

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1096 Session of 2018

INTRODUCED BY BROWNE, RAFFERTY, RESCHENTHALER, VULAKOVICH, KILLION, McGARRIGLE, BOSCOLA, BLAKE, YUDICHAK AND SABATINA, MARCH 28, 2018

SENATOR RAFFERTY, TRANSPORTATION, AS AMENDED, JUNE 20, 2018

AN ACT

1 ~~Amending Title 75 (Vehicles) of the Pennsylvania Consolidated~~ <--
2 ~~Statutes, in general provisions, further providing for~~
3 ~~definitions; in rules of the road in general, providing for~~
4 ~~platooning; and providing for autonomous vehicles.~~

5 AMENDING TITLE 75 (VEHICLES) OF THE PENNSYLVANIA CONSOLIDATED <--
6 STATUTES, IN GENERAL PROVISIONS, FURTHER PROVIDING FOR
7 DEFINITIONS; IN RULES OF THE ROAD IN GENERAL, PROVIDING FOR
8 PLATOONING; AND PROVIDING FOR HIGHLY AUTOMATED VEHICLES.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

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

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

19 * * *

20 ~~"Highly automated work zone vehicle." A motor vehicle~~

1 ~~equipped either with an automated driving system, or connected~~
2 ~~by wireless communication or other technology to another vehicle~~
3 ~~allowing for coordinated or controlled movement, used in an~~
4 ~~active work zone as implemented by the department or the~~
5 ~~Pennsylvania Turnpike Commission.~~

6 * * *

7 ~~"Platoon." A group of individual military vehicles or motor~~
8 ~~carrier vehicles operated by a human traveling in a unified~~
9 ~~manner at electronically coordinated speeds at following~~
10 ~~distances that are closer than would be reasonable and prudent~~
11 ~~without such coordination.~~

12 * * *

13 ~~Section 2. Title 75 is amended by adding a section to read:~~
14 ~~§ 3317. Platooning.~~

15 ~~(a) General rule. Nonlead vehicles in a platoon shall not~~
16 ~~be subject to the provisions of section 3310 (relating to~~
17 ~~following too closely).~~

18 ~~(b) Visual identifier. All platooning motor carrier~~
19 ~~vehicles must be marked with a visual identifier on the power~~
20 ~~unit. The department, after consultation with the Pennsylvania~~
21 ~~State Police, shall publish guidelines in the Pennsylvania~~
22 ~~Bulletin establishing the criteria and placement of the visual~~
23 ~~identifier. The guidelines shall be in effect until Federal~~
24 ~~guidelines or regulations are promulgated.~~

25 ~~(c) Restrictions. A platoon shall observe the following~~
26 ~~restrictions:~~

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

28 ~~(2) Vehicles in a platoon shall travel only on limited~~
29 ~~access highways or interstate highways, unless otherwise~~
30 ~~permitted by the department.~~

~~(3) The department or the Pennsylvania Turnpike Commission, as applicable, 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~~

~~AUTONOMOUS VEHICLES~~

~~Sec.~~

~~8501. (Reserved).~~

~~8502. Highly automated work zone vehicle.~~

~~§ 8501. (Reserved).~~

~~§ 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. When operating in an active work zone, a highly automated work zone vehicle does not require a human operator.~~

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

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:

* * *

"HIGHLY AUTOMATED WORK ZONE VEHICLE." A MOTOR VEHICLE

<--

1 EQUIPPED EITHER WITH AN AUTOMATED DRIVING SYSTEM, OR CONNECTED
2 BY WIRELESS COMMUNICATION OR OTHER TECHNOLOGY TO ANOTHER VEHICLE
3 ALLOWING FOR COORDINATED OR CONTROLLED MOVEMENT, USED IN AN
4 ACTIVE WORK ZONE AS IMPLEMENTED BY THE DEPARTMENT OR THE
5 PENNSYLVANIA TURNPIKE COMMISSION.

6 * * *

7 "PLATOON." A GROUP OF MOTOR VEHICLES, BUSES, MILITARY
8 VEHICLES OR MOTOR CARRIER VEHICLES OPERATED BY A HUMAN TRAVELING
9 IN A UNIFIED MANNER AT ELECTRONICALLY COORDINATED SPEEDS AT
10 FOLLOWING DISTANCES THAT ARE CLOSER THAN WOULD BE REASONABLE AND
11 PRUDENT WITHOUT SUCH COORDINATION. THE TERM DOES NOT INCLUDE A
12 SCHOOL BUS OR A SCHOOL VEHICLE.

13 * * *

14 SECTION 2. TITLE 75 IS AMENDED BY ADDING A SECTION TO READ:
15 § 3317. PLATOONING.

16 (A) GENERAL RULE.--NONLEAD VEHICLES IN A PLATOON SHALL NOT
17 BE SUBJECT TO THE PROVISIONS OF SECTION 3310 (RELATING TO
18 FOLLOWING TOO CLOSELY).

19 (B) VISUAL IDENTIFIER.--ALL VEHICLES IN A PLATOON MUST BE
20 MARKED WITH A VISUAL IDENTIFIER ON THE POWER UNIT. THE
21 DEPARTMENT, AFTER CONSULTATION WITH THE PENNSYLVANIA STATE
22 POLICE, SHALL PUBLISH GUIDELINES IN THE PENNSYLVANIA BULLETIN
23 ESTABLISHING THE CRITERIA AND PLACEMENT OF THE VISUAL
24 IDENTIFIER.

25 (C) RESTRICTIONS.--A PLATOON SHALL OBSERVE THE FOLLOWING
26 RESTRICTIONS:

27 (1) A MAXIMUM OF THREE VEHICLES SHALL BE IN A PLATOON.

28 (2) VEHICLES IN A PLATOON SHALL TRAVEL ONLY ON LIMITED
29 ACCESS HIGHWAYS OR INTERSTATE HIGHWAYS, UNLESS OTHERWISE
30 PERMITTED BY THE DEPARTMENT OR THE PENNSYLVANIA TURNPIKE

1 COMMISSION, AS APPLICABLE.

2 (3) THE DEPARTMENT OR THE PENNSYLVANIA TURNPIKE
3 COMMISSION, AS APPLICABLE UNDER PARAGRAPH (2), MAY RESTRICT
4 VEHICLE MOVEMENT UNDER THIS SECTION FOR OPERATIONAL OR SAFETY
5 REASONS, INCLUDING, BUT NOT LIMITED TO, EMERGENCY CONDITIONS.

6 SECTION 3. TITLE 75 IS AMENDED BY ADDING A CHAPTER TO READ:

7 CHAPTER 85

8 HIGHLY AUTOMATED VEHICLES

9 SEC.

10 8501. DEFINITIONS.

11 8502. HIGHLY AUTOMATED WORK ZONE VEHICLE.

12 8503. COMMONWEALTH AGENCY.

13 8504. HIGHLY AUTOMATED VEHICLE ADVISORY COMMITTEE.

14 § 8501. DEFINITIONS.

15 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
16 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
17 CONTEXT CLEARLY INDICATES OTHERWISE:

18 "ADVISORY COMMITTEE." THE HIGHLY AUTOMATED VEHICLE ADVISORY
19 COMMITTEE ESTABLISHED IN SECTION 8504 (RELATING TO HIGHLY
20 AUTOMATED VEHICLE ADVISORY COMMITTEE).

21 § 8502. HIGHLY AUTOMATED WORK ZONE VEHICLE.

22 (A) GENERAL RULE.--THE DEPARTMENT OR THE PENNSYLVANIA
23 TURNPIKE COMMISSION, AS APPLICABLE, SHALL AUTHORIZE THE
24 LOCATIONS IN PENNSYLVANIA, ON A PERIODIC BASIS, TO PERMIT THE
25 DEPLOYMENT OF A HIGHLY AUTOMATED WORK ZONE VEHICLE.

26 (B) REQUIREMENTS.--A HIGHLY AUTOMATED WORK ZONE VEHICLE
27 SHALL NOT REQUIRE A HUMAN OPERATOR ONLY WHEN OPERATING IN AN
28 ACTIVE WORK ZONE.

29 § 8503. COMMONWEALTH AGENCY.

30 (A) AUTHORIZATION.--THE DEPARTMENT AND THE PENNSYLVANIA

1 TURNPIKE COMMISSION MAY DEPLOY A HIGHLY AUTOMATED WORK ZONE
2 VEHICLE IN ACCORDANCE WITH SECTION 8502 (RELATING TO HIGHLY
3 AUTOMATED WORK ZONE VEHICLE) OR PLATOON IN ACCORDANCE WITH
4 SECTION 3317 (RELATING TO PLATOONING) IF THE DEPARTMENT OR THE
5 PENNSYLVANIA TURNPIKE COMMISSION OWNS THE VEHICLE.

6 (B) SOVEREIGN IMMUNITY.--AS PROVIDED BY SECTION 11 OF
7 ARTICLE I OF THE CONSTITUTION OF PENNSYLVANIA, IT IS DECLARED TO
8 BE THE INTENT OF THE GENERAL ASSEMBLY THAT A COMMONWEALTH
9 AGENCY, ITS OFFICIALS AND EMPLOYEES, ACTING WITHIN THE SCOPE OF
10 THEIR DUTIES AND IN ACCORDANCE WITH SECTION 3317 OR 8502, SHALL
11 CONTINUE TO ENJOY SOVEREIGN IMMUNITY AND OFFICIAL IMMUNITY AND
12 REMAIN IMMUNE FROM SUITS. A CLAIM AGAINST THE COMMONWEALTH AND
13 ITS OFFICIALS AND EMPLOYEES SHALL BE BROUGHT ONLY IN THE MANNER,
14 IN THE COURT AND IN THE CASES AS DIRECTED UNDER 42 PA.C.S. CH.
15 85 (RELATING TO MATTERS AFFECTING GOVERNMENT UNITS).

16 § 8504. HIGHLY AUTOMATED VEHICLE ADVISORY COMMITTEE.

17 (A) ESTABLISHMENT.--THE HIGHLY AUTOMATED VEHICLE ADVISORY
18 COMMITTEE IS ESTABLISHED UNDER THE JURISDICTION OF THE
19 DEPARTMENT.

20 (B) COMPOSITION.--THE ADVISORY COMMITTEE SHALL CONSIST OF
21 NOT MORE THAN 21 MEMBERS. THE MEMBERS SHALL BE AS FOLLOWS:

22 (1) THE SECRETARY, WHO SHALL CHAIR THE ADVISORY
23 COMMITTEE.

24 (2) THE COMMISSIONER OF PENNSYLVANIA STATE POLICE.

25 (3) THE CHIEF EXECUTIVE OFFICER OF THE PENNSYLVANIA
26 TURNPIKE COMMISSION.

27 (4) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
28 TRANSPORTATION COMMITTEE OF THE SENATE.

29 (5) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
30 TRANSPORTATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

1 (6) NOT MORE THAN 14 MEMBERS OF THE PUBLIC, APPOINTED BY
2 THE SECRETARY OF TRANSPORTATION, THAT MAY INCLUDE A DIVERSE
3 GROUP OF REPRESENTATIVES, INCLUDING, BUT NOT LIMITED TO,
4 BUSINESS, ACADEMIA, LOCAL AUTHORITIES, INSURANCE, SAFETY
5 ADVOCATES, CONSUMER ADVOCATES, ENGINEERS, LABOR
6 ORGANIZATIONS, ENVIRONMENTAL EXPERTS, AND OTHER MEMBERS
7 DETERMINED TO BE APPROPRIATE BY THE SECRETARY OF
8 TRANSPORTATION.

9 (7) EACH MEMBER UNDER PARAGRAPHS (2), (3), (4) AND (5)
10 MAY DESIGNATE AN ALTERNATE TO SERVE IN THE MEMBER'S STEAD.
11 THE MEMBER SHALL NOTIFY THE CHAIRPERSON IN WRITING OF THE
12 DESIGNATION.

13 (C) TERMS.--THE TERMS OF EACH MEMBER APPOINTED BY THE
14 SECRETARY OF TRANSPORTATION SHALL BE FOR THREE YEARS. A MEMBER
15 OF THE ADVISORY COMMITTEE MAY BE REAPPOINTED FOR ADDITIONAL
16 TERMS. AN INDIVIDUAL APPOINTED TO FILL A VACANCY SHALL SERVE FOR
17 THE UNEXPIRED TERM AND SHALL BE ELIGIBLE FOR REAPPOINTMENT.

18 (D) POWERS AND DUTIES.--THE POWERS AND DUTIES OF THE
19 ADVISORY COMMITTEE SHALL BE TO ADVISE AND CONSULT THE GOVERNOR,
20 THE SECRETARY AND THE GENERAL ASSEMBLY ON ALL ASPECTS OF HIGHLY
21 AUTOMATED VEHICLES AND MAY DO ANY OF THE FOLLOWING, INCLUDING,
22 BUT NOT LIMITED TO:

23 (1) DEVELOP TECHNICAL GUIDANCE.

24 (2) EVALUATE BEST PRACTICES.

25 (3) RECOMMEND LEGISLATION AND POLICY.

26 (4) ENGAGE IN CONTINUED RESEARCH AND EVALUATION OF THE
27 TECHNOLOGY NECESSARY TO ENSURE SAFE TESTING, DEPLOYMENT AND
28 CONTINUED INNOVATION IN THIS COMMONWEALTH.

29 (E) MEETINGS AND EXPENSES.--THE FOLLOWING SHALL APPLY:

30 (1) THE ADVISORY COMMITTEE SHALL MEET AT LEAST THREE

1 TIMES ANNUALLY, BUT MAY HOLD ADDITIONAL MEETINGS AS ARE
2 CALLED BY THE CHAIRPERSON OF THE ADVISORY COMMITTEE. THE
3 CHAIRPERSON SHALL PROVIDE NOTICE AT LEAST 14 DAYS IN ADVANCE
4 FOR REGULAR MEETINGS AND SHALL PROVIDE A MINIMUM OF THREE
5 DAYS' NOTICE FOR SPECIAL MEETINGS.

6 (2) THE SECRETARY SHALL MAINTAIN A RECORD OF MEETING
7 ATTENDANCE BY MEMBERS AND SHALL PROVIDE WRITTEN NOTICE TO
8 APPOINTED MEMBERS WHO MISS TWO CONSECUTIVE MEETINGS. AN
9 APPOINTED MEMBER UNDER SUBSECTION (B) (6) WHO MISSES THREE
10 CONSECUTIVE MEETINGS WITHOUT GOOD CAUSE ACCEPTABLE TO THE
11 CHAIRPERSON OF THE ADVISORY COMMITTEE MAY BE REPLACED BY THE
12 SECRETARY.

13 (3) MINUTES OF THE MEETINGS SHALL BE PREPARED AND FILED
14 WITH THE ADVISORY COMMITTEE AND DISTRIBUTED TO EACH MEMBER.
15 EACH RECORD SHALL BE A MATTER OF PUBLIC RECORD.

16 (4) AN APPOINTED MEMBER UNDER SUBSECTION (B) (6) MAY NOT
17 RECEIVE PER DIEM EXPENSES.

18 (5) THE DEPARTMENT SHALL PROVIDE APPROPRIATE STAFF
19 SUPPORT TO ENABLE THE ADVISORY COMMITTEE TO PROPERLY CARRY
20 OUT THE ADVISORY COMMITTEE'S FUNCTIONS.

21 (F) ANNUAL REPORT.--THE DEPARTMENT SHALL PROVIDE AN ANNUAL
22 REPORT OF THE ACTIVITIES UNDER SUBSECTION (D) ON THE
23 DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

24 SECTION 4. THIS ACT SHALL TAKE EFFECT IN 90 DAYS.