

Senate Bill 218

By: Senators Gooch of the 51st, Beach of the 21st, Mullis of the 53rd, Harper of the 7th and
Watson of the 1st

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 40 of the Official Code of Georgia Annotated, relating to
2 identification and regulation of motor vehicles, so as to provide for definitions; to provide
3 for the operation of autonomous vehicles without the presence of a human driver upon
4 satisfaction of certain conditions; to require such vehicles to comply with federal and state
5 equipment laws; to provide for registration and titling of such vehicles; to provide for
6 exemption from liability for certain parties when a motor vehicle has been converted to an
7 autonomous vehicle; to provide for the reporting of accidents involving an autonomous
8 vehicle; to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Chapter 1 of Title 40 of the Official Code of Georgia Annotated, relating to identification and
12 regulation of motor vehicles, is amended in Code Section 40-1-1, relating to definitions, by
13 adding new paragraphs to read as follows:

14 "(5.1) 'Autonomous technology' means technology installed in a motor vehicle that
15 performs all driving tasks for a vehicle without requiring a human driver to be present
16 within such vehicle. For purposes of this paragraph, the term 'driving tasks' means
17 operational tasks, including steering, braking, accelerating, and monitoring of a vehicle
18 and the roadway, and tactical tasks, including responding to events, determining when
19 to change lanes, turning, using signals, and other related actions.

20 (5.2) 'Autonomous vehicle' means any motor vehicle, including a commercial motor
21 vehicle, equipped with autonomous technology."

22 "(20.1) 'Human driver' means a natural person with immediate access to controls for
23 steering, braking, and accelerating."

24 "(27.1) 'Minimal risk mode' means a fallback operating mode in which an autonomous
25 vehicle operating without a human driver achieves a reasonably safe state, such as
26 bringing the vehicle to a complete stop."

27 **SECTION 2.**

28 Said chapter is further amended by adding a new article to read as follows:

29 "ARTICLE 430 40-1-210.31 Whenever a human driver is in a motor vehicle during its use, such driver shall be
32 responsible for the vehicle's operation regardless of whether the vehicle is equipped with
33 autonomous technology and regardless of whether such technology is engaged.34 40-1-211.35 (a) A person may operate an autonomous vehicle without the presence of a human driver
36 if the following conditions are met:37 (1) The person has submitted proof satisfactory to the Department of Public Safety that
38 the autonomous vehicle is covered by insurance or proof of self-insurance that satisfies
39 the requirements of Chapter 34 of Title 33;40 (2) The autonomous vehicle can enter a minimal risk mode if the autonomous technology
41 experiences a critical safety related failure;42 (3) The autonomous vehicle is capable of operating in compliance with the applicable
43 motor vehicle and traffic laws of this title, unless an exemption is granted by the
44 Department of Public Safety. Notwithstanding the foregoing, autonomous vehicles shall
45 be exempt from Code Sections 40-8-76 and 40-8-76.1; and46 (4) The autonomous technology is capable of recording, either remotely or onboard, the
47 autonomous vehicle basic vehicle attributes including speed, direction, system status, and
48 geographic location for the 30 seconds before any roadway collision between the
49 autonomous vehicle and another vehicle, object, or natural person. The format of such
50 recording may be determined at the discretion of the owner or authorized operator of the
51 autonomous vehicle.52 (b) No agency or other state entity shall impose requirements specific to the operation of
53 autonomous vehicles or autonomous technology in addition to or otherwise inconsistent
54 with the requirements of this article.55 40-1-212.56 (a) An autonomous vehicle shall comply with applicable federal regulations for such motor
57 vehicle, unless an exemption is granted.

58 (b) An autonomous vehicle shall comply with any equipment requirements of this title
59 applicable to such motor vehicle, unless an exemption has been granted by the Department
60 of Public Safety.

61 (c) Federal regulations promulgated by the National Highway Traffic Safety
62 Administration shall supersede any equipment requirements of this title which are found
63 to be in conflict.

64 40-1-213.

65 (a) An autonomous vehicle shall be properly registered in accordance with Chapter 2 of
66 this title. If an autonomous vehicle is registered in this state, the vehicle shall be identified
67 on such registration as an autonomous vehicle.

68 (b) An autonomous vehicle shall be properly titled in accordance with Chapter 3 of this
69 title. If an autonomous vehicle is titled in this state, such vehicle shall be identified on the
70 title as an autonomous vehicle.

71 40-1-214.

72 When an autonomous vehicle is operated without a human driver, the autonomous
73 technology shall be considered the driver or operator of an autonomous vehicle for
74 purposes of determining conformance to any applicable traffic or motor vehicle laws and
75 shall be deemed to satisfy electronically all physical acts required by a driver or operator
76 of the vehicle.

77 40-1-215.

78 (a) The original manufacturer of a vehicle converted by a third party into an autonomous
79 vehicle shall not be liable in, and shall have a defense to and be dismissed from, any legal
80 action brought against the original manufacturer by any person injured due to an alleged
81 vehicle defect caused by the conversion of the vehicle, or by equipment installed by the
82 converter, unless the alleged defect was present in the vehicle as originally manufactured.

83 (b) A developer of autonomous technology shall not be liable in, and shall have a defense
84 to and be dismissed from, any legal action brought against the developer by any person
85 injured due to an alleged defect caused by a modification to the autonomous technology
86 made without the developer's consent, unless the alleged defect was present in the
87 autonomous technology prior to such modification.

88 (c) Nothing in this Code section supersedes or otherwise affects the contractual
89 obligations, if any, between a motor vehicle manufacturer or developer of autonomous
90 technology and a converter or modifier.

91 40-1-216.

92 A person who operates an autonomous vehicle without a human driver present shall report
93 to the Department of Public Safety any type of accident that is reportable under Code
94 Sections 40-6-272 and 40-6-273. The Department of Public Safety shall create an
95 appropriate form for reporting covered accidents.

96 40-1-217.

97 (a) Unless otherwise provided in this article and notwithstanding any other provision of
98 law, autonomous vehicles and autonomous technology are governed exclusively by this
99 article.

100 (b) The Department of Public Safety is the sole and exclusive state agency authorized to
101 implement this article.

102 (c) No municipality or other local or state entity may impose a tax on, or impose
103 requirements on, an autonomous vehicle or autonomous technology."

104 **SECTION 2.**

105 All laws and parts of laws in conflict with this Act are repealed.