

SENATE FILE NO. SF0007

Autonomous vehicles.

Sponsored by: Joint Transportation, Highways & Military  
Affairs Interim Committee

A BILL

for

1 AN ACT relating to motor vehicles; providing for the  
2 regulation, registration and licensing of vehicles equipped  
3 with an automated driving system; providing for liability  
4 for the operation of vehicles equipped with automated  
5 driving systems; providing definitions; authorizing a fee;  
6 creating an account; requiring rulemaking; and providing  
7 for effective dates.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 31-21-101 through 31-21-111 are  
12 created to read:

13

14

CHAPTER 21

15

AUTONOMOUS MOTOR VEHICLES

1

2

## ARTICLE 1

3

## AUTOMATED DRIVING SYSTEM REGULATION

4

5

**31-21-101. Definitions.**

6

7

(a) As used in this chapter:

8

9

(i) "Automated driving system data recorder" or "ADS data recorder" means a mechanism, in addition to and separate from, any other mechanism required by law, installed in an ADS to record technical information about the status and operation of the vehicle's ADS for thirty (30) seconds before a collision and at least five (5) seconds after a collision or until the vehicle comes to a complete stop, whichever is later;

17

18

(ii) "Automated driving system" or "ADS" means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether the system is limited to a specific operational design domain. An ADS is used specifically to describe a level 3, 4 or 5 system as the

23

1 standards of driving automation are defined in the SAE  
2 J3016 standard. A vehicle equipped with an ADS is not a  
3 vehicle that is equipped with systems that enhance safety  
4 or provide the human driver assistance, but where the  
5 collision avoidance systems are not capable, collectively  
6 or singularly, of driving the vehicle without the active  
7 control or monitoring of a human driver;

8

9 (iii) "Department" means the department of  
10 transportation;

11

12 (iv) "Dispatching entity" means an entity that  
13 dispatches an ADS equipped vehicle in driverless operation;

14

15 (v) "Dynamic driving task" or "DDT" means all of  
16 the real-time operational and tactical functions required  
17 to operate a vehicle in on-road traffic, excluding  
18 strategic functions such as trip scheduling and selection  
19 of destinations and waypoints, and including at least all  
20 of the following:

21

22 (A) Lateral vehicle motion control via  
23 steering;

1

2 (B) Longitudinal motion control via  
3 acceleration and deceleration;

4

5 (C) Monitoring the driving environment via  
6 object and event detection, recognition, classification and  
7 response preparation;

8

9 (D) Object and event response execution;

10

11 (E) Maneuver planning;

12

13 (F) Enhancing conspicuity via lighting,  
14 signaling and gesturing.

15

16 (vi) "Dynamic driving task fallback" or "DDT  
17 fallback" means the response after a DDT performance  
18 relevant system failure or after an operational design  
19 domain exit:

20

21 (A) By the fallback ready user to perform  
22 the DDT or to achieve a minimal risk condition; or

23

1 (B) By an ADS to achieve minimal risk  
2 condition.

3

4 (vii) "Fallback ready user" means the user of a  
5 vehicle equipped with an engaged level 3 ADS who is able to  
6 operate the vehicle and is receptive to ADS issued requests  
7 to intervene and to evident DDT performance relevant system  
8 failures in the vehicle compelling the user to perform the  
9 DDT fallback;

10

11 (viii) "Highway" means as defined in W.S.  
12 31-1-101(a)(viii);

13

14 (ix) "Human driver" means a natural person in  
15 the vehicle with a valid class of license for the type of  
16 motor vehicle being operated who controls all or part of  
17 the dynamic driving task;

18

19 (x) "Minimal risk condition" means a condition  
20 to which a fallback ready user, a dispatch entity or an ADS  
21 may bring a vehicle after performing the DDT fallback to  
22 reduce the risk of a crash when a given trip cannot or  
23 should not be completed;

1

2           (xi) "On demand autonomous vehicle network"  
3 means a network used to dispatch or otherwise enable the  
4 provision of transportation services with vehicles equipped  
5 with an ADS for purposes of transporting persons or goods,  
6 including for hire transportation and transportation for  
7 compensation;

8

9           (xii) "Operational design domain" or "ODD"  
10 means the operating conditions under which a given driving  
11 automation system or feature thereof is specifically  
12 designed to function, including environmental,  
13 geographical, and time-of-day restrictions or the requisite  
14 presence or absence of certain traffic or roadway  
15 characteristics;

16

17           (xiii) "Operate" means collectively, the  
18 activities performed by a human driver (with or without  
19 support from one (1) or more level 1 or 2 driving  
20 automation features) or by an ADS to perform the entire DDT  
21 for a vehicle during a trip;

22

1           (xiv) "Request to intervene" means notification  
2 by an ADS to a fallback ready user indicating that the user  
3 should promptly perform the DDT fallback, which may entail  
4 resuming manual operation of the vehicle or achieving a  
5 minimal risk condition if the vehicle is not drivable;

6

7           (xv) "SAE J3016" means the Taxonomy and  
8 Definitions for Terms Related to Driving Automation Systems  
9 for On-Road Motor Vehicles published by SAE International  
10 in June 2018 and any amendments thereto and any successor  
11 standard publication.

12

13           **31-21-102. Operation of a vehicle equipped with an**  
14 **ADS without a human driver.**

15

16           (a) A person may operate a vehicle equipped with an  
17 ADS on the highways of this state without a human driver  
18 provided that an operational automated driving system is  
19 engaged and the vehicle meets all of the following  
20 conditions:

21

22           (i) If a failure of the ADS occurs that renders  
23 the system unable to perform the entire dynamic driving

1 task relevant to its intended operational design domain,  
2 the vehicle equipped with an ADS will achieve a minimal  
3 risk condition;

4

5 (ii) The vehicle equipped with an ADS is capable  
6 of and subject to operating in compliance with all  
7 applicable traffic and motor vehicle laws and regulations  
8 of this state, unless an exemption has been granted by  
9 department rules;

10

11 (iii) The vehicle is in compliance with all  
12 applicable federal motor vehicle safety standards for the  
13 vehicle's model year or has a United States department of  
14 transportation or other relevant agency approved exemption  
15 from specific compliance;

16

17 (iv) The vehicle is in compliance with all  
18 applicable safety standards and performance requirements  
19 required by state and federal law including applicable  
20 equipment safety standards under W.S. 31-5-901 through  
21 31-5-970 unless a waiver has been granted by the relevant  
22 regulating agency.

23



1           (b) It is the responsibility of the person who  
2 originally manufactures a vehicle and equips the vehicle  
3 with an ADS or, in the case of a vehicle not originally  
4 equipped with an ADS, the person who modifies the vehicle  
5 by installing an ADS to convert it after the vehicle is  
6 originally manufactured, to certify that a vehicle equipped  
7 with an ADS meets the conditions in subsection (a) of this  
8 section.

9

10           **31-21-103. Licensing.**

11

12           (a) When an automated driving system installed on a  
13 motor vehicle is engaged:

14

15                   (i) The automated driving system is considered  
16 the driver for the purpose of assessing compliance with  
17 applicable traffic or motor vehicle laws; and

18

19                   (ii) The automated driving system is considered  
20 to be licensed to operate the vehicle if the dispatching  
21 entity has a valid class of license for the type of motor  
22 vehicle being operated.

23

1           **31-21-104. Insurance.**

2

3           (a) Before operating a vehicle equipped with an ADS  
4 on highways in this state without a human driver, the  
5 vehicle owner shall submit proof of financial  
6 responsibility to the county treasurer in the county where  
7 the vehicle is registered that the vehicle is covered by  
8 insurance, proof of self-insurance or a bond that satisfies  
9 the requirements of W.S. 31-2-225(e) in amounts specified  
10 as follows:

11

12           (i) Primary automobile liability insurance that  
13 provides at least one million dollars (\$1,000,000.00) for  
14 death, bodily injury and property damage; and

15

16           (ii) Uninsured motorist coverage as required by  
17 W.S. 31-10-101.

18

19           **31-21-105. Duties after crashes involving vehicles**  
20 **equipped with an ADS; liability for crashes and traffic**  
21 **violations.**

22

1           (a) In the event of a crash involving a vehicle  
2 equipped with an ADS:

3

4           (i) The vehicle equipped with an ADS shall  
5 remain on the scene of the crash when required by W.S.  
6 31-5-1101 and 31-5-1102, but only where the vehicle  
7 achieves a minimal risk condition as required by W.S.  
8 31-21-102(a)(i);

9

10           (ii) The vehicle owner or person acting on  
11 behalf of the owner shall report the crash consistent with  
12 W.S. 31-5-1104, 31-5-1105 and 31-5-1107 and shall provide  
13 the information required in W.S. 31-5-1103, or if the  
14 vehicle has the capability of promptly alerting law  
15 enforcement or emergency services, the vehicle shall alert  
16 law enforcement or emergency services to the crash.

17

18           (b) The dispatching entity, manufacturer, or both, of  
19 a vehicle equipped with an ADS that is involved in a crash  
20 or a violation of a traffic law shall be liable if either  
21 or both are at fault for any crash or violation of a  
22 traffic law, each according to the same applicable local  
23 and state laws that determine liability for a crash or

1 violation of a traffic law involving a vehicle with a human  
2 driver.

3

4 (c) The information from a vehicle equipped with an  
5 ADS shall be accessible to law enforcement in relation to a  
6 crash, traffic violation or any other circumstance wherein  
7 law enforcement would obtain the information from a human  
8 driver operating a vehicle who is subject to W.S. 31-5-1101  
9 through 31-5-1108 and 31-5-1201 through 31-5-1214.

10

11 **31-21-106. On-demand autonomous vehicle network;**  
12 **commercial vehicles equipped with an ADS.**

13

14 (a) An on-demand autonomous vehicle network shall be  
15 permitted to operate pursuant to state laws governing the  
16 operation of transportation network companies, except that  
17 any statutory provision that reasonably applies only to a  
18 human driver would not apply to the operation of vehicles  
19 with the automated driving system engaged on an on-demand  
20 autonomous vehicle network.

21

22 (b) Commercial vehicles equipped with an ADS shall be  
23 permitted to operate pursuant to state laws governing the

1 operation of commercial vehicles, except that any statutory  
2 provision that reasonably applies only to a human driver  
3 would not apply to the operation of vehicles with the  
4 automated driving system engaged.

5

6 **31-21-107. Registration and title of vehicles**  
7 **equipped with an ADS.**

8

9 (a) A vehicle equipped with an ADS shall be properly  
10 registered in accordance with W.S. 31-2-201 and 31-18-201,  
11 if applicable. If a vehicle equipped with an ADS is  
12 registered in this state, the vehicle shall be identified  
13 on the registration as a vehicle equipped with an ADS.

14

15 (b) A vehicle equipped with an ADS shall be properly  
16 titled in accordance with W.S. 31-2-101. If a vehicle  
17 equipped with an ADS is titled in this state, the vehicle  
18 shall be identified on the title as a vehicle equipped with  
19 an ADS.

20

21 (c) In the case of a vehicle not originally equipped  
22 with an automated driving system but later modified by  
23 installing an automated driving system to convert it to a

1 vehicle equipped with an ADS after the vehicle is  
2 originally manufactured, the vehicle's annual registration  
3 due immediately following the modification shall identify  
4 the vehicle as a vehicle equipped with an ADS and the  
5 vehicle's title shall be amended to identify the vehicle as  
6 a vehicle equipped with an ADS. After the modification and  
7 on or before the date that the annual registration is due,  
8 the owner of record shall notify the county clerk and  
9 county treasurer in the county in which the vehicle is:

10

11 (i) Registered that the vehicle is now a vehicle  
12 equipped with an ADS and the registration shall reflect the  
13 modification; and

14

15 (ii) Titled that the vehicle is now a vehicle  
16 equipped with an ADS and the title shall be amended to  
17 reflect the modification.

18

19 **31-21-108. Controlling authority; rights and**  
20 **obligations of manufacturers.**

21

22 (a) Unless otherwise provided in this chapter,  
23 vehicles equipped with an ADS are governed exclusively by

1 this chapter, applicable federal laws and department rules  
2 and are subject to state and federal laws governing traffic  
3 on highways and equipment. The department is the sole and  
4 exclusive state agency that may implement the provisions of  
5 this chapter. The department may impose any additional  
6 requirements necessary to ensure the safe operation of  
7 vehicles equipped with an ADS. The department shall provide  
8 for the administration and enforcement of this chapter by  
9 its divisions.

10

11 (b) Except as provided in subsection (a) of this  
12 section, no state agency, political subdivision, county,  
13 municipality or local entity may prohibit the operation of  
14 vehicles equipped with an ADS or on-demand autonomous  
15 vehicle networks.

16

17 (c) Nothing in this chapter shall expand or restrict  
18 the respective rights or obligations of, or limitations  
19 upon, motor vehicle manufacturers and licensed motor  
20 vehicle dealers as set forth in W.S. 31-16-101 through  
21 31-16-127. To the extent that this chapter conflicts with  
22 title 31, chapter 16 of the Wyoming statutes then chapter  
23 16 of this title shall control.

1

2 (d) Before the delivery of any vehicle equipped with  
3 an automated driving system to a dealer or buyer in this  
4 state, the manufacturer shall file with the department  
5 proof that the manufacturer maintains liability insurance  
6 in the amount of not less than five million dollars  
7 (\$5,000,000.00) to insure against losses for which the  
8 manufacturer is responsible caused by the vehicle equipped  
9 with an automated driving system.

10

11 **31-21-109. Operation by a human driver of a vehicle**  
12 **equipped with an ADS.**

13

14 (a) A human driver may operate a vehicle equipped  
15 with an automated driving system capable of performing the  
16 entire dynamic driving task if all of the following  
17 conditions are true:

18

19 (i) The human driver holds the appropriate class  
20 of license for the type of motor vehicle being operated;

21

22 (ii) The human driver will respond appropriately  
23 to a request to intervene and then operate the vehicle as



1 if the automated driving system is not capable of  
2 performing the entire dynamic driving task or the vehicle  
3 exits its operational design domain;

4

5 (iii) The automated driving system is capable of  
6 being operated in compliance with all applicable traffic  
7 and motor vehicle laws and regulations of this state,  
8 unless an exemption has been granted by department rules.

9

10 (b) A vehicle equipped with an automated driving  
11 system and driven pursuant to subsection (a) of this  
12 section shall allow the human driver to take control, and  
13 the vehicle shall alert the human driver that the automated  
14 driving system has been disengaged.

15

16 (c) Nothing in this chapter prohibits or restricts a  
17 human driver from operating a vehicle equipped with an ADS  
18 that allows for the human driver to control all or part of  
19 the dynamic driving task.

20

21 **31-21-110. Temporary ADS operating permits.**

22

1 The department may develop procedures and issue temporary  
2 operating permits for demonstration or testing in the state  
3 of vehicles equipped with an ADS that do not meet the other  
4 requirements of this article. The permits shall be issued  
5 for the purpose of testing or demonstrating the use of such  
6 vehicles, systems or networks under actual operating  
7 conditions on the highways. The permits shall be issued  
8 under the supervision of and under conditions determined by  
9 the department.

10

11 **31-21-111. Rulemaking; fee; autonomous vehicle**  
12 **account.**

13

14 (a) Consistent with this chapter and other applicable  
15 state and federal laws, the department shall promulgate  
16 rules and shall provide any forms necessary to implement  
17 this chapter.

18

19 (b) If federal rules regulating vehicles equipped  
20 with an ADS conflict with this chapter or any rules  
21 promulgated pursuant to this chapter, the federal  
22 regulations shall be given precedence over the provisions  
23 of this chapter or any rules promulgated pursuant thereto.

1

2           (c) The department may assess an additional fee upon  
3 an owner of a vehicle equipped with an ADS in an amount  
4 necessary to recover all costs reasonably incurred by the  
5 department attributable to regulation and administration to  
6 accommodate the vehicle. Once established, the department  
7 may annually increase the fee authorized under this section  
8 to recover costs reasonably incurred for regulation and  
9 administration but not to exceed the percentage increase as  
10 shown by the Wyoming cost-of-living index as determined by  
11 the division of economic analysis of the department of  
12 administration and information unless authorized by the  
13 legislature.

14

15           (d) The funds the department receives from the fee  
16 authorized in subsection (c) of this section shall be  
17 deposited into an account, hereby created as the autonomous  
18 vehicle account. Funds in the autonomous vehicle account  
19 are continuously appropriated to the department and shall  
20 only be used for costs attributable to regulation and  
21 administration of vehicles equipped with an ADS. Any funds  
22 within the account, including any additional funds  
23 appropriated by the legislature, shall not lapse or revert

1 until directed by the legislature. Earnings on funds in the  
2 account shall accrue to the account.

3

4 **Section 2.** Not later than January 1, 2022, the  
5 department shall promulgate rules to administer this act.

6

7 **Section 3.**

8

9 (a) Except as provided in subsection (b) of this  
10 section, this act is effective immediately upon completion  
11 of all acts necessary for a bill to become law as provided  
12 by Article 4, Section 8 of the Wyoming Constitution.

13

14 (b) Section 1 of this act is effective January 1,  
15 2022.

16

17

(END)