

# STATE OF NEW YORK

6052--A

Cal. No. 1083

2019-2020 Regular Sessions

## IN SENATE

May 16, 2019

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

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 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 recognizes that the  
2 safety and mobility of all citizens is of utmost concern to the State.  
3 That autonomous vehicle technology possesses the capability of increas-  
4 ing pedestrian and passenger safety, reduce traffic and congestion and  
5 improve the movement of goods and services across the state. That the  
6 majority of motor vehicle accidents are due to human error and auton-  
7 omous vehicle technology may possess the ability to eliminate some of  
8 these motor vehicle accidents. That autonomous vehicle technology is  
9 unproven and requires greater testing and the State of New York is a  
10 testbed for innovation that balances the safety and needs of its public  
11 against the need for technological advancement.

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

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

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

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

15 § 3. The department of transportation shall undertake a comprehensive  
16 study on designation of roads on the University at Buffalo North Campus  
17 and in the town of Amherst for the purposes of autonomous vehicle tech-  
18 nology testing. The scope of this study shall include:

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

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

25 (b) Zone two--Flint Road Loop; Augsberger Road between Putnam Way  
26 North, and Hadley Road; Putnam Way North between Hadley Road and Augs-  
27 berger Road; Hadley Road between Augsberger Road and Putnam Way North;

28 (c) Zone three--John James Audubon Parkway Northbound between Flint  
29 Road and Lee Road; John James Audubon Parkway Southbound, between Lee  
30 Road and Flint Road; Lee Road between John James Audubon Parkway and  
31 White Drive; White Drive between Lee Road and Hamilton Road; and Hamil-  
32 ton Road from John James Audubon Parkway to Putnam Road North;

33 2. Authority of the Erie County Sheriff, University at Buffalo Campus  
34 Police, and Town of Amherst Police to supervise autonomous vehicle tech-  
35 nology testing;

36 3. Allowing for installation of smart sensors and necessary technology  
37 to implement autonomous vehicle technology testing; and

38 4. Determining insurance requirements for fleets during testing in  
39 line with current requirements prescribed in the vehicle and traffic  
40 law.

41 § 4. The department of transportation shall make a report to the  
42 governor and the legislature of its findings, conclusions and recommen-  
43 dations no later than six months after the effective date of this act  
44 and shall promulgate the necessary regulations relating to section three  
45 of this act no later than ninety days after delivering its report.

46 § 5. This act shall take effect immediately.