



2013 SENATE BILL 80

March 13, 2013 – Introduced by Senators RISSER, SCHULTZ, L. TAYLOR and LAZICH, cosponsored by Representatives JORGENSEN, OHNSTAD, RINGHAND, SARGENT and BERCEAU. Referred to Committee on Transportation, Public Safety, and Veterans and Military Affairs.

1 **AN ACT to create** 110.23, 340.01 (4k), (4m) and (4p), 340.01 (28c), 346.921 and
2 346.95 (12) of the statutes; **relating to:** the operation of autonomous vehicles
3 on the highways, granting rule-making authority, and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill authorizes operation of autonomous vehicles on highways in this state if specified requirements are met. An “autonomous vehicle” is a motor vehicle equipped with autonomous technology and “autonomous technology” is technology installed on a motor vehicle that has the capability to drive the vehicle without active physical control or monitoring by a human operator. An autonomous vehicle is operated in “autonomous mode” when the vehicle is operated with the vehicle’s autonomous technology engaged.

Under this bill, an autonomous vehicle may be operated in autonomous mode on a highway if all of the following apply: 1) a human operator is present in the vehicle and has the ability to monitor the vehicle’s performance and intervene, if necessary, to disengage the autonomous technology and take immediate control of the autonomous vehicle; 2) the human operator has a valid operator’s license; 3) there is motor vehicle liability insurance coverage for operation of the autonomous vehicle of at least \$5,000,000; 4) the vehicle has a means to engage and disengage the autonomous technology that is easily accessible to the operator; 5) the vehicle has a means to visually indicate when the vehicle is operating in autonomous mode; 6) the vehicle has a means to alert the operator of an autonomous technology failure so that the operator may take control of the vehicle; 7) the vehicle is capable of being

SENATE BILL 80

operated in compliance with applicable traffic and motor vehicle laws; 8) while the vehicle is operating in autonomous mode, the vehicle captures and stores autonomous technology sensor data for at least 30 seconds before any collision; and 9) the vehicle satisfies all requirements imposed by rule by the Department of Transportation (DOT). DOT may promulgate rules establishing requirements for autonomous vehicles, including minimum safety and performance standards for these vehicles and for their operation. For purposes pertaining to the operation of an autonomous vehicle operating in autonomous mode, the “operator” is the human operator required to be present in the vehicle or, if no human operator is present, the person who causes the vehicle’s autonomous technology to engage. The bill also requires the manufacturer of autonomous technology to disclose what information is collected by the autonomous technology.

The bill prohibits the operation of an autonomous vehicle in autonomous mode on a highway in this state unless the operation is in compliance with the foregoing requirements. A person who violates this prohibition may be required to forfeit not less than \$100 nor more than \$1,000.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 110.23 of the statutes is created to read:

2 **110.23 Autonomous vehicles.** (1) Except as otherwise provided under
3 federal law and regulations, in addition to all applicable requirements for the vehicle
4 under chs. 110 and 341 to 349, an autonomous vehicle may not be operated in
5 autonomous mode on a highway in this state unless the autonomous vehicle satisfies
6 all of the following requirements:

7 (a) The vehicle has a means to engage and disengage the autonomous
8 technology that is easily accessible to the operator.

9 (b) The vehicle has a means, inside the vehicle, to visually indicate when the
10 vehicle is operating in autonomous mode.

SENATE BILL 80

1 (c) The vehicle has a means to alert the operator of an autonomous technology
2 failure detected while the vehicle is operating in autonomous mode so that the
3 operator may take control of the vehicle.

4 (d) The vehicle is capable of being operated in compliance with the applicable
5 traffic and motor vehicle laws of this state.

6 (e) While the vehicle is operating in autonomous mode, the vehicle captures and
7 stores, in a read-only format, autonomous technology sensor data for at least 30
8 seconds before any collision involving the autonomous vehicle.

9 (f) The vehicle satisfies all requirements imposed by the department by rule
10 under sub. (3).

11 **(2)** The manufacturer of autonomous technology shall provide a written
12 disclosure to the purchaser of the autonomous technology, or to the purchaser of an
13 autonomous vehicle equipped with the autonomous technology, that describes any
14 information that is collected by the autonomous technology.

15 **(3)** The department may promulgate rules establishing requirements for
16 autonomous vehicles operating in autonomous mode on highways in this state,
17 including minimum safety and performance standards for these vehicles and for
18 their operation.

19 **SECTION 2.** 340.01 (4k), (4m) and (4p) of the statutes are created to read:

20 340.01 **(4k)** “Autonomous mode” means, with respect to an autonomous
21 vehicle, the operation of the autonomous vehicle with the vehicle’s autonomous
22 technology engaged, regardless of whether any person is physically present in the
23 vehicle.

24 **(4m)** “Autonomous technology” means technology installed on a motor vehicle
25 that has the capability to drive the vehicle without active physical control or

SENATE BILL 80**SECTION 2**

1 monitoring by a human operator. “Autonomous technology” does not include
2 collision avoidance, driver assistance, or safety systems such as electronic blind spot
3 assistance, automated emergency braking, parking assistance, adaptive cruise
4 control, lane-keep assistance or lane-departure warning, or traffic jam and queuing
5 assistance, unless any such system alone or in combination with other systems
6 enables the vehicle to be driven without active physical control or monitoring by a
7 human operator.

8 (4p) “Autonomous vehicle” means any motor vehicle equipped with
9 autonomous technology.

10 **SECTION 3.** 340.01 (28c) of the statutes is created to read:

11 340.01 (28c) “Manufacturer of autonomous technology” is the person that
12 originally manufactures a motor vehicle and equips autonomous technology on the
13 originally completed motor vehicle or, in the case of a motor vehicle not originally
14 equipped with autonomous technology by the vehicle manufacturer, the person that
15 modifies the motor vehicle by installing autonomous technology to convert it to an
16 autonomous vehicle after the motor vehicle was originally manufactured.

17 **SECTION 4.** 346.921 of the statutes is created to read:

18 **346.921 Operation of autonomous vehicles.** (1) (a) Except as provided in
19 par. (b), an autonomous vehicle may not be operated in autonomous mode on a
20 highway in this state.

21 (b) Subject to s. 110.23, an autonomous vehicle may be operated in autonomous
22 mode on a highway in this state if all of the following apply:

23 1. A human operator is present in the autonomous vehicle and has the ability
24 to monitor the vehicle’s performance and intervene, if necessary, to disengage the
25 autonomous technology and take immediate control of the autonomous vehicle.

