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HOUSE FLOOR AMENDMENTS

2019 Regular Session

Amendments proposed by Representative Terry Landry to Engrossed House Bill No. 455
by Representative Terry Landry

1 AMENDMENT NO. 1

2 On page 1, line 3, change "400.5" to "400.8"

3 AMENDMENT NO. 2

4 On page 1, line 8, after "accident;" insert "to provide relative to remote drivers and
5 teleoperations systems; to provide relative to liability and jurisdiction;"

6 AMENDMENT NO. 3

7 On page 1, line 11, change "400.5" to "400.8"

8 AMENDMENT NO. 4

9 On page 1, at the end of line 17, delete "of an autonomous" and at the beginning of line 18
10 delete "commercial motor vehicle"

11 AMENDMENT NO. 5

12 On page 2, between lines 3 and 4, insert the following:

13 "(3) "Commercial motor vehicle" means a motor vehicle or combination of
14 motor vehicles used in commerce to transport passengers or property if the motor
15 vehicle has a gross combination weight rating of twenty-six thousand one or more
16 pounds inclusive of a towed unit with a gross vehicle weight rating of more than ten
17 thousand pounds.

18 (4) "Conventional human driver" means a driver who manually exercises in-
19 vehicle braking, accelerating, steering, and transmission gear selection input devices
20 in order to operate a vehicle."

21 AMENDMENT NO. 6

22 On page 2, delete lines 4 and 5 in their entirety

23 AMENDMENT NO. 7

24 On page 2, line 6, change "(4)" to "(5)" and after "means" and before "the" insert "all of"

25 AMENDMENT NO. 8

26 On page 2, at the end of line 7, delete "within its specific" and at the beginning of line 8,
27 delete "operational design domain, if any"

28 AMENDMENT NO. 9

29 On page 2, delete lines 10 through 13 in their entirety and insert the following:

1 "(6) "Minimal risk condition" means a condition to which a user or an
2 automated driving system may bring a vehicle in order to reduce the risk of a crash
3 upon experiencing a failure of the vehicle's automated driving system that renders
4 the vehicle unable to perform the entire dynamic driving task."

5 AMENDMENT NO. 10

6 On page 2, at the beginning of line 14, change "(6)" to "(7)"

7 AMENDMENT NO. 11

8 On page 2, delete lines 18 through 21 in their entirety and insert the following:
9 "(8) "Remote driver" means a natural person who is seated in an autonomous
10 commercial motor vehicle, but is able to perform the entire dynamic driving task."

11 AMENDMENT NO. 12

12 On page 2, line 22, change "(8)" to "(9)" and change "in" to "on"

13 AMENDMENT NO. 13

14 On page 2, line 23, delete "human" and delete "commercial motor"

15 AMENDMENT NO. 14

16 On page 3, between lines 4 and 5, insert the following:

17 "C. The provisions of this Section shall not be construed to limit the
18 applicability of state dealer franchise laws under the provisions of R.S. 32:1251
19 through 1269."

20 AMENDMENT NO. 15

21 On page 3, line 5, change "Operations" to "Operation; criteria"

22 AMENDMENT NO. 16

23 On page 3, delete lines 6 through 27 in their entirety

24 AMENDMENT NO. 17

25 On page 4, delete lines 1 through 7 in their entirety and insert the following:

26 "A. Notwithstanding any other provision of law to the contrary, an
27 autonomous commercial motor vehicle may operate in this state without a
28 conventional driver physically present in the vehicle if the autonomous commercial
29 motor vehicle meets all of the following criteria:

30 (1) Is capable of operating in compliance with applicable federal law and the
31 traffic and motor vehicle laws of this state including but not limited to applicable
32 laws concerning the capability to safely navigate and negotiate railroad crossings.

33 (2) Is properly registered and titled in accordance with R.S. 32:701 et seq.,
34 and R.S. 47:463.

35 (3) Is certified in accordance with 49 CFR Part 567 as being in compliance
36 with federal motor vehicle safety standards and bears the required certification label
37 or labels, including reference to any exemption granted under applicable federal law.

38 (4) Is capable of achieving a minimal risk condition if a failure occurs
39 rendering the vehicle unable to perform the dynamic driving task relevant to its
40 intended operational design domain or if the vehicle exits its operational design
41 domain.

1 (5) Is covered by motor vehicle liability coverage in an amount not less than
2 two million dollars.

3 B. The registration of an autonomous commercial motor vehicle shall not be
4 interpreted to abrogate or amend any statutory or regulatory provisions or any
5 aspects of law pertaining to liability for any harm or injury caused.

6 C. Prior to commencing the operation of an autonomous commercial motor
7 vehicle without a conventional driver present in the cab, a person or entity shall
8 submit a written statement to the Department of Transportation and Development
9 certifying that the vehicle meets the requirements of this Section."

10 AMENDMENT NO. 18

11 On page 4, delete lines 9 through 15 in their entirety and insert the following:

12 "The automated driving system of an autonomous commercial motor vehicle
13 and the person or entity required to submit a statement to the Department of
14 Transportation and Development pursuant to the provisions of R.S. 32:400.3(C) shall
15 be subject to all applicable laws, rules, ordinances, and statutes of this state and will
16 be considered to be licensed to operate the vehicle. The person or entity operating
17 the autonomous commercial motor vehicle may be issued a traffic citation or other
18 applicable penalty if the vehicle fails to comply with any traffic or motor vehicle
19 laws of this state."

20 AMENDMENT NO. 19

21 On page 4, line 19, after "accident" delete the comma "," and "as required by R.S. 14:100,"

22 AMENDMENT NO. 20

23 On page 4, at the beginning of line 20, delete "owner or" and after "behalf of the" delete
24 "owner or"

25 AMENDMENT NO. 21

26 On page 4, after line 23, add the following:

27 "§400.6. Remote drivers; teleoperations; compliance

28 A. When a remote driver is operating a commercial motor vehicle, the
29 remote driver shall be considered to be the operator of the vehicle for the purpose of
30 assessing compliance with applicable traffic or motor vehicle laws, including the
31 rules of the road.

32 B. The remote driver shall hold the proper class of license required for a
33 conventional driver to operate the vehicle.

34 C. If an accident occurs involving a commercial motor vehicle equipped with
35 a teleoperation system while the teleoperation system is engaged, the vehicle shall
36 remain at the scene of the accident and the owner or remote driver shall comply with
37 the provisions of R.S. 32:398 relative to contacting the appropriate law enforcement
38 agency and furnishing all relevant information.

39 §400.7. Teleoperations; operation; criteria

40 A. Notwithstanding any other provision of law to the contrary, a commercial
41 motor vehicle equipped with a teleoperation system may operate in this state without
42 a conventional driver physically present in the vehicle if a remote driver is operating
43 the vehicle and the commercial motor vehicle meets all of the following criteria:

44 (1) Is properly registered.

45 (2) Is in compliance with applicable federal law.

46 (3) Is certified in accordance with 49 CFR Part 567 as being in compliance
47 with federal motor vehicle safety standards and bears the required certification label
48 or labels, including reference to any exemption granted under applicable federal law.

1 (4) Is capable of being operated in compliance with the applicable traffic and
2 motor vehicle laws of this state, regardless of whether the vehicle is operated by a
3 remote driver including but not limited to applicable laws concerning the capability
4 to safely navigate and negotiate railroad crossings.

5 (5) Is covered by motor vehicle liability coverage in an amount not less than
6 two million dollars.

7 (6) Is capable of achieving a reasonably safe state, such as bringing the
8 vehicle to a stop, if a failure of the teleoperation system occurs that renders the
9 remote driver unable to perform the entire dynamic driving task for the vehicle.

10 B. Prior to commencing the operation of a commercial motor vehicle without
11 a conventional driver present in the cab, an owner, a remote driver, or the remote
12 driver's employer shall submit a written statement to the Department of
13 Transportation and Development certifying that the vehicle meets the requirements
14 of this Section.

15 §400.8. Liability; jurisdiction

16 The provisions of this Part shall not be construed to repeal, modify, or
17 preempt any liability that may be incurred pursuant to existing law applicable to a
18 vehicle owner, operator, manufacturer, component part supplier, or retailer, including
19 any law that may apply to jurisdiction for any bodily injury or property damage
20 claims arising out of this Part. All choice of law conflicts, with respect to bodily
21 injury or property damage claims, shall be resolved in accordance with Louisiana
22 law."