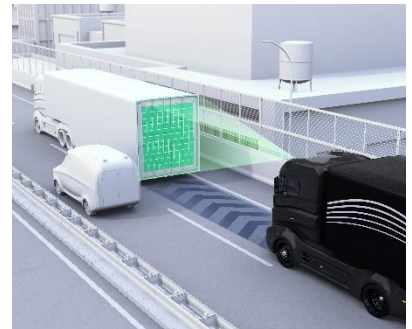


August 10, 2022

# In Some States, the Future for Autonomous Trucking is Here

by Ted Chakos

The global supply chain crisis has been one of the most widely discussed economic problems since the Ever Given lodged itself into the side of the Suez Canal. In the United States, part of the reason for this is the shortage of truck drivers. There are currently about 80,000 fewer drivers than what the economy demands. A number of start-ups have begun working to solve this problem by replacing truck drivers with autonomous trucks. Autonomous trucks don't have to follow the hourly limits that truck drivers must follow. As a result, they can do twice the work of their human counterparts.



The potential for autonomous trucks has drawn the attention of both investors and legislators. Many states began allowing testing of such vehicles several years ago. Recently, states began to allow for commercial deployment of autonomous vehicles. Stories of autonomous trucks making deliveries for big box retailers have already begun to lose their novelty. In the past few months, Oklahoma, Kansas, and West Virginia have all embraced the trend. In addition to

permitting commercial deployment, each state law permits autonomous ridesharing. But each state has its distinctions. And other states appear to be well on their way to passing their own laws.

## 1. Recent Passed Legislation

**Oklahoma.** Oklahoma will allow deployment of fully autonomous vehicles beginning November 1st of this year. Like other states, Oklahoma requires the operator of the vehicle to submit a plan to law enforcement regarding fleet support information and identification of fully autonomous vehicles. Significantly, the Oklahoma law explicitly provides for recognizing out-of-state licenses granted for the operation of autonomous vehicles. The logistics industry has welcomed this legislation as it paves the way for intrastate deliveries. Industry giants Kodiak

## Insight

Robotics and Ceva Logistics have already teamed up to begin delivering freight by autonomous trucks between Dallas and Oklahoma City.<sup>1</sup>

**Kansas.** Kansas provided for commercial deployment of autonomous vehicles as of May 23, 2022. The impact on the local economy was immediate. Startups like Gatik, an autonomous vehicle startup that is delivering consumer goods to big box retailers, have already begun to expand their operations into Kansas.<sup>2</sup> While Kansas is more restrictive than Oklahoma, many of these restrictions are set to expire in three years. For instance, medium-sized trucks are allowed, but eighteen-wheeler semitrucks will not be able to meet the weight restrictions. Unlike many other autonomous vehicle laws, fully autonomous vehicles require a human driver for the first twelve months. The legislation also created a committee with members from industry and various government officials to provide reports on the state of autonomous vehicles. This could be a sign of continued support for autonomous vehicles for years to come.

**West Virginia.** Of the three states, West Virginia is the least restrictive in its approach to autonomous vehicles. There are no laws requiring human drivers for the first 12 months or weight-limit restrictions as there are in Kansas. Unlike Oklahoma, West Virginia does not require a million-dollar minimum insurance policy. The lack of restrictions may be due to the state's faith in autonomous vehicles. The legislation explicitly states that the "continuing advances in technology have improved and are expected to continue to improve the safety and operation of fully autonomous vehicles."

The trend towards states providing for the deployment of autonomous vehicles—and in particular, autonomous commercial vehicles—will only continue. As the technology proves itself to be safer and more reliable, investment in the technology will only increase. States that have not provided for commercial deployment will not want to be left behind the states that have. The only real question is which states are next to adopt similar legislation. Pennsylvania appears to be the next mover.

**Pennsylvania.** Pennsylvania has long touted itself as being at the forefront of artificial intelligence. On June 30, 2022, the Pennsylvania House and Senate passed bills to implement commercial use of autonomous vehicles. As there are slight differences between the two bills, the bill will likely be referred to Committee. Both bills do provide for Transportation Networks, autonomous truck platoons, and testing. It should be no surprise that there is considerable support for this bill from Pennsylvania startups like Locomation and Aurora and government officials like Governor Tom Wolf.

In short, it is a cliché to say that the future looks bright for commercial autonomous vehicles. It is more accurate to say that, in many states, that future is already here. But the industry cannot grow to its full capability on a state-by-state basis. Autonomous trucks, as an interstate transporter of goods, will need an interstate set of

---

<sup>1</sup> <https://journalrecord.com/2022/03/09/companies-put-okc-on-route-for-autonomous-trucks/>

<sup>2</sup> <https://www.reuters.com/business/autos-transportation/startup-gatik-says-it-will-put-self-driving-trucks-road-kansas-2022-05-19/>

## Insight

regulations—just like those that apply to their human peers. The question is what laws Congress will pass to keep up with the state of technology.

---

<sup>1</sup> <https://journalrecord.com/2022/03/09/companies-put-okc-on-route-for-autonomous-trucks/>

<sup>2</sup> <https://www.reuters.com/business/autos-transportation/startup-gatik-says-it-will-put-self-driving-trucks-road-kansas-2022-05-19/>

If you have questions about upcoming legislation, legislative trends in autonomous vehicles contact Ted.

For other information, **please contact:**



**Theodore "Ted" Chakos**  
1.312.471.8653  
[tchakos@rshc-law.com](mailto:tchakos@rshc-law.com)  
Chicago



**Shalem A. Massey**  
1.949.359.5510  
[smassey@rshc-law.com](mailto:smassey@rshc-law.com)  
Irvine / Los Angeles



**Jennifer Steeve**  
1.949.359.5515  
[jsteeve@rshc-law.com](mailto:jsteeve@rshc-law.com)  
Irvine / Los Angeles