

# Missouri Efforts to Implement Vehicle Platooning



Prepared by John Cauwenbergh  
Assistant Chief Counsel, Missouri Department of Transportation  
Mid America Association of State Transportation Officials  
Chief Counsel's Meeting  
August 13-14, 2019



# Background

- June 3, 2015 - Commission
  - **GOAL:** Rebuild Interstate 70 – Road to Tomorrow
  - Asked for innovations in engineering, design, construction and dedicated funding.
  - Multiple later Commission meetings with status updates.



# Request for Proposal

- Issued June 10, 2019 for Innovations
  - Peloton Technology applied.
  - Made the list for further contacts.
  - Reviewed pending/enacted legislation in other states that would authorize connected vehicles.



# Starting Issues

- **Following Law:**
  - **Express Prohibition:** Section 304.044.2, RSMo, prohibits trucks / buses from following within 300 feet of one another.
  - **General Prohibition:** Section 304.017, RSMo, prohibits any vehicle following more closely than is reasonably safe and prudent.
  - **Penalty:** Violations of either law is a Class C misdemeanor.
- **Fiber Optic Network:** Uncertain whether there were electronic/fiber optic needs required along I-70 (and other public highways) to make the system work.



# Starting Issues

- **Constitutional Language:**
  - Article IV, section 29, Mo. Const. says the state highways and transportation commission has authority over the state highway system and the commission has the authority to limit access to, from and across state highways ... where the public interests and safety may require.
  - Article IV, section 30(b)1, Mo. Const. authorizes the Commission to spend its State Road Fund for such other purposes that relate and pertain to the construction and maintenance of such state highway system as the commission may deem necessary and proper.
- **Success in Judicial Challenge:** Explicit statutory authority (with no express Constitutional prohibition) would likely lead to a successful defense in a court challenge to the program.



# 2016 Legislation

- **Language:** MoDOT's draft legislation would amend section 304.044 by creating a new subsection that would read as follows:
  4. This section and section 304.017 shall not apply to a connected vehicle technology testing program that uses networked wireless communication among vehicles, infrastructure, or communications devices. Any connected vehicle technology testing program shall be limited to the operation of trucks on the public highways of this state and shall be approved by the state highways and transportation commission before such technology shall be used in Missouri. Any connected vehicle technology testing program shall be further limited to operating multiple or single pairs of no more than two vehicles in a single convoy or formation.



# 2016 Legislation

- **Draft Bill:** Drafted by MoDOT, the bill would have:
  - Created a connected vehicle technology testing program for commercial motor vehicles;
  - Authorized the program to be used on all public highways;
  - Required the connected vehicle technology to be pre-approved by MoDOT;
  - Authorized administrative rules to be promulgated if necessary;
  - Exempted the connected vehicle technology program from the statutory prohibitions in sections 304.017 and 304.044; and
  - Program authority expires in six years.



# 2016 Legislation

- Vetoed by Governor in a letter that alleged:
  - the technology was unproven to be safe and to operate reliably, citing an accident involving a “self-driving passenger car” that was involved in an accident.
  - Greater risk as this involves commercial motor vehicles, so that if there is a failure, then “catastrophic damage” would occur.
- Strong opposition lobbying from the Teamster’s Union citing job losses for its members. This opposition has continued in subsequent legislative sessions.





# 2017 Legislation

- Two Bills Filed and Debated.
- House Bill 108 had the same language MoDOT recommended that was in House Bill 1733 in 2016.
- Senate Bill 243 significantly deviated from MoDOT's language.
- Neither bill was passed by the General Assembly, mostly due to continued Teamster's opposition.



# 2018 Legislation

- Neither of the filed bills, House Bill 1295 or Senate Bill 861, contained the language MoDOT drafted and the General Assembly approved in 2016.
- Both bills defined a “platoon” in state law and exempted the nonlead vehicles from the 300 foot statutory following distance mandate.
- Neither bill passed in the 2018 legislative session.



# 2019 Legislation

- House Bill 748 and Senate Bill 186 were filed with language identical to the 2018 language. Neither of these bills made it out of their chambers of origin.
- However, alternate motor vehicle platooning language was later drafted and introduced as an amendment to other, pending, omnibus transportation bills.
- This alternate language was authored by the Missouri Trucking Association.



# 2019 Legislation

- The amendment would amend the 300 foot mandatory follow spacing requirement in section 304.044, as follows:

The driver of any truck or bus, when traveling upon a public highway of this state outside of a business or residential district, shall not follow [~~within three hundred feet of another such vehicle~~] **closer than a distance that is reasonable and prudent given the conditions and the capabilities of the truck or bus**; provided, the provisions of this section shall not be construed to prevent the overtaking and passing, by any such truck or bus, of another similar vehicle.



# 2019 Legislation

- This language failed to be incorporated in a bill passed by both legislative chambers.
- It is unclear whether a statutory change will ever be adopted in Missouri.



# Missouri Vehicle Platooning

Questions?

