

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NOS. 2069 & 2208

103RD GENERAL ASSEMBLY

4899H.02P

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 304, RSMo, by adding thereto eight new sections relating to autonomous vehicles.

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

Section A. Chapter 304, RSMo, is amended by adding thereto eight new sections, to
2 be known as sections 304.920, 304.923, 304.926, 304.927, 304.928, 304.929, 304.931, and
3 304.932, to read as follows:

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

- 2 (1) "Automated driving system", the hardware and software that are collectively
3 capable of performing the entire dynamic driving task on a sustained basis, regardless
4 of whether it is limited to a specific operational design domain;
- 5 (2) "Dynamic driving task", all of the real-time operational and tactical
6 functions required to operate a vehicle in on-road traffic, excluding the strategic
7 functions such as trip scheduling and selection of destinations and way points, and
8 including, but not limited to:
 - 9 (a) Lateral vehicle motion control via steering;
 - 10 (b) Longitudinal motion control via acceleration and deceleration;
 - 11 (c) Monitoring the driving environment via object and event detection,
12 recognition, classification, and response preparation;
 - 13 (d) Object and event response execution;
 - 14 (e) Maneuver planning; and
 - 15 (f) Enhancing conspicuity via lighting, signaling, and gesturing;

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) "Dynamic driving task fallback", the response by the person or human**
17 **driver to either perform the dynamic driving task or achieve a minimal risk condition**
18 **after occurrence of a dynamic driving task performance-relevant system failure or**
19 **failures or upon operational design domain exit, or the response by an automated**
20 **driving system to achieve minimal risk condition, given the same circumstances;**

21 **(4) "Fully autonomous vehicle", a motor vehicle equipped with an automated**
22 **driving system designed to function without a human driver as a level 4 or level 5 system**
23 **under SAE J3016B;**

24 **(5) "Human driver", a natural person in the vehicle with a valid license to**
25 **operate a motor vehicle who controls all or part of the dynamic driving task;**

26 **(6) "Minimal risk condition", a condition to which a person, human driver, or an**
27 **automated driving system may bring a vehicle after performing the dynamic driving**
28 **task fallback in order to reduce the risk of a crash when a given trip cannot or should**
29 **not be completed;**

30 **(7) "On-demand autonomous vehicle network", a transportation service**
31 **network that uses a software application or other digital means to dispatch or**
32 **otherwise enable the prearrangement of transportation with fully autonomous vehicles**
33 **for purposes of transporting passengers or goods, including for-hire transportation and**
34 **transportation of passengers or goods for compensation;**

35 **(8) "Operational design domain", operating conditions under which a given**
36 **automated driving system is specifically designed to function including, but not limited**
37 **to, environmental, geographical, and time-of-day restrictions, or the requisite presence**
38 **or absence of certain traffic or roadway characteristics;**

39 **(9) "Person", a natural person, corporation, business trust, estate, trust,**
40 **partnership, limited liability company, association, joint venture, governmental agency,**
41 **public corporation, or any other legal or commercial entity;**

42 **(10) "Request to intervene", notification by an automated driving system to a**
43 **human driver that the human driver should promptly begin or resume performance of**
44 **part or all of the dynamic driving task;**

45 **(11) "SAE J3016B", the "Taxonomy and Definitions for Terms Related to**
46 **Driving Automation Systems for On-Road Motor Vehicles", published by SAE**
47 **International in April 2021.**

304.923. 1. A person may operate a fully autonomous vehicle on the public roads
2 **of this state without a human driver, provided that the automated driving system is**
3 **engaged and the vehicle meets the following conditions:**

4 **(1) If a failure of the automated driving system occurs that renders the system**
5 **unable to perform the entire dynamic driving task relevant to its intended operational**
6 **design domain, the fully autonomous vehicle will achieve a minimal risk condition;**

7 **(2) The fully autonomous vehicle is capable of operating in compliance with the**
8 **applicable traffic and motor vehicle safety laws and regulations of this state when**
9 **reasonable to do so, including, but not limited to, safely negotiating railroad crossings,**
10 **unless an exemption has been granted by the department of public safety. The**
11 **department of public safety shall consult with any railroad company operating in this**
12 **state when considering an exemption under this section that affects the operation of a**
13 **fully autonomous vehicle at railroad crossings. Any exemption that is granted shall**
14 **comply with the most recently published edition of the federal highway administration's**
15 **manual on uniform traffic control devices and any regulations promulgated by the**
16 **federal motor carrier safety administration;**

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

22 **2. Prior to operating a fully autonomous vehicle on the public roads of this state**
23 **without a human driver, a person shall submit a law enforcement interaction plan to the**
24 **department of public safety that describes:**

25 **(1) How to communicate with a fleet support specialist who is available during**
26 **the times the vehicle is in operation;**

27 **(2) How to safely remove the fully autonomous vehicle from the roadway and**
28 **steps to safely tow the vehicle;**

29 **(3) How to recognize whether the fully autonomous is in autonomous mode; and**

30 **(4) Any additional information the manufacturer or owner deems necessary**
31 **regarding hazardous conditions or public safety risks associated with the operation of**
32 **the fully autonomous vehicle.**

33 **3. A natural person who is not physically situated in the driver's seat of a fully**
34 **autonomous vehicle and who provides real-time operational and tactical function**
35 **performance data related to the dynamic driving task fallback, including, but not**
36 **limited to, real-time braking, steering, acceleration, and transmission shifting, shall be**
37 **physically present in the United States of America and maintain a validly issued driver's**
38 **license from a state, territory, or possession of the United States of America.**

304.926. 1. When an automated driving system installed on a motor vehicle is
2 **engaged:**

3 **(1) The automated driving system is considered the driver or operator, for the**
4 **purpose of assessing compliance with applicable traffic or motor vehicle laws and shall**
5 **be deemed to satisfy electronically all physical acts required by a driver or operator of**
6 **the vehicle; and**

7 **(2) The automated driving system is considered to be licensed to operate the**
8 **vehicle.**

9 **2. Before operating a fully autonomous vehicle on public roads in this state**
10 **without a human driver, a person shall submit to the department of revenue proof of**
11 **financial responsibility, as defined in section 303.020, for the vehicle.**

12 **3. In the event of a crash:**

13 **(1) The fully autonomous vehicle shall remain on the scene of the crash when**
14 **required under section 303.040, consistent with its capability under section 304.923; and**

15 **(2) The owner of the fully autonomous vehicle, or a person on behalf of the**
16 **vehicle owner, shall report any crashes or collisions consistent with section 303.040.**

304.927. An on-demand autonomous vehicle network shall be permitted to
2 **operate pursuant to state laws governing the operation of transportation network**
3 **companies, taxis, or any other ground transportation for-hire of passengers, with the**
4 **exception that any provision of this chapter that reasonably applies only to a human**
5 **driver would not apply to the operation of fully autonomous vehicles with the automated**
6 **driving system engaged on an on-demand autonomous vehicle network.**

304.928. 1. A fully autonomous vehicle shall be properly registered in
2 **accordance with chapter 301. If a fully autonomous vehicle is registered in this state, the**
3 **vehicle shall be identified on the registration as a fully autonomous vehicle.**

4 **2. A fully autonomous vehicle shall be properly titled in accordance with chapter**
5 **301. If a fully autonomous vehicle is titled in this state, the vehicle shall be identified on**
6 **the title as a fully autonomous vehicle.**

7 **3. Any corporation or other business entity subject to the provisions of this**
8 **section shall be subject to personal jurisdiction of the courts of this state consistent with**
9 **section 506.500.**

304.929. 1. A person may operate a motor vehicle equipped with an automated
2 **driving system capable of performing the entire dynamic driving task if:**

3 **(1) Such automated driving system will issue a request to intervene whenever the**
4 **automated driving system is not capable of performing the entire dynamic driving task**
5 **with the expectation that the person will respond appropriately to such a request; and**

6 **(2) The automated driving system is capable of being operated in compliance**
7 **with applicable law when reasonable to do so unless an exemption has been granted by**
8 **the department of public safety.**

9 **2. Nothing in sections 304.920 to 304.932 prohibits or restricts a human driver**
10 **from operating a fully autonomous vehicle equipped with controls that allow for the**
11 **human driver to control all or part of the dynamic driving task.**

12 **3. (1) The owner of a fully autonomous vehicle shall be responsible for any civil**
13 **liability resulting from the acts or omissions of the automated driving system;**

14 **(2) When an automated driving system is engaged in the operation of a motor**
15 **vehicle and performing the dynamic driving task, the automated driving system shall be**
16 **deemed a driver for purposes of determining compliance with traffic laws and for civil**
17 **liability arising from the operation of the motor vehicle;**

18 **(3) For the purposes of any civil action alleging negligence arising out of the**
19 **operation of a motor vehicle while an automated driving system was engaged, the**
20 **automated driving system shall be evaluated under the careful and prudent person**
21 **standard applicable to drivers of motor vehicles under section 304.012;**

22 **(4) The performance of an automated driving system shall be measured on**
23 **whether the automated driving system operated the vehicle in a manner consistent with**
24 **a careful and prudent driver under the same or similar circumstances;**

25 **(5) Nothing in this subsection shall be construed to confer legal personhood upon**
26 **an automated driving system. The provisions of this subsection solely establish the**
27 **standard of care applicable to the operation of the vehicle when the automated driving**
28 **system is engaged.**

304.931. A fully autonomous vehicle that is designed to be operated exclusively
2 **by the automated driving system for all trips is not subject to motor vehicle equipment**
3 **laws or regulations of this state that:**

4 **(1) Relate to or support motor vehicle operation by a human driver seated in the**
5 **vehicle; and**

6 **(2) Are not relevant to an automated driving system.**

304.932. 1. Unless otherwise provided in this chapter and notwithstanding any
2 **other provision of law to the contrary, fully autonomous vehicles and automated driving**
3 **systems are governed exclusively by sections 304.920 to 304.932. The director of the**
4 **department of public safety may promulgate rules necessary to implement these**
5 **sections. The department shall be the sole agency that may implement the provisions of**
6 **these sections, except as provided in sections 304.926 to 304.928. Any rule or portion of**
7 **a rule, as that term is defined in section 536.010 that is created under the authority**
8 **delegated in this section shall become effective only if it complies with and is subject to**
9 **all of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
10 **chapter 536 are nonseverable and if any of the powers vested with the general assembly**
11 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**

12 a rule are subsequently held unconstitutional, then the grant of rulemaking authority
13 and any rule proposed or adopted after August 28, 2026, shall be invalid and void.

14 2. No state agency, political subdivision, municipality, or local entity shall
15 prohibit the operation of fully autonomous vehicles, automated driving systems, or on-
16 demand autonomous vehicle networks, or otherwise enact or keep in force rules or
17 ordinances that would impose taxes, fees, or other requirements, including performance
18 standards, specific to the operation of fully autonomous vehicles, automated driving
19 systems, or on-demand autonomous vehicle networks in addition to the requirements of
20 sections 304.920 to 304.932.

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