

**ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019**  
**COMMITTEE STATEMENT**  
**LB142**

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**Hearing Date:** Tuesday January 29, 2019  
**Committee On:** Transportation and Telecommunications  
**Introducer:** Geist  
**One Liner:** Change provisions relating to driving automation systems and liability

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

<b>Aye:</b>	6	Senators Albrecht, Bostelman, DeBoer, Friesen, Geist, Hughes
<b>Nay:</b>	1	Senator Hilgers
<b>Absent:</b>		
<b>Present Not Voting:</b>	1	Senator Cavanaugh

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**Oral Testimony:**

**Proponents:**  
Senator Suzanne Geist  
Julie Maaske  
Kyle Schneweis

**Representing:**  
Introducer  
NE Dept of Motor Vehicles  
NE Dept of Transportation

**Opponents:**  
Leighton Yates

**Representing:**  
Alliance of Automobile Manufactures

**Neutral:**  
Kim Quick

**Representing:**  
Teamsters Local Union #554

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**Summary of purpose and/or changes:**

This bill makes changes to legislation passed during the last session (LB989) relating to autonomous motor vehicles.

Section 1. The changes relate to defined terms in Section 60-3301. Most of the changes tie old and new defined terms to the meanings found in SAE J3016, Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles, June 2018 revision. One term, "driverless capable vehicle" is eliminated, and is replaced by either "Automated-driving-system-dedicated vehicle" (subsection 2) or "Automated-driving-system-equipped dual-mode vehicle" (subsection 3). Other terms referenced to the SAE J3016 definitions include "automated driving system" (subsection 1), "driverless operation" (subsection 6), "driving automation system" (subsection 7), "dynamic driving task" (subsection 8), "minimal risk condition" (subsection 9), and "operational design domain" (subsection 11). The terms "conventional human driver" (subsection 4) and "Department" (Department of Motor Vehicles, subsection 5) are not changed. The only definition otherwise amended is "on-demand driving automation system" (subsection 10), where the "driverless capable" language is substituted with the new defined terms.

Section 2. Amends Section 60-3302 by striking "driverless capable vehicle" and inserting "automated-driving-system-equipped dual-mode or automated-driving-system-dedicated vehicle.

Section 3. Amends Section 60-3303 by clarifying a provision relating to legal operation of a driving-automation-system-equipped vehicle.

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Section 4. Amends Section 60-3304 by adding a provision that auto manufacturers must provide evidence to DMV of ability to respond to damages in the amount of at least \$5 million, and include minimum coverage of \$1 million per vehicle per occurrence. Also, it requires the owner of the vehicle to comply with the requirements of the Motor Vehicle Safety Responsibility Act.

Section 5. Amends Section 60-3305 relating to transportation network companies, and substitutes new defined terms for the "driverless capable" language.

Section 6. Amends Section 60-3306 by substituting new terms in section dealing with Nebraska Rules of the Road.

Section 7. Amends Section 60-3307 by substituting new terms in section relating to collision reporting.

Section 8. Amends Section 60-3308 relating to state and political subdivision authority over autonomous vehicles by substituting new defined terms.

Section 9. Amends Section 3309 by substituting new defined terms in section dealing with highway plans and construction and accommodation of autonomous vehicles.

Section 10. Incorporates the new language in Section 12 and 13 of the bill into Section 60-3310, which relates to liability limits under the Political Subdivisions Tort Claims Act.

Section 11. Amends Section 60-3311 by substituting new defined terms in a section relating to motor vehicle titling and registration.

Section 12. New language that (a) creates a presumption that a human driver is in control of the vehicle, unless the automation system is engaged; (b) when a system is engaged at the time of the crash or collision, the manufacturer is deemed to be operating the vehicle, unless the vehicle has been modified by a third party; and (c) a mechanic or repair facility is not liable in a product liability action, if the repairs were performed according to manufacturer specifications.

Section 13. New language that allows DMV to issue guidance on driving-automation-system-equipped vehicles and allows DMV to adopt and promulgate rules and regulations.

Section 14. Repealer

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Curt Friesen, Chairperson