

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 989**

Introduced by Wishart, 27.

Read first time January 11, 2018

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to transportation; to authorize the testing of
- 2 autonomous vehicles by a city of the primary class on its roadways;
- 3 to provide powers and duties for the Department of Transportation;
- 4 to define terms; and to provide for termination.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1.   (1) The purpose of this section, notwithstanding any  
2 other motor vehicle law, rule, or regulation to the contrary, is to allow  
3 a city of the primary class or a partnership of such city and a private  
4 entity or entities to conduct pilot projects involving the testing of  
5 autonomous vehicles, if conducted in accordance with the requirements of  
6 this section.

7           (2) A city, either alone or in partnership with a private entity or  
8 entities, is authorized to conduct a pilot project for the testing of  
9 autonomous vehicles, including autonomous vehicles without a driver, a  
10 driver's seat, a steering wheel, a brake pedal, or an accelerator pedal,  
11 if the following practices, procedures, and restrictions are complied  
12 with:

13           (a) The testing shall be limited to an area designated by the city  
14 within the city's boundaries;

15           (b) The autonomous vehicle shall operate at speeds no faster than  
16 thirty-five miles per hour; and

17           (c) Prior to the start of testing an autonomous vehicle that does  
18 not have a driver seated in a driver's seat on a public roadway, the  
19 city, or if in partnership with a private entity or entities, the  
20 partnership, shall:

21           (i) Obtain an instrument of insurance, a surety bond, or proof of  
22 self-insurance in an amount of at least five million dollars for all  
23 claims per occurrence and shall provide evidence of insurance, surety  
24 bond, or proof of self-insurance as set forth in the Motor Vehicle Safety  
25 Responsibility Act; and

26           (ii) Submit a detailed description of the testing to the Department  
27 of Transportation. The detailed description shall include:

28           (A) Verification that prior to testing on public roadways, the  
29 autonomous vehicle has been tested under controlled conditions that  
30 simulate as closely as practicable the real world conditions that the  
31 autonomous vehicle will be subject to during the testing, and that the

1 city, whether alone or in partnership with a private entity or entities,  
2 has made a reasonable determination that it is safe to operate the  
3 autonomous vehicle on public roadways under such conditions;

4 (B) Evidence that the city department with jurisdiction over the  
5 public roadways of the city approved the designated testing area and  
6 environmental, traffic, and speed conditions authorized for purposes of  
7 the testing;

8 (C) Verification that the autonomous vehicle can only operate in  
9 autonomous mode in the designated testing area under the environmental,  
10 traffic, and speed conditions authorized in the testing;

11 (D) Verification that the testing complies, or will comply, with  
12 National Highway Traffic Safety Administration Automated Driving Systems  
13 2.0: A Vision for Safety, on the safe testing, deployment, and operation  
14 of autonomous vehicles;

15 (E) Verification that the autonomous vehicle used in the testing  
16 complies with all applicable federal Motor Vehicle Safety Standards, or  
17 written evidence of an exception from the standards from the National  
18 Highway Traffic Safety Administration;

19 (F) Identify to the Department of Transportation the autonomous  
20 vehicles that are to be tested on public roadways. For each autonomous  
21 vehicle, the manufacturer shall provide to the department the make,  
22 model, and model year of the autonomous vehicle, the full vehicle  
23 identification number, the license plate number, and the state of  
24 registration;

25 (G) Verification that the autonomous vehicle is equipped with a  
26 communication link between the autonomous vehicle and a remote operator  
27 to provide information on the autonomous vehicle's location and status  
28 and to allow two-way communication between the remote operator and any  
29 passenger participants if the autonomous vehicle experiences any failures  
30 that would endanger the safety of the autonomous vehicle's passenger  
31 participants or other roadway users while the autonomous vehicle is

1 operating without a driver;

2 (H) Verification that the autonomous vehicle is designed to detect  
3 and respond to roadway conditions in compliance with the Rules of the  
4 Road and local traffic regulations applicable to the operation of motor  
5 vehicles; and

6 (I) A copy of a law enforcement interaction plan, which shall  
7 include information that the city will provide to law enforcement  
8 agencies whose jurisdiction covers the designated testing area of the  
9 project to inform those agencies on how to interact with the autonomous  
10 vehicle in emergency and traffic enforcement situations.

11 (3) The operator of the autonomous vehicle technology tested  
12 pursuant to this section shall disclose to passenger participants in the  
13 testing what personal information, if any, concerning the passenger  
14 participants is collected by an autonomous vehicle.

15 (4) For the testing of autonomous vehicles, the Department of  
16 Transportation may require data collection for evaluating the safety of  
17 the autonomous vehicles, including, but not limited to:

18 (a) A report to the department of any collision involving the  
19 operation of the autonomous vehicle on a public roadway that resulted in  
20 property damage or in bodily injury or death. Collisions shall be  
21 reported within ten days after the collision in the form and manner  
22 specified by the department; and

23 (b) The submission of an annual report in the form and manner  
24 specified by the department summarizing information on unplanned  
25 disengagements that occurred while the autonomous vehicle was tested on  
26 public roadways.

27 (5) For purposes of this section:

28 (a) Autonomous vehicle means a motor vehicle that can guide itself  
29 without human conduction;

30 (b) City means a city of the primary class; and

31 (c) Disengagement means a deactivation of the autonomous mode when a

1 failure of the autonomous technology is detected or when the safe  
2 operation of the autonomous vehicle required disengagement from the  
3 autonomous mode.

4 (6) This section does not limit the authority of the Department of  
5 Transportation to adopt and promulgate rules and regulations governing  
6 the testing and operation of autonomous vehicles on public roadways, with  
7 or without the presence of a driver inside the autonomous vehicle.

8 (7) This section terminates four years after the effective date of  
9 this act.