



Transportation Interim Committee

68th Montana Legislature

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To: Transportation Interim Committee
From: Joe Carroll
Date: September 1, 2023

With TIC expressing interest in autonomous vehicle (AV) regulations, it may be helpful to look to recent legislative material for a background. The Legislature has not passed a bill dealing with AVs. This means that our current laws must be applied as best as possible to answer questions about how and whether autonomous vehicles are allowed to operate in Montana. There are many open questions that do not have clear answers. Likewise, policy decisions have not yet been made.

In this binder tab, please find a memo presented to the last TIC regarding AV liability law. The memo also details legislation in other states. It has not been updated from 2022.

Please also find an annotated copy of HB 339, which was sponsored by three members of the last TIC. The comments that have been added to it are an attempt to explain in plain English the legal and policy decisions that were in the bill. HB 339 did not pass.

Some of the questions that this committee and other legislatures have tried to answer include:

- Should AVs carry extra liability insurance?
- Who is liable if an AV causes damages?
- Who is liable if an AV violates a traffic law?
- How does DUI work with AVs?
- What role does the government have in regulating AVs?
- Should the government ensure that state-specific road conditions are in an AV's programming?

HB 339 sought to answer some of these questions, and future legislation may attempt to provide answers to some or all of these questions and may seek to provide answers to other questions not asked in this memo.