

# STATE OF NEW YORK

7758

2023-2024 Regular Sessions

## IN SENATE

November 15, 2023

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the vehicle and traffic law, in relation to requiring human safety operators for certain autonomous vehicles

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

1 Section 1. The vehicle and traffic law is amended by adding a new  
2 section 393-b to read as follows:

3 § 393-b. Human safety operator required for certain autonomous vehi-  
4 cles. No motor vehicle with a manufacturers' gross vehicle weight  
5 rating of ten thousand one pounds or more which utilizes autonomous  
6 vehicle technology shall be operated on public highways unless a natural  
7 person holding a valid license for the operation of the motor vehicle's  
8 class is present within such vehicle. As used in this section, "auton-  
9 omous vehicle technology" shall mean the hardware and software that are  
10 collectively capable of performing part or all of the dynamic driving  
11 task on a sustained basis, and the term "dynamic driving task" shall  
12 mean all of the real-time operational and tactical functions required to  
13 operate a vehicle in on-road traffic, excluding the strategic functions  
14 such as trip scheduling and selection of destinations and waypoints.

15 § 2. This act shall take effect upon the adoption by the state of a  
16 law permitting the operation of motor vehicles utilizing autonomous  
17 vehicle technology on public highways without requiring a natural person  
18 holding a valid license for the operation of the motor vehicle's class  
19 to be present within such vehicle; provided that the commissioner of  
20 motor vehicles shall notify the legislative bill drafting commission  
21 upon the occurrence of the enactment of such state law in order that the  
22 commission may maintain an accurate and timely effective data base of  
23 the official text of the laws of the state of New York in furtherance of  
24 effecting the provisions of section 44 of the legislative law and  
25 section 70-b of the public officers law.

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

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