

- SUBJECT:** Specifying requirements for the operation of autonomous vehicles
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 10 ayes — Morrison, Martinez, Burkett, Y. Davis, Goldman, Israel, Minjarez, Simmons, E. Thompson, Wray
- 1 nay — Phillips
- 2 absent — Pickett, S. Thompson
- SENATE VOTE:** On final passage, April 27 — 31-0
- WITNESSES:** For — John T. Montford, General Motors; Jim Grace, Waymo, LLC; (*Registered, but did not testify:* Jason Winborn, AT&T; Laird Doran, Gulf States Toyota, Inc.; Melody Clark, Lockheed Martin Corporation; Caroline Joiner, TechNet; Stephanie Simpson, Texas Association of Manufacturers; Lori McMahon, Toyota Motor North America)
- Against — None
- On — John McCraw, Texas Trial Lawyers Association; (*Registered, but did not testify:* Jeremiah Kuntz, Texas Department of Motor Vehicles; Jeff Graham, Texas Department of Transportation)
- DIGEST:** SB 2205 would explicitly allow an automated motor vehicle to operate on highways in the state of Texas, with or without a human operator, provided that the vehicle was:
- capable of operating in compliance with traffic laws;
 - equipped with a recording device that may record velocity, location data, steering or brake performance;
 - compliant with federal law and federal motor vehicle safety standards;
 - registered and titled in accordance with Texas law; and

- covered by liability insurance or otherwise self-insured in accordance with existing Texas law.

The bill also would provide that when an automated driving system capable of operating without a human driver was active, the owner of the system was considered to be the operator of the vehicle for the purpose of assessing compliance with traffic laws, regardless of whether the person was physically in the vehicle. The vehicle or any human operator would be required to comply with certain existing provisions of law relating to duties of a driver following an accident.

The bill would prohibit a political subdivision of the state or a state agency from imposing a franchise or other regulation relating to the operation of an automated vehicle or system. Additionally, the bill would provide that automated vehicles and driving systems capable of operating without a human driver would be governed exclusively by the provisions created in the bill, aside from specific exceptions, such as insurance and accident-related duties mentioned above.

The bill would take effect September 1, 2017, and would apply only to certain autonomous vehicles capable of performing the entire dynamic driving task.

**SUPPORTERS
SAY:**

SB 2205 would allow manufacturers and developers of autonomous cars the regulatory certainty needed to test vehicles on Texas roads while also preserving public safety. Autonomous cars still would be required to meet all federal and state safety standards, which they already have a strong incentive to exceed in order to keep a positive impression in the minds of consumers. This bill would help entities creating self-driving cars develop and test their vehicles with a full understanding of the regulatory obligations they must fulfill, without imposing onerous or detrimental requirements that would inhibit the development of the technology.

The bill does not need to impose greater insurance requirements because the damage that could be caused by an autonomous vehicle would not be greater than damage caused by a human driver, and thus higher limits than

what is currently required of a human driver are not needed. In any case, autonomous vehicles have proven thus far to be more safe than human drivers and should become even safer as the technology develops.

OPPONENTS
SAY:

The Legislature should not establish regulations that could inhibit the development of an emerging technology. The technology could develop beyond what is currently foreseen and the regulatory framework established by the bill could prove limiting. Instead, Texas should allow the market to regulate itself to the extent possible.

OTHER
OPPONENTS
SAY:

SB 2205 should increase the requirements for insurance beyond the standard insurance required for an ordinary driver. There is a possibility that vehicles could be retrofitted with autonomous technology by smaller companies that may be unable to pay for damages caused by mistakes made by their autonomous vehicles. Therefore, the bill should require higher policy limits so that drivers are not harmed and then not compensated.