

# STATE OF NEW YORK

---

3909--A

Cal. No. 428

2021-2022 Regular Sessions

## IN SENATE

February 1, 2021

---

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 establishing the New York task force on automated vehicle technology; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Legislative findings. 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 better road usage. Further,  
7 the legislature has amended section 2 of part FF of chapter 55 of the  
8 laws of 2017, relating to motor vehicles equipped with autonomous vehi-  
9 cle technology, as amended by section 2 of part H of chapter 58 of the  
10 laws of 2018, as amended by section 1 of part M of chapter 58 of the  
11 laws of 2019, to allow for a testing program for automobile manufactur-  
12 ers and technology leaders to test and demonstrate automated vehicle  
13 technology in New York, which will expire and be deemed repealed April  
14 1, 2023. Consequently, the legislature finds that there is a pressing  
15 need for policymakers to study automated vehicle technology and formu-  
16 late comprehensive laws and regulations to ensure the state is prepared  
17 for the safe deployment of automobiles equipped with this technology and  
18 to help prepare the state for a future where automated vehicle technolo-  
19 gy plays a role in shaping our roadways, economy, education system, and  
20 society.

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

LBD05669-03-1

1 To this end, it is in the public interest to establish an automated  
2 vehicle task force to study, evaluate and develop recommendations relat-  
3 ing to specific actionable measures that address how automated vehicle  
4 technology will transform the state's roadways, economy, education  
5 system, and society.

6 § 2. Automated vehicle task force. The New York task force on auto-  
7 mated vehicle technology is hereby established to study and assess the  
8 future of automated vehicle technology. For purposes of this act, "auto-  
9 mated vehicle" shall mean a motor vehicle that has the capability to  
10 drive the vehicle without the active control or monitoring of a human  
11 operator including any automation level at or above SAE J3016 level 3.  
12 Such task force shall consist of seventeen members with demonstrated  
13 expertise in issues relating to the work of the task force. The members  
14 of the task force shall be appointed as follows:

15 (a) five members shall be appointed by the governor, such members'  
16 expertise shall encompass, but not be limited to, the areas of transpor-  
17 tation, research and development, education, education for or assisting  
18 people with disabilities; one of these members shall be the commissioner  
19 of the department of motor vehicles and shall serve as chairperson of  
20 the task force; and one member shall be the commissioner of the depart-  
21 ment of transportation and shall serve as vice chair;

22 (b) four members shall be appointed by the temporary president of the  
23 senate, one of whom shall be appointed from an association representing  
24 the manufacturers of the majority of new car and light truck manufactur-  
25 ers sold in the United States and shall represent a different original  
26 equipment manufacturer than the speaker of the assembly's appointment,  
27 and one of whom shall be appointed from a state federation of affiliated  
28 public sector, private sector, and building trades labor organizations;

29 (c) four members shall be appointed by the speaker of the assembly,  
30 one of whom shall be appointed from an association representing the  
31 manufacturers of the majority of new car and light truck manufacturers  
32 sold in the United States and shall represent a different original  
33 equipment manufacturer than the temporary president's appointment, and  
34 one of whom shall be appointed from a statewide business advocacy organ-  
35 ization representing large and small member companies and local chambers  
36 of commerce and professional and trade associations;

37 (d) one member shall be appointed by the senate minority leader;

38 (e) one member shall be appointed by the assembly minority leader;

39 (f) one member shall be appointed by the chancellor of the state  
40 university of New York; such member shall be a member of a research  
41 faculty of an engineering department at a state university of New York  
42 campus; and

43 (g) one member shall be appointed by the commission on independent  
44 colleges and universities from a New York private university research  
45 faculty of an engineering department.

46 § 3. All appointments shall be made no later than the thirtieth day  
47 after the effective date of this section. Vacancies in the membership of  
48 the task force shall be filled in the same manner provided for by the  
49 original appointments. The task force shall organize as soon as practi-  
50 cable following the appointment of its members. The chairperson shall  
51 appoint a secretary who shall not be a member of the task force. The  
52 members of the task force shall receive no compensation for their  
53 services.

54 § 4. The task force shall study, evaluate and develop recommendations  
55 relating to specific actionable measures that address how automated  
56 vehicle technology will transform the state's roadways, economy, educa-

1 tion system and society. The automated vehicle task force shall study  
2 how to support the safe testing, deployment and operation of automated  
3 vehicle technology on public highways. It shall take all of the follow-  
4 ing into consideration: (a) the measures necessary to successfully  
5 implement automated vehicles, including necessary legislative and regu-  
6 latory or administrative changes; (b) the difficulties and liabilities  
7 that could arise by allowing automated vehicles on public highways and  
8 proper mechanisms to manage risks and ensure adequate risk coverage; (c)  
9 how automated vehicle technology can promote research and development in  
10 this state; (d) potential considerations and resource needs for law  
11 enforcement; (e) potential infrastructure changes needed and capital  
12 planning considerations; and (f) any other issue the committee deems  
13 relevant.

14 § 5. The task force shall be entitled to request and receive, and  
15 shall utilize such facilities, resources and data of any court, depart-  
16 ment, division, board, bureau, commission or agency of the state or any  
17 political subdivision thereof as it may reasonably request to properly  
18 carry out its powers and duties.

19 § 6. In carrying out its functions, the task force shall hold five  
20 public hearings around the state to foster discussions in accordance  
21 with article seven of the public officers law, and formal public hear-  
22 ings to solicit input and recommendations from statewide and regional  
23 stakeholder interests.

24 § 7. The task force shall report its findings and recommendations to  
25 the governor, the temporary president of the senate and the speaker of  
26 the assembly on or before April first, two thousand twenty-three.

27 § 8. This act shall take effect immediately and shall expire and be  
28 deemed repealed 2 years after such date.