

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1541

By: Rosino

AS INTRODUCED

An Act relating to autonomous vehicles; allowing fully automated vehicles to operate on public roads; providing certain conditions; requiring certain submissions to the Department of Public Safety; requiring certain law enforcement interaction plan; requiring certain proof of insurance to the Department of Public Safety; requiring autonomous vehicles to remain on the scene in the event of an accident; requiring certain reporting in the event of an accident; permitting on-demand autonomous vehicle networks under certain conditions; requiring certain registration; allowing persons to operate motor vehicles equipped with an automated driving system; providing certain conditions; allowing autonomous vehicles to operate as commercial motor vehicles under certain conditions; creating certain exceptions; amending 47 O.S. 2021, Section 6-102, which relates to exempt persons; providing exemption for autonomous driving systems; amending 47 O.S. 2021, Section 1701, which relates to definitions; modifying definition; providing certain definitions; amending 47 O.S. 2021, Section 1702, which relates to preemption and superseding; modifying preemption; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1703 of Title 47, unless there
3 is created a duplication in numbering, reads as follows:

4 A. A person may operate a fully autonomous vehicle on the
5 public roads of this state without a human driver provided that the
6 automated driving system is engaged and the vehicle meets the
7 following conditions:

8 1. If a failure of the automated driving system occurs that
9 renders that system unable to perform the entire dynamic driving
10 task relevant to its intended operational design domain, the fully
11 autonomous vehicle will achieve a minimal risk condition;

12 2. The fully autonomous vehicle is capable of operating in
13 compliance with the applicable traffic and motor vehicle safety laws
14 and regulations of this state when reasonable to do so, unless an
15 exemption has been granted by the Department of Public Safety or
16 their designee; and

17 3. When required by federal law, the vehicle bears the required
18 manufacturer's certification label indicating that at the time of
19 its manufacture it has been certified to be in compliance with all
20 applicable Federal Motor Vehicle Safety Standards, including
21 reference to any exemption granted by the National Highway Traffic
22 Safety Administration.

23 B. Prior to operating a fully autonomous vehicle on the public
24 roads of this state without a human driver, a person shall submit

1 a law enforcement interaction plan to the Department of Public
2 Safety that describes:

- 3 1. How to communicate with a fleet support specialist who is
4 available during the times the vehicle is in operation;
- 5 2. How to safely remove the fully autonomous vehicle from the
6 roadway;
- 7 3. How to recognize whether the fully autonomous vehicle is in
8 autonomous mode and steps to safely tow the vehicle; and
- 9 4. Any additional information the manufacturer or owner deems
10 necessary regarding the hazardous conditions or public safety
11 risks associated with the operation of the fully autonomous
12 vehicle.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 1704 of Title 47, unless there
15 is created a duplication in numbering, reads as follows:

16 Before operating a fully autonomous vehicle on public roads in
17 this state without a human driver, a person shall submit proof of
18 financial responsibility satisfactory to the Department of Public
19 Safety that the fully autonomous vehicle is covered by insurance or
20 proof of self-insurance that satisfies the requirements of Section
21 7-324 of this title.

22 SECTION 3. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 1705 of Title 47, unless there
24 is created a duplication in numbering, reads as follows:

1 In the event of an accident:

2 A. The fully autonomous vehicle shall remain on the scene of
3 the accident when required by Sections 10-107 or 10-108 of this
4 title, consistent with its capability under Section 4 of this Act.

5 B. The owner of the fully autonomous vehicle, or a person on
6 behalf of the vehicle owner, shall report any accidents or
7 collisions consistent with Sections 10-107 or 10-108 of this title.

8 SECTION 4. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 1706 of Title 47, unless there
10 is created a duplication in numbering, reads as follows:

11 An on-demand autonomous vehicle network shall be permitted to
12 operate pursuant to state laws governing the operation of
13 transportation network companies, taxis, or any other ground
14 transportation for-hire of passengers, with the exception that any
15 provision of the Oklahoma Transportation Network Company Service Act
16 that reasonably applies only to a human driver would not apply to
17 the operation of fully autonomous vehicles with the automated
18 driving system engaged on an on-demand autonomous vehicle network.

19 SECTION 5. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1707 of Title 47, unless there
21 is created a duplication in numbering, reads as follows:

22 A. A fully autonomous vehicle shall be properly registered in
23 accordance with the Oklahoma Vehicle Licensing and Registration Act.
24 If a fully autonomous vehicle is registered in this state, the

1 vehicle shall be identified on the registration as a fully
2 autonomous vehicle.

3 B. A fully autonomous vehicle shall be properly titled in
4 accordance with Oklahoma Vehicle Licensing and Registration Act. If
5 a fully autonomous vehicle is titled in this state, the vehicle
6 shall be identified on the title as a fully autonomous vehicle.

7 SECTION 6. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 1708 of Title 47, unless there
9 is created a duplication in numbering, reads as follows:

10 A. A person may operate a motor vehicle equipped with an
11 automated driving system capable of performing the entire dynamic
12 driving task if:

13 1. Such automated driving system will issue a request to
14 intervene whenever the automated driving system is not capable of
15 performing the entire dynamic driving task with the expectation that
16 the person will respond appropriately to such a request; and

17 2. The automated driving system is capable of being operated in
18 compliance with all rules of the road as provided in Sections 11-101
19 through 11-14 of this title when reasonable to do so unless an
20 exemption has been granted by the Department of Public Safety.

21 B. Nothing in this Act prohibits or restricts a human driver
22 from operating a fully autonomous vehicle equipped with controls
23 that allow for the human driver to control all or part of the
24 dynamic driving task.

1 SECTION 7. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1709 of Title 47, unless there
3 is created a duplication in numbering, reads as follows:

4 A fully autonomous vehicle that is also a commercial motor
5 vehicle may operate pursuant to state laws governing the operation
6 of commercial motor vehicles, except that any provision that by its
7 nature reasonably applies only to a human driver does not apply to
8 such a vehicle operating with the automated driving system engaged.

9 SECTION 8. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 1710 of Title 47, unless there
11 is created a duplication in numbering, reads as follows:

12 A fully autonomous vehicle that is designed to be operated
13 exclusively by the automated driving system for all trips is not
14 subject to motor vehicle equipment laws or regulations of this state
15 that:

- 16 A. Relate to or support motor vehicle operation by a human
17 driver seated in the vehicle; and
- 18 B. Are not relevant for an automated driving system.

19 SECTION 9. AMENDATORY 47 O.S. 2021, Section 6-102, is
20 amended to read as follows:

21 Section 6-102. A. A nonresident who is sixteen (16) years of
22 age or older may operate a motor vehicle in this state as authorized
23 by the class, restrictions, and endorsements specified on the
24 license, if the nonresident is:

1 1. Properly licensed in the home state or country to operate a
2 commercial or noncommercial motor vehicle and who has immediate
3 possession of a valid driver license issued by the home state or
4 country; or

5 2. A member of the Armed Forces of the United States or the
6 spouse or dependent of such member who has been issued and is in
7 possession of a valid driver license issued by an overseas component
8 of the Armed Forces of the United States.

9 B. A resident who is at least fifteen (15) years of age may
10 operate a vehicle in this state without a driver license, if the
11 resident is:

12 1. Operating a vehicle pursuant to subsection B of Section 6-
13 105 of this title; or

14 2. Taking the driving skills examination as required by Section
15 6-110 of this title, when accompanied by a Driver License Examiner
16 of the Department of Public Safety or by a designated examiner
17 approved and certified by the Department.

18 C. Any person, while in the performance of official duties, may
19 operate any class of motor vehicle if the person possesses any class
20 of valid Oklahoma driver license or a valid driver license issued by
21 another state, if the person is:

22 1. A member of the Armed Forces of the United States who is on
23 active duty;

1 2. A member of the military reserves, not including United
2 States reserve technician;

3 3. A member of the National Guard who is on active duty,
4 including National Guard military technicians;

5 4. A member of the National Guard who is on part-time National
6 Guard training, including National Guard military technicians; or

7 5. A member of the United States Coast Guard who is on active
8 duty.

9 D. The Commissioner of Public Safety is hereby authorized to
10 adopt rules as may be necessary to enter into reciprocity agreements
11 with foreign countries. The rules shall specify that the driver
12 license standards of the foreign country shall be comparable to
13 those of this state. The rules shall also require foreign drivers,
14 who are operating a motor vehicle in Oklahoma under such a
15 reciprocity agreement, to comply with the compulsory motor vehicle
16 liability insurance and financial responsibility laws of this state.

17 E. When an automated driving system installed on a motor
18 vehicle is engaged:

19 1. The automated driving system is considered the driver or
20 operator, for the purpose of assessing compliance with applicable
21 traffic or motor vehicle laws and shall be deemed to satisfy
22 electronically all physical acts required by a driver or operator of
23 the vehicle; and

1 2. The automated driving system is considered to be licensed to
2 operate the vehicle.

3 SECTION 10. AMENDATORY 47 O.S. 2021, Section 1701, is
4 amended to read as follows:

5 Section 1701. As used in this act:

6 A. "~~Driving automation system~~ Automated Driving System or ADS"
7 means hardware and software that are collectively capable of
8 performing ~~part or~~ the entire dynamic task on a sustained basis,
9 regardless of whether it is limited to a specific operational design
10 domain. ~~The term driving automation system is used generally to~~
11 ~~describe any system capable of level 1-5 driving automation, as~~
12 ~~specified in SAE International Recommended Practice J3016 including,~~
13 ~~but not limited to, core vehicle functions as listed in this~~
14 ~~section.~~

15 B. "Dynamic driving task or DDT" means all of the real-time
16 operational and tactical functions required to operate a vehicle in
17 on-road traffic, excluding the strategic functions such as trip
18 scheduling and selection of destinations and waypoints and including
19 without limitation:

- 20 1. Lateral vehicle motion control via steering;
- 21 2. Longitudinal vehicle motion control via acceleration and
22 deceleration;
- 23 3. Monitoring the driving environment via object and event
24 detection, recognition, classification and response preparation;

- 1 4. Object and event response execution;
- 2 5. Maneuver planning; and
- 3 6. Enhancing conspicuity via lighting, signaling and gesturing.

4 C. "DDT Fallback" means the response by the person or human
5 driver to either perform the DDT or achieve a minimal risk condition
6 after occurrence of a DDT performance-relevant system failure(s) or
7 upon operation design domain exit, or the response by an automated
8 driving system to achieve minimal risk condition, given the same
9 circumstances.

10 D. "Fully autonomous vehicle" means a motor vehicle equipped
11 with an automated driving system designed to function without a
12 human driver as a level 4 or 5 system under SAE J3016B.

13 E. "Human driver" means a natural person in the vehicle with a
14 valid license to operate a motor vehicle who controls all or part of
15 the dynamic driving task.

16 F. "Minimal risk condition" means a condition to which a
17 person, human driver, or an ADS may bring a vehicle after performing
18 the DDT Fallback in order to reduce the risk of a crash when a given
19 trip cannot or should not be completed.

20 G. "On-demand autonomous vehicle network" means a
21 transportation service network that uses a software application or
22 other digital means to dispatch or otherwise enable the pre-
23 arrangement of transportation with fully autonomous vehicles for
24 purposes of transporting passengers or goods including for-hire

1 transportation and transportation of passengers or goods for
2 compensation.

3 H. "Operational design domain or ODD" means operating
4 conditions under which a given automated driving system is
5 specifically designed to function including, but not limited to,
6 environmental, geographical, and time-of-day restrictions, and/or
7 the requisite presence or absence of certain traffic or roadway
8 characteristics.

9 I. "Person" means a natural person, corporation, business
10 trust, estate, trust, partnership, limited liability company,
11 association, joint venture, governmental agency, public corporation,
12 or any other legal or commercial entity.

13 J. "Request to intervene" means notification by an automated
14 driving system to a human driver, that the human driver should
15 promptly begin or resume performance of part or all of the dynamic
16 driving task.

17 K. "SAE J3016B" means the Taxonomy and Definitions for Terms
18 Related to Driving Automation Systems for On-Road Motor Vehicles
19 published by SAE International in June 2018.

20 SECTION 11. AMENDATORY 47 O.S. 2021, Section 1702, is
21 amended to read as follows:

22 Section 1702. A. Only the State of Oklahoma may enact a law or
23 take any other action to regulate the operation of motor vehicles
24 equipped with driving automation systems in Oklahoma.

1 B. Pursuant to subsection A of this section, the State of
2 Oklahoma:

3 1. Preempts the authority of a county or municipality to
4 prohibit, restrict or regulate the operation of motor vehicles
5 equipped with ~~driving automation~~ automated driving systems on the
6 basis of those vehicles being equipped with ~~driving automation~~
7 automated driving systems; and

8 2. Supersedes any existing law or ordinance of a county or
9 municipality that prohibits, restricts or regulates the testing or
10 operation of motor vehicles equipped with ~~driving automation~~
11 automated driving systems.

12 SECTION 12. This act shall become effective in accordance
13 with the provisions of Section 58 of Article V of the Oklahoma
14 Constitution.

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