AMENDMENTS TO SENATE BILL NO. 1096

Sponsor: SENATOR RAFFERTY

Printer's No. 1613

Amend Bill, page 1, lines 1 through 4, by striking out all of said lines and inserting

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in rules of the road in general, providing for platooning; and providing for highly automated vehicles.

Amend Bill, page 1, lines 7 through 18; page 2, lines 1 through 30; page 3, lines 1 through 18; by striking out all of said lines on said pages and inserting

Section 1. Section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding definitions to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

* * *

<u>"Highly automated work zone vehicle." A motor vehicle equipped either with an automated driving system, or connected by wireless communication or other technology to another vehicle allowing for coordinated or controlled movement, used in an active work zone as implemented by the department or the Pennsylvania Turnpike Commission.</u>

* * *

<u>"Platoon." A group of motor vehicles, buses, military vehicles or motor carrier vehicles operated by a human traveling in a unified manner at electronically coordinated speeds at following distances that are closer than would be reasonable and prudent without such coordination. The term does not include a school bus or a school vehicle.</u>

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Section 2. Title 75 is amended by adding a section to read:

<u>§ 3317. Platooning.</u>

<u>(a) General rule.--Nonlead vehicles in a platoon shall not</u>

be subject to the provisions of section 3310 (relating to following too closely).

(b) Visual identifier.--All vehicles in a platoon must be marked with a visual identifier on the power unit. The department, after consultation with the Pennsylvania State Police, shall publish guidelines in the Pennsylvania Bulletin establishing the criteria and placement of the visual identifier.

(c) Restrictions.--A platoon shall observe the following restrictions:

(1) A maximum of three vehicles shall be in a platoon.

(2) Vehicles in a platoon shall travel only on limited access highways or interstate highways, unless otherwise permitted by the department or the Pennsylvania Turnpike Commission, as applicable.

(3) The department or the Pennsylvania Turnpike Commission, as applicable under paragraph (2), may restrict vehicle movement under this section for operational or safety reasons, including, but not limited to, emergency conditions.

Section 3. Title 75 is amended by adding a chapter to read:

CHAPTER 85

HIGHLY AUTOMATED VEHICLES

Sec.

8501. Definitions.

8502. Highly automated work zone vehicle.

8503. Commonwealth agency.

8504. Highly Automated Vehicle Advisory Committee.

§ 8501. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Advisory committee." The Highly Automated Vehicle Advisory Committee established in section 8504 (relating to Highly Automated Vehicle Advisory Committee).

§ 8502. Highly automated work zone vehicle.

(a) General rule.--The department or the Pennsylvania Turnpike Commission, as applicable, shall authorize the locations in Pennsylvania, on a periodic basis, to permit the deployment of a highly automated work zone vehicle.

(b) Requirements.--A highly automated work zone vehicle shall not require a human operator only when operating in an active work zone.

§ 8503. Commonwealth agency.

(a) Authorization.--The department and the Pennsylvania Turnpike Commission may deploy a highly automated work zone vehicle in accordance with section 8502 (relating to highly automated work zone vehicle) or platoon in accordance with section 3317 (relating to platooning) if the department or the Pennsylvania Turnpike Commission owns the vehicle.

(b) Sovereign immunity.--As provided by section 11 of Article I of the Constitution of Pennsylvania, it is declared to

be the intent of the General Assembly that a Commonwealth agency, its officials and employees, acting within the scope of their duties and in accordance with section 3317 or 8502, shall continue to enjoy sovereign immunity and official immunity and remain immune from suits. A claim against the Commonwealth and its officials and employees shall be brought only in the manner, in the court and in the cases as directed under 42 Pa.C.S. Ch. 85 (relating to matters affecting government units).

§ 8504. Highly Automated Vehicle Advisory Committee.

(a) Establishment.--The Highly Automated Vehicle Advisory Committee is established under the jurisdiction of the department.

(b) Composition.--The advisory committee shall consist of not more than 21 members. The members shall be as follows:

(1) The secretary, who shall chair the advisory committee.

(2) The Commissioner of Pennsylvania State Police.

(3) The Chief Executive Officer of the Pennsylvania Turnpike Commission.

(4) The chairperson and minority chairperson of the Transportation Committee of the Senate.

(5) The chairperson and minority chairperson of the Transportation Committee of the House of Representatives.

(6) Not more than 14 members of the public, appointed by the Secretary of Transportation, that may include a diverse group of representatives, including, but not limited to, business, academia, local authorities, insurance, safety advocates, consumer advocates, engineers, labor organizations, environmental experts, and other members determined to be appropriate by the Secretary of Transportation.

(7) Each member under paragraphs (2), (3), (4) and (5) may designate an alternate to serve in the member's stead. The member shall notify the chairperson in writing of the designation.

(c) Terms.--The terms of each member appointed by the Secretary of Transportation shall be for three years. A member of the advisory committee may be reappointed for additional terms. An individual appointed to fill a vacancy shall serve for the unexpired term and shall be eligible for reappointment.

(d) Powers and duties.--The powers and duties of the advisory committee shall be to advise and consult the Governor, the secretary and the General Assembly on all aspects of highly automated vehicles and may do any of the following, including, but not limited to:

(1) Develop technical guidance.

(2) Evaluate best practices.

(3) Recommend legislation and policy.

(4) Engage in continued research and evaluation of the technology necessary to ensure safe testing, deployment and continued innovation in this Commonwealth.

(e) Meetings and expenses.--The following shall apply:

(1) The advisory committee shall meet at least three times annually, but may hold additional meetings as are called by the chairperson of the advisory committee. The chairperson shall provide notice at least 14 days in advance for regular meetings and shall provide a minimum of three days' notice for special meetings.

(2) The secretary shall maintain a record of meeting attendance by members and shall provide written notice to appointed members who miss two consecutive meetings. An appointed member under subsection (b)(6) who misses three consecutive meetings without good cause acceptable to the chairperson of the advisory committee may be replaced by the secretary.

(3) Minutes of the meetings shall be prepared and filed with the advisory committee and distributed to each member. Each record shall be a matter of public record.

(4) An appointed member under subsection (b)(6) may not receive per diem expenses.

(5) The department shall provide appropriate staff support to enable the advisory committee to properly carry out the advisory committee's functions.

(f) Annual report.--The department shall provide an annual report of the activities under subsection (d) on the department's publicly accessible Internet website.

Section 4. This act shall take effect in 90 days.