technology that is installed on the vehicle:

15                       (A) is recognized by the secretary of state; and

16                       (B) submits proof satisfactory to the secretary  
17 of state that the vehicle is insured in accordance with the laws of  
18 this state;

19               (3) the vehicle displays license plates provided under  
20 Section 503.072;

21               (4) the person operating the vehicle:

22                       (A) is licensed to operate a motor vehicle in the  
23 United States; and

24                       (B) is an employee or contractor of or otherwise  
25 designated or authorized by:

26                               (i) the manufacturer of the vehicle; or

27                               (ii) the manufacturer of automated

1 technology installed on the vehicle; and

2 (5) a person is present in the vehicle while it is  
3 being operated who:

4 (A) is licensed to operate a motor vehicle in the  
5 United States; and

6 (B) has the ability to monitor the vehicle's  
7 performance and, if necessary, immediately take control of the  
8 vehicle's movements.

9 (d) Notwithstanding any other law, a person may use a  
10 wireless communication device, as defined in Section 545.425, to  
11 operate an automated motor vehicle in automatic mode under this  
12 chapter.

13 (e) A manufacturer of automated technology is not liable in  
14 a civil action for damages that result from a modification made  
15 without the consent of the manufacturer of automated technology by  
16 another person to the automated technology or to a motor vehicle on  
17 which the technology is installed.

18 (f) The secretary of state shall adopt procedures for the  
19 recognition of:

20 (1) manufacturers of automated technology; and

21 (2) upfitters.

22 SECTION 4. (a) In this section of this Act:

23 (1) "Automated motor vehicle" and "automated  
24 technology" have the meanings assigned by Section 545.428,  
25 Transportation Code, as added by this Act.

26 (2) "Department" means the Texas Department of Motor  
27 Vehicles.

1 (b) The department shall:

2 (1) conduct a study of the testing of automated motor  
3 vehicles and automated technology installed on automated motor  
4 vehicles on highways in this state in consultation with:

5 (A) the Texas Department of Transportation; and

6 (B) the Department of Public Safety of the State  
7 of Texas; and

8 (2) recommend any legislative or regulatory action  
9 necessary for the continued safe testing of automated motor  
10 vehicles and automated technology installed on automated motor  
11 vehicles on highways in this state.

12 (c) Not later than September 1, 2018, the department shall  
13 submit a report of its findings and recommendations, including any  
14 proposed legislation, to each standing committee of the senate and  
15 house of representatives having primary jurisdiction over matters  
16 related to transportation and over matters related to business and  
17 commerce.

18 (d) This section of this Act expires January 1, 2019.

19 SECTION 5. This Act takes effect September 1, 2017.