

HOUSE BILL NO. 304

INTRODUCED BY S. MORIGEAU

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

A BILL FOR AN ACT ENTITLED: "AN ACT SPECIFYING THE LIABILITY OF THE OPERATOR OF A VEHICLE USING A DRIVING AUTOMATION SYSTEM; ALLOWING FOR JOINT AND SEVERAL LIABILITY; AND PROVIDING A DEFINITION."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Liability of operator of vehicle with driving automation system.** (1) The operator of a vehicle using a driving automation system is liable for all damage to person or property done while operating the vehicle.

(2) A person liable under subsection (1) may adopt affirmative defenses and seek contribution in the same manner as a driver of a vehicle without a driving automation system.

(3) This section does not affect products liability actions.

(4) As used in this section, "driving automation system" means any form of adaptive cruise control, automatic braking, autonomous driving, autopilot, hands-free driving, lane-changing assistance, lane-keeping assistance, park-assist, self-driving, steering assistance, or other similar program, however styled, that automates all or part of the operation of a motor vehicle's steering, braking, or accelerating without real-time human input.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 61, chapter 6, and the provisions of Title 61, chapter 6, apply to [section 1].

- END -