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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Members of the Senate Committee on Transportation

From: Adam Siebers, Assistant Revisor

Date: March 10, 2022

Subject: Senate Bill No. 546

Summary

Senate Bill No. 546 regulates the use of autonomous motor vehicles.

Section 1 – Defines terms used in the bill.

Section 2 – Grants driverless-capable vehicles the ability to operate without a human driver if:

- (1) The vehicle is capable of achieving a minimal risk condition
- (2) the vehicle is capable of operating in compliance with the applicable traffic and motor vehicle safety laws and regulations of this state;
- (3) the vehicle bears the required manufacturer's certification label; and
- (4) a conventional human driver was present in the vehicle for 1 year for the entity placing vehicles into service in this state.

Owners of driverless-capable vehicles are required to submit a law enforcement interaction plan to the department of transportation that contains:

- (1) How to communicate with a fleet support specialist who is available during the times the vehicle is in operation;
 - (2) how to safely remove the driverless-capable vehicle from the roadway and steps to safely tow the vehicle;
 - (3) how to recognize whether the driverless-capable vehicle is in autonomous mode;
- and

(4) any additional information the manufacturer or owner deems necessary regarding hazardous conditions or public safety risks associated with the operation of the driverless-capable vehicle.

The bill requires that if a conventional human driver is present, such person shall possess a valid driver's license and shall be subject to the insurance requirements as required by law.

Section 3 – Requires the owner of an ADS-equipped vehicle to obtain insurance or financial security prior to operating in the state.

Section 4 – Establishes the requirements for driverless-capable vehicles in the event of an accident. Such vehicles are required to:

- (1) Promptly contact law enforcement agency to report the accident;
- (2) alert a law enforcement agency or emergency services;
- (3) remain at the scene or in the immediate vicinity of the crash until law enforcement arrives or vehicle registration and insurance information is provided to the parties affected by the accident

Section 5 – Allows for the operation of an on-demand driverless-capable vehicle that can be used to transport persons or goods.

Section 6 – Establishes that automated driving systems and ADS-equipped vehicles shall be subject to applicable traffic and motor vehicle safety laws. KDOT would have the sole authority to regulate automated driving systems and ADS-equipped vehicles. Political subdivisions are prohibited from imposing requirements or taxes on ADS-equipped vehicles.

Section 7 – Requires driverless-capable vehicles to be properly registered and titled under Kansas law.

Section 8 – Allows for the operation of a driverless-capable vehicle as a commercial motor vehicle.

Section 9 – Establishes that the Uniform Act Regulating Traffic on Highways would apply to the extent practicable for driverless-capable vehicles.

Section 10 – Establishes the Autonomous Vehicle Advisory Committee. The Committee is required to submit a report on or before July 1, 2023, with recommendations regarding the use or regulation of autonomous motor vehicles in the state.

Section 11 – Amends K.S.A. 8-2106 by providing that law enforcement shall deliver a written citation for a traffic infraction of a driverless-capable vehicle operating without a conventional driver by mailing the citation by certified mail to the address of the owner.

Section 12 – Amends K.S.A. 8-2204 and includes New Sections 1-10 of the bill as part of the Uniform Act Regulating Traffic on Highways