

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Canales

H.B. No. 3026

A BILL TO BE ENTITLED

AN ACT

relating to the operation and regulation of certain automated motor vehicles.

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

SECTION 1. The heading to Section 545.452, Transportation Code, is amended to read as follows:

Sec. 545.452. EXCLUSIVE REGULATION OF AUTOMATED MOTOR VEHICLES AND AUTOMATED DRIVING SYSTEMS [~~SUBCHAPTER AND DEPARTMENT GOVERN EXCLUSIVELY~~].

SECTION 2. Section 545.452(a), Transportation Code, is amended to read as follows:

(a) Unless otherwise provided by this subchapter, automated motor vehicles, including any commercial use or operation of automated motor vehicles, and automated driving systems [~~the following~~] are governed exclusively by:

(1) this subchapter; and

(2) Section 547.618 [~~+~~

~~(1) automated motor vehicles, including any commercial use or operation of automated motor vehicles, and~~

~~(2) automated driving systems~~].

SECTION 3. Subchapter K, Chapter 547, Transportation Code, is amended by adding Section 547.618 to read as follows:

Sec. 547.618. EQUIPMENT REQUIRED FOR CERTAIN AUTOMATED MOTOR VEHICLES. (a) In this section, "automated motor vehicle" and

1 "automated driving system" have the meanings assigned by Section  
2 545.451.

3 (b) An automated motor vehicle that is designed to be  
4 operated exclusively by the automated driving system for all trips  
5 is not subject to motor vehicle equipment laws or regulations of  
6 this state that:

7 (1) relate to or support motor vehicle operation by a  
8 human driver; and

9 (2) are not relevant for an automated driving system.

10 (c) If a vehicle safety inspection is required under this  
11 code for the operation of a vehicle described by Subsection (b), the  
12 vehicle shall automatically be considered to pass the inspection  
13 with respect to any equipment:

14 (1) the requirements from which the vehicle is exempt  
15 under Subsection (b); or

16 (2) the inspection of which is not required under  
17 Section 548.051.

18 SECTION 4. This Act takes effect September 1, 2021.

FLOOR AMENDMENT NO. 1

**ADOPTED**

MAY 22 2021 BY: Phil Lee N.S.

*Lately Saw*  
Secretary of the Senate

1 Amend H.B. No. 3026 (senate committee report) as follows:

2 (1) In SECTION 1 of the bill, in the amended heading to  
3 Section 545.452, Transportation Code (page 1, line 24), between  
4 "OF" and "AUTOMATED", insert "THE OPERATION OF".

5 (2) In SECTION 2 of the bill, in amended Section 545.452(a),  
6 Transportation Code (page 1, line 29), between the comma and  
7 "automated", insert "the operation of".

8 (3) In SECTION 2 of the bill, in amended Section 545.452(a),  
9 Transportation Code (page 1, lines 30-31), strike "or operation of  
10 automated motor vehicles".

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 24, 2021**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3026** by Canales (Relating to the operation and regulation of certain automated motor vehicles.),  
**As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Transportation Code to specify that if a vehicle safety inspection is required for an automated motor vehicle that is designed to be operated exclusively by the automated driving system for all trips, the vehicle shall automatically be considered to pass the inspection with respect to certain vehicle equipment.

Based on the analysis of the Texas Commission on Environmental Quality, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be absorbed with existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 582 Commission on Environmental Quality, 601 Department of Transportation

**LBB Staff:** JMc, LBO, AAL, TG, MW, GDZ

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 17, 2021**

**TO:** Honorable Robert Nichols, Chair, Senate Committee on Transportation

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3026** by Canales (Relating to the operation and regulation of certain automated motor vehicles.),  
**As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Transportation Code to specify that if a vehicle safety inspection is required for an automated motor vehicle that is designed to be operated exclusively by the automated driving system for all trips, the vehicle shall automatically be considered to pass the inspection with respect to certain vehicle equipment.

Based on the analysis of the Texas Commission on Environmental Quality, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be absorbed with existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 582 Commission on Environmental Quality, 601 Department of Transportation

**LBB Staff:** JMc, AAL, TG, MW, GDZ

**LEGISLATIVE BUDGET BOARD**

Austin, Texas

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

Revision 1

April 22, 2021

**TO:** Honorable Terry Canales, Chair, House Committee on Transportation

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3026** by Canales (relating to the operation and regulation of certain automated motor vehicles.),  
**Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Transportation Code to specify that a "dedicated autonomous vehicle" that is incapable of operation by a human operator, to the extent permitted by federal law, is exempt from certain vehicle equipment requirements.

Based on the analysis of the Texas Commission on Environmental Quality, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be absorbed with existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 582 Commission on Environmental Quality, 601 Department of Transportation

**LBB Staff:** JMc, AAL, MW, GDZ

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 12, 2021**

**TO:** Honorable Terry Canales, Chair, House Committee on Transportation

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3026** by Canales (relating to the operation and regulation of certain automated motor vehicles.),  
**Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB3026, Committee Report 1st House, Substituted : an impact of \$0 through the biennium ending August 31, 2023. However, there would be a one-time General Revenue-Dedicated cost of \$400,000 for the biennium.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five- Year Impact:**

<i>Fiscal Year</i>	Probable Net Positive/(Negative) Impact to <i>General Revenue Related Funds</i>
2022	\$0
2023	\$0
2024	\$0
2025	\$0
2026	\$0

**All Funds, Five-Year Impact:**

<i>Fiscal Year</i>	Probable Savings/(Cost) from <i>Clean Air Account</i> 151
2022	(\$400,000)
2023	\$0
2024	\$0
2025	\$0
2026	\$0

**Fiscal Analysis**

The bill would amend the Transportation Code to specify that a "dedicated autonomous vehicle" that is incapable of operation by a human operator, to the extent permitted by federal law, is exempt from certain vehicle equipment requirements. The bill would specify that if a vehicle safety inspection is required for operation of a dedicated autonomous vehicle, the inspection may not include any equipment the requirements from which the vehicle is exempt or the inspection of which is not required under Section 548.051, relating to vehicles and equipment subject to inspection.

The bill would take effect September 1, 2021.

**Methodology**

Based on information provided by the Texas Commission on Environmental Quality, this estimate assumes TCEQ would be required to modify vehicle emissions analyzer software to align the safety inspection sequence to the items of inspection as provided in the bill for an estimated one-time cost of \$400,000 in fiscal year 2022 for professional services from the General Revenue-Dedicated Clean Air Savings Account No. 151.

Based on information provided by the Department of Transportation, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be absorbed utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 582 Commission on Environmental Quality, 601 Department of Transportation

**LBB Staff:** JMc, AAL, MW, GDZ



**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**March 30, 2021**

**TO:** Honorable Terry Canales, Chair, House Committee on Transportation

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3026** by Canales (Relating to the operation and regulation of certain automated motor vehicles.),  
**As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Transportation Code to specify that a "dedicated autonomous vehicle" that is incapable of operation by a human operator, to the extent permitted by federal law, is exempt from certain vehicle equipment requirements. The bill would specify that if a vehicle safety inspection is required for operation of a dedicated autonomous vehicle, the inspection may not include any equipment the requirements from which the vehicle is exempt or the inspection of which is not required under Section 548.051, relating to vehicles and equipment subject to inspection.

Based on information provided by the Department of Transportation, it is assumed the provisions of the bill would not result in a significant fiscal impact to the State.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JMc, AAL, TG