

AMENDMENTS TO LB142

Introduced by Geist, 25.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 60-3301, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 60-3301 For purposes of sections 60-3301 to 60-3311 and section 6 of
6 this act, the following definitions apply:

7 (1) Automated driving system means the hardware and software that
8 are collectively capable of performing the entire dynamic driving task on
9 a sustained basis regardless of whether it is limited to a specific
10 operational design domain, if any;

11 (2) Automated-driving-system-equipped vehicle means a motor vehicle
12 equipped with an automated driving system;

13 (3) Automated driving system manufacturer means the manufacturer of
14 the automated driving system;

15 (4) {3} Conventional human driver means a human person who manually
16 exercises in-vehicle braking, accelerating, steering, and transmission
17 gear selection input devices in order to operate a motor vehicle;

18 (5) {4} Department means the Department of Motor Vehicles;

19 (6) {5} Driverless-capable vehicle means a motor vehicle equipped
20 with an automated driving system capable of performing all aspects of the
21 dynamic driving task within its operational design domain, if any,
22 including achieving a minimal risk condition, without any intervention or
23 supervision by a conventional human driver;

24 (7) {6} Dynamic driving task means all of the real-time operational
25 and tactical functions required to operate a motor vehicle within its
26 specific operational design domain, if any, excluding the strategic
27 functions such as trip scheduling and selection of destinations and

1 waypoints;

2 ~~(8)~~ (7) Minimal risk condition means a reasonably safe state to
3 which an automated driving system brings an automated-driving-system-
4 equipped vehicle upon experiencing a performance-related failure of the
5 vehicle's automated driving system that renders the vehicle unable to
6 perform the entire dynamic driving task, such as bringing the vehicle to
7 a complete stop and activating the hazard lamps;

8 ~~(9)~~ (8) On-demand driverless-capable vehicle network means a
9 transportation service network that uses a software application or other
10 digital means to dispatch driverless-capable vehicles for purposes of
11 transporting persons or goods, including for-hire transportation,
12 transportation for compensation, and public transportation; and

13 ~~(10)~~ (9) Operational design domain means a description of the
14 specific operating domain in which an automated driving system is
15 designed to properly operate, including, but not limited to, roadway
16 types, speed range, environmental conditions such as weather and time of
17 day, and other domain constraints.

18 Sec. 2. Section 60-3304, Revised Statutes Cumulative Supplement,
19 2018, is amended to read:

20 60-3304 Before an automated-driving-system-equipped vehicle may
21 operate on the public roads of this state, (1) the vehicle manufacturer
22 as defined in section 60-1401.24 and the automated driving system
23 manufacturer shall provide evidence to the department of ability to
24 respond to damages for liability in the amount of at least five million
25 dollars, to include minimum coverage of one million dollars per vehicle
26 per occurrence, and (2) a person shall submit proof of financial
27 responsibility satisfactory to the department that the automated-driving-
28 system-equipped vehicle is covered by insurance or proof of self-
29 insurance that satisfies the requirements of the Motor Vehicle Safety
30 Responsibility Act.

31 Sec. 3. Section 60-3308, Revised Statutes Cumulative Supplement,

1 2018, is amended to read:

2 60-3308 (1) Automated-driving-system-equipped vehicles and automated
3 driving systems are governed exclusively by sections 60-3301 to 60-3311
4 and section 6 of this act. The department is the sole and exclusive state
5 agency that may implement sections 60-3301 to 60-3311 and section 6 of
6 this act.

7 (2) The state or any political subdivision shall not impose
8 requirements, including performance standards, specific to the operation
9 of automated-driving-system-equipped vehicles, automated driving systems,
10 or on-demand driverless-capable vehicle networks in addition to the
11 requirements of sections 60-3301 to 60-3311 and section 6 of this act.

12 (3) The state or any political subdivision thereof shall not impose
13 a tax or other requirements on an automated-driving-system-equipped
14 vehicle, an automated driving system, or an on-demand driverless-capable
15 vehicle network, where such tax or other requirements relate specifically
16 to the operation of automated-driving-system-equipped vehicles.

17 Sec. 4. Section 60-3309, Revised Statutes Cumulative Supplement,
18 2018, is amended to read:

19 60-3309 Nothing in sections 60-3301 to 60-3311 and section 6 of this
20 act shall be construed to require the State of Nebraska or any political
21 subdivision thereof to plan, design, construct, maintain, or modify any
22 highway, as defined in section 60-624, for the accommodation of an
23 automated-driving-system-equipped vehicle or a driverless-capable
24 vehicle.

25 Sec. 5. Section 60-3310, Revised Statutes Cumulative Supplement,
26 2018, is amended to read:

27 60-3310 Nothing in sections 60-3301 to 60-3311 and section 6 of this
28 act shall be construed to provide greater liability than is already
29 allowed under the Political Subdivisions Tort Claims Act or the State
30 Tort Claims Act.

31 Sec. 6. Whenever a conventional human driver is in a motor vehicle

1 during its use, the conventional human driver shall be deemed to be in
2 control of the vehicle's operations, unless the automated driving system
3 is engaged.

4 When the automated driving system of the automated-driving-system-
5 equipped vehicle is engaged at the time of a crash or collision, the
6 automated driving system manufacturer shall be deemed to have been
7 operating the vehicle unless the system has been modified by a third
8 party.

9 Sec. 7. Original sections 60-3301, 60-3304, 60-3308, 60-3309, and
10 60-3310, Revised Statutes Cumulative Supplement, 2018, are repealed.