

SECOND REGULAR SESSION

HOUSE BILL NO. 2267

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE REIBOLDT.

6128H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 303.040, RSMo, and to enact in lieu thereof six new sections relating to automated driving systems.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 303.040, RSMo, is repealed and six new sections enacted in lieu thereof, to be known as sections 303.040, 304.920, 304.923, 304.926, 304.929, and 304.932, to read as follows:

303.040. 1. The operator or owner of every motor vehicle which is involved in an accident within this state, including a nonresident operator or owner of a motor vehicle, or the owner of a legally or illegally parked car which is in any manner involved in an accident within this state, with an uninsured motorist, upon the streets or highways thereof, or on any publicly or privately owned parking lot or parking facility generally open for use by the public, in which any person is killed or injured or in which damage to property of any one person, including himself, in excess of five hundred dollars is sustained, and the owner or operator of every motor vehicle which is involved in an accident within this state if such owner or operator does not carry motor vehicle liability insurance shall, within thirty days after such accident, report the matter in writing to the director. Such report, the form of which shall be prescribed by the director, shall provide the operator with notice of the following:

(1) That it is the responsibility of the operator, not the state, to bring an action at law on the claim of the operator arising out of the accident;

(2) That the security deposited shall only be applied to the payment of a judgment against the person or persons on whose behalf the deposit was made;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (3) That the department of revenue shall return the deposit to the depositor after the
17 expiration of one year from the date of the accident, or as otherwise provided in section 303.060.
18 In addition, the report shall contain such information as will enable the director to determine
19 whether the requirements for the deposit of security under section 303.030 are inapplicable by
20 reason of the existence of insurance or other exceptions specified in this chapter, or whether the
21 required financial responsibility has been met by the owner or operator of the motor vehicle as
22 required by section 303.025. The director may rely upon the accuracy of such information unless
23 and until he has reason to believe that the information is erroneous. If such operator be
24 physically incapable of making such report, the owner of the motor vehicle involved in such
25 accident shall, within thirty days after learning of the accident, make such report. If the operator
26 is also the owner and is incapable of filing such report as is required by this section, then the
27 report will be filed as soon as the operator-owner is so capable. If the report is late by reason of
28 incapability, a doctor's certificate must accompany the report certifying same. The operator or
29 the owner shall furnish such additional relevant information as the director shall require.

30 **2. For purposes of this section, where a vehicle equipped with an automated driving**
31 **system, as such term is defined in section 304.920, operating without a conventional human**
32 **driver present is involved in an accident requiring a motor vehicle accident report to be**
33 **made under this section, the owner or a person on behalf of the owner shall make such**
34 **report within thirty days after learning of the accident and shall be deemed to be involved**
35 **in the accident for purposes of this section.**

36 **3.** If any party involved in an accident files a report under this section, the director shall
37 notify, within ten days after receipt of the report, all other parties involved in the accident as
38 specified in the report that a report has been filed and such other parties shall then furnish, within
39 ten days, the director with such information as the director may request.

40 ~~[3-]~~ **4.** If any party involved in an accident in this state is a nonresident uninsured
41 motorist, the nonresident uninsured operator or owner of the motor vehicle and any law
42 enforcement agency responding to such accident shall report the involvement of an uninsured
43 nonresident motorist in an accident occurring in this state to the director, and any resident
44 operator or owner of a motor vehicle involved in an accident with an uninsured nonresident
45 motorist may report such accident to the director in accordance with the provisions of
46 subsections 1 and 2 of this section.

304.920. As used in sections 304.920 to 304.932, the following terms shall mean:

2 **(1) "Automated driving system" or "ADS", the hardware and software that are**
3 **collectively capable of performing an entire dynamic driving task within its specific**
4 **operational design domain independent of real-time input by a conventional human driver;**

5 (2) "ADS-equipped vehicle", a vehicle equipped with an automated driving system,
6 as defined in this section;

7 (3) "Driverless-capable vehicle", a vehicle equipped with an ADS capable of
8 performing all aspects of the dynamic driving task within its operational design domain,
9 including achieving a minimal risk condition, without any intervention or supervision by
10 a conventional human driver;

11 (4) "Department", the department of revenue;

12 (5) "Dynamic driving task", the combination of all of the real-time functions
13 required to operate a vehicle within its specific operational design domain, excluding
14 strategic functions such as trip scheduling and selection of destinations and waypoints;

15 (6) "Minimal risk condition", a reasonably safe state to which an automated
16 driving system brings an ADS-equipped vehicle that experiences a malfunction of the ADS
17 that renders the vehicle unable to continue performing a dynamic driving task, such as
18 bringing the vehicle to a complete stop and activating the hazard lamps;

19 (7) "Operational design domain", the conditions in which an ADS is designed to
20 properly operate, including but not limited to roadway types, speed range, environmental
21 conditions such as weather and lighting, and other constraints. An ADS-equipped vehicle
22 with no such constraints shall be deemed to always be within its operational design domain.

 304.923. 1. Operation on the public roads of this state of an ADS-equipped vehicle
2 while a conventional human driver is present shall be lawful, subject to the laws and
3 regulations of this state applicable to a conventional human driver and conventional motor
4 vehicle of the same classification.

5 2. A driverless-capable vehicle may operate on the public roads of this state without
6 a conventional human driver, provided the vehicle meets the following conditions:

7 (1) While in driverless operation, the vehicle is capable of achieving a minimal risk
8 condition if a malfunction of the ADS occurs that renders the system unable to perform the
9 entire dynamic driving task within the scope of its operational design domain;

10 (2) While in driverless operation, the vehicle is capable of operating in compliance
11 with the applicable traffic and motor vehicle laws and regulations of this state, unless an
12 exemption has been granted by the department;

13 (3) The ADS feature, while engaged, is designed to operate only within its
14 operational design domain and in compliance with the applicable traffic and motor safety
15 laws and regulations of this state, unless an exemption has been granted by the
16 department; and

17 (4) The vehicle has been certified to be in compliance with all applicable federal
18 motor vehicle safety standards, except to the extent an exemption has been granted under
19 federal law.

20 3. Except as provided in this section, no motor vehicle laws of this state shall be
21 construed as requiring a conventional human driver to operate a driverless-capable vehicle
22 that is being operated by an automated driving system. The automated driving system of
23 such vehicle, when engaged, shall be deemed to perform any physical acts required of a
24 conventional human driver to perform the dynamic driving task.

 304.926. Before an ADS-equipped vehicle may operate on public roads in this state,
2 a person shall submit to the department proof of financial responsibility, as defined in
3 section 303.020, for the vehicle.

 304.929. 1. Notwithstanding any state or local law to the contrary, driverless-
2 capable vehicles may provide transportation of persons or goods for compensation,
3 including:

4 (1) For-hire transportation;

5 (2) Public transportation;

6 (3) Prearranged rides, as defined in section 387.400; and

7 (4) Transportation for multiple passengers who agree to share the ride in whole or
8 in part.

9 2. An entity may connect passengers to driverless-capable vehicles exclusively or
10 as part of a digital network that also connects passengers to human drivers who provide
11 transportation services, consistent with applicable law, in vehicles that are not driverless-
12 capable vehicles.

 304.932. 1. Except where expressly referenced, vehicles equipped with an
2 automated driving system are governed exclusively by sections 304.920 to 304.932. The
3 director of the department of revenue may promulgate rules necessary to implement these
4 sections. The department shall be the sole agency that may implement the provisions of
5 these sections. Any rule or portion of a rule, as that term is defined in section 536.010 that
6 is created under the authority delegated in this section shall become effective only if it
7 complies with and is subject to all of the provisions of chapter 536 and, if applicable,
8 section 536.028. This section and chapter 536 are nonseverable, and if any of the powers
9 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
10 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
11 grant of rulemaking authority and any rule proposed or adopted after August 28, 2018,
12 shall be invalid and void.

13 **2. No political subdivision of this state shall impose a tax or other requirement,**
14 **including performance standards, where such tax or other requirement relates specifically**
15 **to the operation of ADS-equipped vehicles, automated driving systems, or transportation**
16 **services provided under section 304.929.**

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