

Senate Study Bill 3052 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON ZUMBACH)

A BILL FOR

1 An Act relating to the operation of driverless-capable vehicles,
2 including associated civil and criminal liability, and making
3 penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 321.515, subsection 1, Code 2026, is
2 amended to read as follows:

3 1. a. A Except as provided in paragraph "b", a
4 driverless-capable vehicle may operate on the public highways
5 of this state without a conventional human driver physically
6 present in the vehicle, if the vehicle meets all of the following
7 conditions:

8 ~~a.~~ (1) The vehicle is capable of achieving a minimal risk
9 condition if a malfunction of the automated driving system occurs
10 that renders the system unable to perform the entire dynamic
11 driving task within the system's intended operational design
12 domain, if any.

13 ~~b.~~ (2) While in driverless operation, the vehicle is capable
14 of operating in compliance with the applicable traffic and motor
15 vehicle safety laws and regulations of this state that govern the
16 performance of the dynamic driving task, unless an exemption has
17 been granted to the vehicle by the department.

18 ~~c.~~ (3) The vehicle has been certified by the vehicle's
19 manufacturer to be in compliance with all applicable federal
20 motor vehicle safety standards, except to the extent an exemption
21 has been granted for the vehicle under applicable federal law or
22 by the national highway traffic safety administration.

23 b. A driverless-capable vehicle transporting hazardous
24 material shall not operate without a conventional human driver.

25 Sec. 2. Section 321.515, subsection 2, paragraph b, Code
26 2026, is amended to read as follows:

27 b. An automated driving system, while engaged, shall ~~be~~
28 ~~designed to~~ operate within the system's operational design domain
29 and in compliance with the applicable traffic and motor vehicle
30 safety laws and regulations of this state that govern the
31 performance of the dynamic driving task, unless an exemption has
32 been granted to the vehicle by the department.

33 Sec. 3. NEW SECTION. **321.515A Civil and criminal**
34 **liability.**

35 1. The owner of a driverless-capable vehicle is deemed to

1 be operating the vehicle while the automated driving system is
2 engaged and shall be liable for all of the following:

3 a. Personal injury, death, or property damage that results in
4 connection with the operation of the vehicle.

5 b. Violations of traffic or motor vehicle safety laws and
6 regulations of this state, including but not limited to as
7 described in section 321.517.

8 2. A person who modifies an automated driving system of
9 a driverless-capable vehicle without the manufacturer's consent
10 shall be liable for any damage related to the operation of the
11 vehicle. However, if the owner of the vehicle directed the
12 person to modify the system, the owner shall be liable.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 Under current law, a driverless-capable vehicle equipped with
17 an automated driving system and meeting certain requirements
18 is authorized to operate on highways while performing all
19 real-time operational and tactical functions (dynamic driving
20 task) regardless of whether a conventional human driver is
21 present in the vehicle. The operation of a driverless-capable
22 vehicle is governed by Code sections 321.514 through 321.519 and
23 all applicable traffic and motor vehicle safety laws.

24 This bill prohibits a driverless-capable vehicle transporting
25 hazardous material from operating without a conventional human
26 driver. "Hazardous material" is defined for purposes of Code
27 chapter 321 as a substance or material which has been determined
28 by the U.S. secretary of transportation to be capable of posing
29 an unreasonable risk to health, safety, and property when
30 transported in commerce, and which has been so designated. By
31 operation of law, a person who violates this provision commits
32 a simple misdemeanor pursuant to Code section 321.482. A simple
33 misdemeanor is punishable by confinement for no more than 30 days
34 and a fine of at least \$105 but not more than \$855.

35 Under current law, an automated driving system that is capable

1 of performing the entire dynamic driving task must be designed
2 to operate within the system's operational design domain in
3 compliance with the applicable traffic and motor vehicle safety
4 laws and regulations that govern the performance of the dynamic
5 driving task, unless an exemption has been granted to the vehicle
6 by the department of transportation. The bill rephrases this
7 provision to require the system to operate within the system's
8 operational design domain rather than be designed to operate in
9 that manner.

10 The bill imputes liability to the owner of a
11 driverless-capable vehicle for personal injury, death, or
12 property damage that results in connection with the operation of
13 the vehicle and for violations of traffic or motor vehicle safety
14 laws and regulations. A person who modifies an automated driving
15 system of a driverless-capable vehicle without the manufacturer's
16 consent is liable for any damage related to the operation of the
17 vehicle, unless the owner of the vehicle directed the person to
18 modify the system, in which case the owner is liable.