

BILL ANALYSIS

S.B. 2205
By: Hancock
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties call for additional measures to ensure the safe operation of automated motor vehicles and automated driving systems on Texas roads. S.B. 2205 seeks to address this issue by implementing minimum safety requirements for the operation of these vehicles and systems.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 2205 amends the Transportation Code to authorize an automated motor vehicle on which is installed an automated driving system, defined by the bill as hardware and software that, when installed on a motor vehicle and engaged, are collectively capable of performing without any intervention or supervision by a human operator all aspects of the entire dynamic driving task for the vehicle on a sustained basis and any fallback maneuvers necessary to respond to a failure of the system, to operate in Texas with the automated driving system engaged, regardless of whether a human operator is physically present in the vehicle. The bill prohibits an automated motor vehicle from operating on a highway in Texas, unless the vehicle is capable of operating in compliance with applicable state traffic and motor vehicle laws, subject to the bill's provisions; equipped with a recording device capable of retrieving or transmitting certain vehicle accident information installed by the manufacturer of the automated motor vehicle or automated driving system; equipped with an automated driving system in compliance with applicable federal law and federal motor vehicle safety standards; registered and titled in accordance with state law; and covered by motor vehicle liability coverage or self-insurance in an amount equal to the amount of coverage that is required under state law. The bill defines "entire dynamic driving task" as the operational and tactical aspects of operating a vehicle. The term includes operational aspects, including steering, braking, accelerating, and monitoring the vehicle and the roadway, and tactical aspects, including responding to events, determining when to change lanes, turning, using signals, and other related actions, but does not include strategic aspects, including determining destinations or waypoints.

S.B. 2205 establishes that when an automated driving system installed on a motor vehicle is engaged, the automated driving system is considered to be licensed to operate the vehicle and the owner of the automated driving system is considered the operator of the automated motor vehicle solely for the purpose of assessing compliance with applicable traffic or motor vehicle laws, regardless of whether the person is physically present in the vehicle while the vehicle is

operating. The bill expressly does not require a licensed human operator to operate a motor vehicle if an automated driving system installed on the vehicle is engaged. The bill requires the automated motor vehicle or any human operator of the automated motor vehicle, in the event of an accident involving an automated motor vehicle, to comply with state law regarding vehicle accidents and accident reports. The bill authorizes an owner of a vehicle to identify the vehicle to the Department of Public Safety (DPS) for registration purposes as an automated motor vehicle or an automated driving system.

S.B. 2205 establishes that automated motor vehicles, including any commercial use or operation of automated motor vehicles, and automated driving systems are governed exclusively by the bill's provisions unless otherwise provided by the bill. The bill prohibits a political subdivision or a state agency from imposing a franchise or other regulation related to the operation of an automated motor vehicle or automated driving system. The bill makes such a prohibition, and conditions under which an automated motor vehicle may operate, applicable to a motor vehicle that is equipped with hardware and software capable of engaging in the operational and tactical aspects of operating the vehicle with the expectation that a human operator will respond appropriately to a notification by the vehicle that the operator should promptly begin or resume performance of those tasks. The bill prohibits its provisions from being construed to affect, alter, or amend the right to operate such a motor vehicle.

EFFECTIVE DATE

September 1, 2017.