

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO.

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 fully autonomous  
3 vehicles; authorizing a fee; creating an account; requiring  
4 rulemaking; and providing for effective dates.

5

6 \*\*\*\*\*  
7 **STAFF COMMENT**  
8 This bill draft provides illustration for discussion  
9 purposes, but each section opens policy considerations,  
10 which the working group plans to explain at the September  
11 2020 committee meeting. The Select Committee on Blockchain,  
12 Financial Technology and Digital Innovation Technology is  
13 also participating in this discussion. The bill draft has  
14 not been through the complete LSO internal review process,  
15 and technical or substantive changes may be required even  
16 after committee action on the bill draft.

17 \*\*\*\*\*  
18

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

2

3       **Section 1.** W.S. 31-21-101 through 31-21-110 are  
4 created to read:

5

6

Chapter 21

7

AUTONOMOUS MOTOR VEHICLES

8

9

Article 1

10

AUTOMATED DRIVING SYSTEM REGULATION

11

12       **31-21-101. Definitions.**

13

14       (a) As used in this chapter:

15

16               (i) "Automated driving system" means the  
17 hardware and software that are collectively capable of  
18 performing the entire dynamic driving task on a sustained  
19 basis, without active physical control or monitoring by a  
20 human driver, regardless of whether the system is limited  
21 to a specific operational design domain. An automated  
22 driving system is not a vehicle that is equipped with only  
23 one (1) or more collision avoidance systems, including

1 electronic blind spot assistance, automated emergency  
2 braking systems, park assist, adaptive cruise control, lane  
3 keep assist, lane departure warning, traffic jam and  
4 queuing assist or other similar systems that enhance safety  
5 or provide the human driver assistance, but where the  
6 collision avoidance systems are not capable, collectively  
7 or singularly, of driving the vehicle without the active  
8 control or monitoring of a human driver;

9

10 (ii) "Department" means the department of  
11 transportation;

12

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

19

20 (A) Lateral vehicle motion control via  
21 steering;

22

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

3

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

7

8 (D) Object and event response execution;

9

10 (E) Maneuver planning;

11

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

14

15 (iv) "Fully autonomous vehicle" means a vehicle  
16 equipped with an automated driving system designed to  
17 function without a human driver as a level four (4) or five  
18 (5) system as the standards of driving automation are  
19 defined in the SAE J3016 standard;

20

21 (v) "Highway" means as defined in  
22 W.S. 31-1-101(a)(viii);

23

1           (vi) "Human driver" means a natural person in  
2 the vehicle with a valid class of license for the type of  
3 motor vehicle being operated who controls all or part of  
4 the dynamic driving task;

5  
6           (vii) "Manufacturer" means the person who  
7 originally manufactures a vehicle and equips the vehicle  
8 with an automated driving system or, in the case of a  
9 vehicle not originally equipped with an automated driving  
10 system, the person who modifies the vehicle by installing  
11 an automated driving system to convert it to a fully  
12 autonomous vehicle after the vehicle is originally  
13 manufactured. "Manufacturer" also means the person who  
14 originally manufactures or who modifies the vehicle who  
15 obtains certification that a fully autonomous vehicle is in  
16 compliance with all applicable federal motor vehicle safety  
17 standards for the vehicle's model year, or obtains a  
18 national highway traffic safety administration approved  
19 exemption in lieu of certification, and attests that the  
20 vehicle complies with all other applicable safety standards  
21 and performance requirements required by state and federal  
22 law;

23

1           (viii) "Minimal risk condition" means a low-risk  
2 operating mode in which a fully autonomous vehicle  
3 operating without a human driver achieves a reasonably safe  
4 state, such as bringing the vehicle to a complete stop in a  
5 location that does not obstruct traffic or obstructs  
6 traffic as little as possible, upon experiencing a failure  
7 of the vehicle's automated driving system that renders the  
8 vehicle unable to perform the entire dynamic driving task;  
9

10           (ix) "On-demand autonomous vehicle network"  
11 means a network used to dispatch or otherwise enable the  
12 provision of transportation services with fully autonomous  
13 vehicles for purposes of transporting persons or goods,  
14 including for-hire transportation and transportation for  
15 compensation;  
16

17           (x) "Operational design domain" means the  
18 specific operating domain in which an automated driving  
19 system is designed to properly operate, including roadway  
20 types, speed range, environmental conditions (weather,  
21 daytime/nighttime, etc.) and other domain constraints;  
22

1           (xi) "Operator" means a human driver who is  
2 seated in the driver's seat, or, if there is no human  
3 driver in the driver's seat, the person who causes a fully  
4 autonomous vehicle to engage;

5

6           (xii) "Request to intervene" means notification  
7 by an automated driving system to a human driver, that the  
8 human driver should promptly begin or resume performance of  
9 part or all of the dynamic driving task;

10

11           (xiii) "SAE J3016" means the Taxonomy and  
12 Definitions for Terms Related to Driving Automation Systems  
13 for On-Road Motor Vehicles published by SAE International  
14 in September 2016 and any amendments thereto and any  
15 successor standard publication.

16

17           **31-21-102. Operation of fully autonomous vehicles**  
18 **without a human driver.**

19

20           (a) A person may operate a fully autonomous vehicle  
21 on the highways of this state without a human driver  
22 provided that an operational automated driving system is

1 engaged and the vehicle meets all of the following  
2 conditions:

3

4 (i) If a failure of the automated driving system  
5 occurs that renders the system unable to perform the entire  
6 dynamic driving task relevant to its intended operational  
7 design domain, the fully autonomous vehicle will achieve a  
8 minimal risk condition;

9

10 (ii) The fully autonomous vehicle is capable of  
11 operating in compliance with all applicable traffic and  
12 motor vehicle laws and regulations of this state, unless an  
13 exemption has been granted by department rules;

14

15 (iii) The vehicle bears the required  
16 manufacturer's certification indicating that it has been  
17 certified to be in compliance with all applicable federal  
18 motor vehicle safety standards for the vehicle's model year  
19 or a national highway traffic safety administration  
20 approved exemption in lieu of certification;

21



(iv) The vehicle is in compliance with all other applicable safety standards and performance requirements required by state and federal law.

31-21-103. Licensing.

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

(i) The automated driving system is considered the driver for the purpose of assessing compliance with applicable traffic or motor vehicle laws and the automated driving system may satisfy electronically all physical acts required by a driver of the vehicle; and

\*\*\*\*\*  
STAFF COMMENT  
Instead of the automated driving system being considered  
the driver, above, should the operator be considered the  
driver?

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

1            31-21-104.    Insurance.

2

3 Before operating a fully autonomous vehicle on highways in  
4 this state without a human driver, a person shall submit  
5 proof of financial responsibility satisfactory to the  
6 department that the fully autonomous vehicle is covered by  
7 insurance, proof of self-insurance or a bond that satisfies  
8 the requirements of W.S. 31-2-225(e) in amounts specified  
9 in W.S. 31-20-107(c).

\*\*\*\*\*  
STAFF COMMENT  
W.S. 31-2-225(e) requires that a vehicle be insured before  
it may be registered and has several other requirements. It  
refers to different statutes than W.S. 31-20-107(c) for the  
amounts. The amounts required in W.S. 31-30-107(c) are  
higher. The amounts can be discussed and these references  
adjusted accordingly. Any requirements stated in this  
section need to be workable for both passenger and  
interstate commercial vehicles operating in Wyoming.  
\*\*\*\*\*

22           31-21-105. Duties after crashes involving fully  
23 autonomous vehicles.

24

25 (a) In the event of a crash:

26

27 (i) The fully autonomous vehicle shall remain on  
28 the scene of the crash when required by W.S. 31-5-1101 and

1 31-5-1102, but only where the fully autonomous vehicle  
2 achieves a minimal risk condition as required by  
3 W.S. 31-21-102(a)(i);

4  
5 (ii) The operator of the fully autonomous  
6 vehicle, or a person on behalf of the operator, shall  
7 report the crash consistent with W.S. 31-5-1104, 31-5-1105  
8 and 31-5-1107 and shall provide the information required in  
9 W.S. 31-5-1103.

10  
11 (b) The operator, manufacturer, or both, of a fully  
12 autonomous vehicle involved in a crash shall be liable if  
13 either or both are at fault for any crash, each according  
14 to the same applicable local and state laws that determine  
15 liability for a crash involving a vehicle with a human  
16 driver.

17  
18 **31-21-106. On-demand autonomous vehicle network;**  
19 **fully autonomous commercial vehicles.**

20  
21 (a) An on-demand autonomous vehicle network shall be  
22 permitted to operate pursuant to state laws governing the  
23 operation of transportation network companies, taxis or any

1 other ground transportation for-hire of persons or of  
2 goods, with the exception that any statutory provision that  
3 reasonably applies only to a human driver would not apply  
4 to the operation of fully autonomous vehicles with the  
5 automated driving system engaged on an on-demand autonomous  
6 vehicle network.

7 \*\*\*\*\*  
8 STAFF COMMENT  
9 Rather than listing "transportation network companies,  
10 taxis or any other ground transportation for-hire," which  
11 may give AVs the choice of how to be regulated, it may be  
12 good to select one.  
13 Rather than broadly not applying any provision that  
14 reasonably applies only to a human driver, it may be that  
15 the Committee wants any/some provision/s that applies to a  
16 human driver to apply to the operator.  
17 \*\*\*\*\*  
18

19 (b) Fully autonomous commercial vehicles shall be  
20 permitted to operate pursuant to state laws governing the  
21 operation of commercial vehicles, except that any statutory  
22 provision that reasonably applies only to a human driver  
23 would not apply to the operation of fully autonomous  
24 vehicles with the automated driving system engaged on an  
25 on-demand autonomous vehicle network.

26 \*\*\*\*\*  
27 STAFF COMMENT  
28 Rather than broadly not applying any provision that  
29 reasonably applies only to a human driver, it may be that  
30 the Committee wants any/some provision/s that applies to a  
31 human driver to apply to the operator.

\*\*\*\*\*

**31-21-107. Registration and title.**

(a) A fully autonomous vehicle shall be properly registered in accordance with W.S. 31-2-201 and W.S. 31-18-201 if it is a fully autonomous commercial vehicle. If a fully autonomous vehicle is registered in this state, the vehicle shall be identified on the registration as a fully autonomous vehicle.

(b) A fully autonomous vehicle shall be properly titled in accordance with W.S. 31-2-101. If a fully autonomous vehicle is titled in this state, the vehicle shall be identified on the title as a fully autonomous vehicle.

\*\*\*\*\*

**STAFF COMMENT**

Another option would be not to identify the vehicle as AV on the title, but rather issue an AV Decal through the registration process similar to the existing plug-in electric vehicle decal (W.S. 39-17-301 (a)(xxvii) / 31-3-102 (a)(xxiii)).

\*\*\*\*\*

(c) In the case of a vehicle not originally equipped with an automated driving system but later modified by

1 installing an automated driving system to convert it to a  
2 fully autonomous vehicle after the vehicle is originally  
3 manufactured, the vehicle's annual registration due  
4 immediately following the modification shall identify the  
5 vehicle as a fully autonomous vehicle and the vehicle's  
6 title shall be amended to identify the vehicle as a fully  
7 autonomous vehicle. After the modification and on or before  
8 the date that the annual registration is due, the owner of  
9 record shall notify the county clerk in the county in which  
10 the vehicle is:

11

12 (i) Registered that the vehicle is now a fully  
13 autonomous vehicle and the registration shall reflect the  
14 modification; and

15

16 (ii) Titled that the vehicle is now a fully  
17 autonomous vehicle and the title shall be amended to  
18 reflect the modification.

19

20 **31-21-108. Controlling authority.**

21

22 (a) Unless otherwise provided in this chapter, fully  
23 autonomous vehicles and automated driving systems are

1 governed exclusively by this chapter, applicable federal  
2 laws and department rules and are subject to state and  
3 federal laws governing traffic on highways and equipment.  
4 The department is the sole and exclusive state agency that  
5 may implement the provisions of this chapter. The  
6 department may impose any additional requirements that it  
7 deems necessary to ensure the safe operation of fully  
8 autonomous vehicles, automated driving systems or on-demand  
9 autonomous vehicle networks. The department shall provide  
10 for the administration and enforcement of this chapter by  
11 its divisions.

12

13 (b) No state agency, political subdivision, county,  
14 municipality or local entity may prohibit the operation of  
15 fully autonomous vehicles, automated driving systems or on-  
16 demand autonomous vehicle networks.

17

18 **31-21-109. Operation of a motor vehicle with an**  
19 **automated driving system by a human driver.**

20

21 (a) A human driver may operate a motor vehicle  
22 equipped with an automated driving system capable of  
23 performing the entire dynamic driving task but that is not

1 a fully autonomous vehicle if all of the following  
2 conditions are true:

3

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

6

7 (ii) The automated driving system is designed  
8 with the expectation that the human driver will respond  
9 appropriately to a request to intervene and to issue such a  
10 request whenever the automated driving system is not  
11 capable of performing the entire dynamic driving task;

12

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

17

18 (b) Nothing in this chapter prohibits or restricts a  
19 human driver from operating a fully autonomous vehicle  
20 equipped with controls that allow for the human driver to  
21 control all or part of the dynamic driving task.

22



1 (c) A vehicle equipped with an automated driving  
2 system and driven pursuant to subsection (a) of this  
3 section and a fully autonomous vehicle driven pursuant to  
4 subsection (b) of this section shall allow the human driver  
5 to take control in multiple manners, including through the  
6 use of the brake, the accelerator pedal or the steering  
7 wheel, and the vehicle shall alert the human driver that  
8 the autonomous technology has been disengaged.

9

10 **31-21-110. Testing permits.**

11

12 The department may issue special permits, which shall not  
13 be in force more than ninety (90) days, authorizing the  
14 operation of fully autonomous vehicles, automated driving  
15 systems or on-demand autonomous vehicle networks. The  
16 permits shall be issued for the purpose of testing the use  
17 of such vehicles, systems or networks under actual  
18 operating conditions on the highways. The permits shall be  
19 issued under the supervision of and under conditions  
20 determined by the department.

21

22 **31-21-111. Rulemaking; fee; autonomous vehicle**  
23 **account.**

1

2           (a) Consistent with this chapter and other applicable  
3 state and federal laws, the department shall promulgate  
4 rules consistent with this chapter and that it determines  
5 are necessary to implement this chapter and to ensure the  
6 safe operation of fully autonomous vehicles on highways,  
7 with or without human drivers, including rules for the  
8 registration and insuring of fully autonomous vehicles,  
9 license requirements for operators of fully autonomous  
10 vehicles and vehicles equipped with automated driving  
11 systems, and rules for the revocation, suspension or denial  
12 of any license or any approval issued pursuant to this  
13 chapter. In developing these rules, the department may  
14 consult with any entity that has expertise in law  
15 enforcement, automotive technology, automotive safety or  
16 automated driving system design.

17

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

23

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

13

14           (d) The funds the department receives from the fee  
15 authorized in subsection (c) of this section shall be  
16 deposited into an account, hereby created as the autonomous  
17 vehicle account. Funds in the autonomous vehicle account  
18 are continuously appropriated to the department and shall  
19 only be used for administration [and infrastructure  
20 improvements] related to autonomous vehicles. Any funds  
21 within the account, including any additional funds  
22 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 **STAFF COMMENT**  
5 **A fee for infrastructure improvements to accommodate a**  
6 **fully autonomous vehicle may require a separate assessment**  
7 **from the fee authorized in subsection (c).**  
8 \*\*\*\*\*  
9

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

12

13 **Section 3.**

14

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

19

20 (b) Section 1 of this act is effective  
21 January 1, 2022.

22

23 (END)