

# STATE OF NEW YORK

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6052--C

Cal. No. 570

2019-2020 Regular Sessions

## IN SENATE

May 16, 2019

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Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT authorizing the commissioner of transportation to conduct a comprehensive study on designation of private roads on the University at Buffalo North Campus and public roads in the town of Amherst for the purposes of future autonomous vehicle technology testing

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative intent. The legislature finds that automated  
2 vehicle technology offers widely anticipated and revolutionary potential  
3 for the transportation sector. Among the unprecedented opportunities  
4 offered by this technology are inclusive mobility options to benefit  
5 disadvantaged, disabled and elderly residents; congestion and emissions  
6 mitigation; improved livable land use; and improved road usage. The  
7 legislature also recognizes that autonomous vehicle technology is  
8 unproven and requires greater testing and the State of New York is a  
9 testbed for innovation that balances the safety and needs of its public  
10 against the need for technological advancement.

11 The legislature also recognizes that the University at Buffalo has the  
12 legal authority to test autonomous vehicle technology on certain roads  
13 that have been determined to be private and therefore not under the  
14 jurisdiction of the New York State Department of Motor Vehicles for  
15 autonomous vehicle technology testing approval. In addition to testing

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 on these private roads, the University at Buffalo may also test auton-  
2 omous vehicle technology in its parking lots, which are defined sepa-  
3 rately in the law, and are outside of New York State Department of Motor  
4 Vehicles jurisdiction.

5 In order to increase the routes available on the University at Buffalo  
6 North Campus for future autonomous vehicle technology testing, the  
7 legislature recognizes that the New York State Department of Transporta-  
8 tion has the knowledge and expertise to review traffic flow on the road-  
9 ways within the University at Buffalo North Campus, and to identify  
10 roads that could be deemed private without impacting existing traffic  
11 conditions in and around the University at Buffalo North Campus.

12 § 2. For the purposes of this act, the term "autonomous vehicle tech-  
13 nology" shall mean the hardware and software that are collectively capa-  
14 ble of performing part or all of the dynamic driving task on a sustained  
15 basis, and the term "dynamic driving task" shall mean all of the real-  
16 time operational and tactical functions required to operate a vehicle in  
17 on-road traffic, excluding the strategic functions such as trip schedul-  
18 ing and selection of destinations and waypoints.

19 § 3. The department of transportation shall undertake a comprehensive  
20 study on designation of roads on the University at Buffalo North Campus  
21 and in the town of Amherst for the purposes of future autonomous vehicle  
22 technology testing. The study shall include:

23 1. The creation of three future testing zones in the town of Amherst,  
24 about which the department shall publish regulations relating to future  
25 testing and safety:

26 (a) Zone one--Flint Road between Service Center Road and John James  
27 Audubon Parkway; John James Audubon Parkway between Flint Road and  
28 Service Center Road on the University at Buffalo Campus;

29 (b) Zone two--Flint Road Loop; Augsberger Road between Putnam Way  
30 North, and Hadley Road; Putnam Way North between Hadley Road and Augs-  
31 berger Road; Hadley Road between Augsberger Road and Putnam Way North;

32 (c) Zone three--John James Audubon Parkway Northbound between Flint  
33 Road and Lee Road; John James Audubon Parkway Southbound, between Lee  
34 Road and Flint Road; Lee Road between John James Audubon Parkway and  
35 White Drive; White Drive between Lee Road and Hamilton Road; and Hamil-  
36 ton Road from John James Audubon Parkway to Putnam Road North;

37 2. The installation of smart sensors or other technology deemed neces-  
38 sary for the implementation of future autonomous vehicle technology  
39 testing; and

40 3. Guidelines for compliance with the insurance requirements for  
41 fleets during future testing, in line with current requirements  
42 prescribed in the vehicle and traffic law.

43 § 4. At no time shall any testing of autonomous vehicle technology be  
44 conducted in the testing zones defined in section three of this act  
45 during completion of this study.

46 § 5. As part of the study, the department of transportation shall  
47 review the ability of the Erie County sheriff, University at Buffalo  
48 campus police, and Town of Amherst police to supervise autonomous vehi-  
49 cle technology testing as described in section three of this act.

50 § 6. The department of transportation shall make a report to the  
51 governor and the legislature of its findings, conclusions and recommen-  
52 dations no later than six months after the effective date of this act.

53 § 7. This act shall take effect immediately.