

AMENDMENTS TO SENATE BILL NO. 1096

Sponsor: SENATOR RAFFERTY

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

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

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

10 Section 1. Section 102 of Title 75 of the Pennsylvania
11 Consolidated Statutes is amended by adding definitions to read:
12 § 102. Definitions.

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

18 * * *

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

25 * * *

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

32 * * *

33 Section 2. Title 75 is amended by adding a section to read:
34 § 3317. Platooning.

35 (a) General rule.--Nonlead vehicles in a platoon shall not

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

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

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

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

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

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

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

21 CHAPTER 85

22 HIGHLY AUTOMATED VEHICLES

23 Sec.

24 8501. Definitions.

25 8502. Highly automated work zone vehicle.

26 8503. Commonwealth agency.

27 8504. Highly Automated Vehicle Advisory Committee.

28 § 8501. Definitions.

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

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

35 § 8502. Highly automated work zone vehicle.

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

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

43 § 8503. Commonwealth agency.

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

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

1 be the intent of the General Assembly that a Commonwealth
2 agency, its officials and employees, acting within the scope of
3 their duties and in accordance with section 3317 or 8502, shall
4 continue to enjoy sovereign immunity and official immunity and
5 remain immune from suits. A claim against the Commonwealth and
6 its officials and employees shall be brought only in the manner,
7 in the court and in the cases as directed under 42 Pa.C.S. Ch.
8 85 (relating to matters affecting government units).
9 § 8504. Highly Automated Vehicle Advisory Committee.

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

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

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

17 (2) The Commissioner of Pennsylvania State Police.

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

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

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

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

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

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

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

46 (1) Develop technical guidance.

47 (2) Evaluate best practices.

48 (3) Recommend legislation and policy.

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

1 (e) Meetings and expenses.--The following shall apply:
2 (1) The advisory committee shall meet at least three
3 times annually, but may hold additional meetings as are
4 called by the chairperson of the advisory committee. The
5 chairperson shall provide notice at least 14 days in advance
6 for regular meetings and shall provide a minimum of three
7 days' notice for special meetings.
8 (2) The secretary shall maintain a record of meeting
9 attendance by members and shall provide written notice to
10 appointed members who miss two consecutive meetings. An
11 appointed member under subsection (b)(6) who misses three
12 consecutive meetings without good cause acceptable to the
13 chairperson of the advisory committee may be replaced by the
14 secretary.
15 (3) Minutes of the meetings shall be prepared and filed
16 with the advisory committee and distributed to each member.
17 Each record shall be a matter of public record.
18 (4) An appointed member under subsection (b)(6) may not
19 receive per diem expenses.
20 (5) The department shall provide appropriate staff
21 support to enable the advisory committee to properly carry
22 out the advisory committee's functions.
23 (f) Annual report.--The department shall provide an annual
24 report of the activities under subsection (d) on the
25 department's publicly accessible Internet website.
26 Section 4. This act shall take effect in 90 days.