# STATE OF NEW YORK

8460--A

2019-2020 Regular Sessions

# IN ASSEMBLY

July 8, 2019

Introduced by M. of A. McMAHON -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:**

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

The legislature also recognizes that the University at Buffalo has the legal authority to test autonomous vehicle technology on certain roads that have been determined to be private and therefore not under the jurisdiction of the New York State Department of Motor Vehicles for autonomous vehicle technology testing approval. In addition to testing on these private roads, the University at Buffalo may also test autonomous vehicle technology in its parking lots, which are defined separately in the law, and are outside of New York State Department of Motor Vehicles jurisdiction.

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

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In order to increase the routes available on the University at Buffalo North Campus for future autonomous vehicle technology testing, the legislature recognizes that the New York State Department of Transportation has the knowledge and expertise to review traffic flow on the roadways within the University at Buffalo North Campus, and to identify roads that could be deemed private without impacting existing traffic conditions in and around the University at Buffalo North Campus.

§ 2. For the purposes of this act, the term "autonomous vehicle technology" shall mean the hardware and software that are collectively capable of performing part or all of the dynamic driving task on a sustained basis, and the term "dynamic driving task" shall mean all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic, excluding the strategic functions such as trip scheduling and selection of destinations and waypoints.

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

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

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

(b) Zone two--Flint Road Loop; Augsberger Road between Putnam Way North, and Hadley Road; Putnam Way North between Hadley Road and Augsberger Road; Hadley Road between Augsberger Road and Putnam Way North;

(c) Zone three--John James Audubon Parkway Northbound between Flint Road and Lee Road; John James Audubon Parkway Southbound, between Lee Road and Flint Road; Lee Road between John James Audubon Parkway and White Drive; White Drive between Lee Road and Hamilton Road; and Hamilton Road from John James Audubon Parkway to Putnam Road North;

2. The installation of smart sensors or other technology deemed necessary for the implementation of future autonomous vehicle technology testing; and

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

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

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

§ 6. The department of transportation shall make a report to the governor and the legislature of its findings, conclusions and recommendations no later than six months after the effective date of this act and shall promulgate the necessary regulations relating to section three of this act no later than ninety days after delivering its report.

§ 7. This act shall take effect immediately.