

STATE OF NEW YORK

4901--B

2025-2026 Regular Sessions

IN ASSEMBLY

February 10, 2025

Introduced by M. of A. CUNNINGHAM, LEVENBERG, P. CARROLL, COOK, EACHUS, JENSEN, McDONOUGH, LUPARDO, SOLAGES, BURROUGHS, PHEFFER AMATO, HEVESI, WRIGHT, ROMERO, DE LOS SANTOS, BEEPHAN, STIRPE, McDONALD, POWERS -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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 to amend the vehicle and traffic law, in relation to autonomous vehicle driving

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 article 34-E to read as follows:

3 ARTICLE 34-E

4 AUTONOMOUS VEHICLE DRIVING

5 Section 1290. Definitions.

6 1291. Operation of fully autonomous vehicles without a human
7 driver.

8 1292. Licensing.

9 1293. Insurance.

10 1294. Duties following crashes involving fully autonomous vehi-
11 cles.

12 1295. On-demand autonomous vehicle network.

13 1296. Registration and title.

14 1297. Controlling authority.

15 1298. Operation of a motor vehicle with an automated driving
16 system by a human driver.

17 § 1290. Definitions. For purposes of this article the following terms
18 shall have the following meanings:

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

LBD00929-12-6

1 1. "Automated driving system" shall mean the hardware and software
2 that are collectively capable of performing the entire dynamic driving
3 task on a sustained basis, regardless of whether it is limited to a
4 specific operational design domain;

5 2. "Dynamic driving task or DDT" shall mean all of the real-time oper-
6 ational and tactical functions required to operate a vehicle in on-road
7 traffic, excluding the strategic functions such as trip scheduling and
8 selection of destinations and waypoints, and including without limita-
9 tion: lateral vehicle motion control via steering, longitudinal motion
10 control via acceleration and deceleration, monitoring the driving envi-
11 ronment via object and event detection, recognition, classification, and
12 response preparation, object and event response execution, maneuver
13 planning; and enhancing conspicuity via lighting, signaling, and gestur-
14 ing;

15 3. "DDT Fallback" shall mean the response by the person or human driv-
16 er to either perform the DDT or achieve a minimal risk condition after
17 occurrence of a DDT performance-relevant system failure or failures or
18 upon operational design domain exit, or the response by an automated
19 driving system to achieve minimal risk condition, given the same circum-
20 stances;

21 4. "Fully autonomous vehicle" shall mean a motor vehicle:

22 (a) with a manufacturer's gross vehicle weight rating of ten thousand
23 pounds or less;

24 (b) equipped with an automated driving system designed to function
25 without a human driver and where lateral vehicle motion control via
26 steering, longitudinal motion control via acceleration and deceleration,
27 are automatically controlled; and

28 (c) equipped with two distinct sensing modalities that can detect and
29 track obstacles in the event of failure of the camera system so that the
30 automated driving system can continue to avoid obstacles while bringing
31 the vehicle to a minimal risk condition;

32 5. "Human driver" shall mean a natural person in the vehicle with a
33 valid license to operate a motor vehicle who controls all or part of the
34 dynamic driving task;

35 6. "Minimal risk condition" shall mean a condition to which a person,
36 human driver, or an automated driving system may bring a vehicle after
37 performing the DDT Fallback in order to reduce the risk of a crash when
38 a given trip cannot or should not be completed;

39 7. "On-demand autonomous vehicle network" shall mean a transportation
40 service network that uses a software application or other digital means
41 to dispatch or otherwise enable the pre-arrangement of transportation
42 with fully autonomous vehicles for purposes of transporting passengers
43 or goods, including for-hire transportation and transportation of
44 passengers or goods for compensation;

45 8. "Operational design domain" shall mean operating conditions under
46 which a given automated driving system is specifically designed to func-
47 tion, including, but not limited to, environmental, geographical, and
48 time-of-day restrictions, and/or the requisite presence or absence of
49 certain traffic or roadway characteristics;

50 9. "Person" shall mean a natural person, corporation, business trust,
51 estate, trust, partnership, limited liability company, association,
52 joint venture, governmental agency, public corporation, or any other
53 legal or commercial entity;

54 10. "Request to intervene" shall mean notification by an automated
55 driving system to a human driver, that the human driver should promptly

1 begin or resume performance of part or all of the dynamic driving task;
2 and

3 § 1291. Operation of fully autonomous vehicles without a human driver.

4 1. A person may operate a fully autonomous vehicle on the public roads
5 of this state without a human driver provided that the automated driving
6 system is engaged and the vehicle meets the following conditions:

7 (a) If a failure of the automated driving system occurs that renders
8 that system unable to perform the entire dynamic driving task relevant
9 to its intended operational design domain, the fully autonomous vehicle
10 shall achieve a minimal risk condition;

11 (b) The fully autonomous vehicle is capable of operating in compliance
12 with the applicable traffic and motor vehicle safety laws and regu-
13 lations of this state when reasonable to do so, unless an exemption has
14 been granted by the department; and

15 (c) When required by federal law, the vehicle bears the required
16 manufacturer's certification label indicating that at the time of its
17 manufacture it has been certified to be in compliance with all applica-
18 ble Federal Motor Vehicle Safety Standards, including reference to any
19 exemption granted by the National Highway Traffic Safety Administration.

20 2. Prior to operating a fully autonomous vehicle on the public roads
21 of this state without a human driver, a person shall submit a law
22 enforcement interaction plan to the department which shall describe:

23 (a) The means of communicating with a fleet support specialist who is
24 available during the times the vehicle is in operation;

25 (b) The means of safely removing the fully autonomous vehicle from the
26 roadway and steps to safely tow the vehicle;

27 (c) The means to recognize whether or not the fully autonomous vehicle
28 is in autonomous mode; and

29 (d) Any additional information the manufacturer or owner deems neces-
30 sary regarding the hazardous conditions or public safety risks associ-
31 ated with the operation of the fully autonomous vehicle.

32 3. (a) The owner of a fully autonomous vehicle operating without a
33 human driver shall be liable for any violations of applicable traffic
34 and motor vehicle safety laws and regulations of this state made by such
35 vehicle when the automated driving system is engaged.

36 (b)(i) A notice of liability shall be sent by first class mail to each
37 owner alleged to be liable for a violation by an autonomous vehicle
38 operating without a human driver. Personal delivery on the owner shall
39 not be required. A manual or automatic record of mailing prepared in the
40 ordinary course of business shall be prima facie evidence of the facts
41 contained therein.

42 (ii) A notice of liability shall contain the name and address of the
43 owner alleged to be liable for a violation by an autonomous vehicle
44 operating without a human driver, the registration number of the vehicle
45 involved in such violation, the location where such violation took
46 place, the date and time of such violation and the identification number
47 of the police officer who observed the violation.

48 (iii) The notice of liability shall contain information advising the
49 owner charged of the manner and the time in which such person may
50 contest the liability alleged in the notice.

51 (iv) The notice of liability shall be prepared and mailed by the muni-
52 cipality having jurisdiction over the intersection where the violation
53 occurred, or by any other entity authorized by such municipality to
54 prepare and mail such notification of violation.

1 § 1292. Licensing. Notwithstanding the provisions of article nineteen
2 of this chapter, when an automated driving system installed on a motor
3 vehicle is engaged:

4 1. The automated driving system is considered the driver or operator,
5 for the purpose of assessing compliance with applicable traffic or motor
6 vehicle laws and shall be deemed to satisfy electronically all physical
7 acts required by a driver or operator of the vehicle; and

8 2. The automated driving system is considered to be licensed to oper-
9 ate the vehicle.

10 § 1293. Insurance. Before operating a fully autonomous vehicle on
11 public roads in this state, a person shall submit proof of financial
12 responsibility satisfactory to the department that the fully autonomous
13 vehicle is covered by insurance or proof of self-insurance that satis-
14 fies the requirements of article six of this chapter.

15 § 1294. Duties following crashes involving fully autonomous vehicles.
16 In the event of a crash:

17 1. The fully autonomous vehicle shall remain on the scene of the crash
18 when required by article twenty-two of this chapter; and

19 2. The owner of the fully autonomous vehicle, or a person on behalf of
20 the vehicle owner, shall promptly report any crashes or collisions
21 consistent with article twenty-two of this chapter.

22 § 1295. On-demand autonomous vehicle network. 1. An on-demand auton-
23 omous vehicle network shall be permitted to operate pursuant to state
24 laws governing the operation of transportation network companies, taxis,
25 or any other ground transportation for-hire of passengers, with the
26 exception that any provision of article forty-four-B of this chapter
27 that reasonably applies only to a human driver does not apply to the
28 operation of fully autonomous vehicles with the automated driving system
29 engaged on an on-demand autonomous vehicle network.

30 2. An on-demand autonomous vehicle network shall not operate in a city
31 with a population of five million or more without first paying a five
32 million dollar start up surcharge to the department of motor vehicles of
33 such city. Such on-demand autonomous vehicle network shall thereafter
34 pay an annual one million dollar operating surcharge to the department
35 of motor vehicles of such city. All revenues generated by such
36 surcharges shall be used for the purpose of workforce development and
37 training to individuals who hold a license with the taxi and limousine
38 commission of such city.

39 § 1296. Registration and title. 1. A fully autonomous vehicle shall be
40 properly registered in accordance with title four of this chapter and
41 the vehicle shall be identified on the registration as a fully auton-
42 omous vehicle.

43 2. A fully autonomous vehicle shall be properly titled in accordance
44 with article forty-six of this chapter and the vehicle shall be identi-
45 fied on the title as a fully autonomous vehicle.

46 § 1297. Controlling authority. Notwithstanding any law, rule or regu-
47 lation to the contrary:

48 1. Unless otherwise provided in this chapter and notwithstanding any
49 other provision of law, fully autonomous vehicles and automated driving
50 systems are governed exclusively by this article. The department is the
51 sole and exclusive state agency that may implement the provisions of
52 this article;

53 2. Fully autonomous vehicles and automated driving systems operating
54 pursuant to this article shall not be subject to section twelve hundred
55 twenty-six of this chapter; and

1 3. No state agency, political subdivision, municipality, or local
2 entity may enact or keep in force rules or ordinances that would impose
3 taxes, fees, or other requirements including performance standards,
4 specific to the operation of fully autonomous vehicles, automated driv-
5 ing systems, or on-demand autonomous vehicle networks in addition to the
6 requirements of this article.

7 4. Notwithstanding subdivision one, two, or three of this section, any
8 city with a population of five million or more may establish local rules
9 and regulations governing the operation of fully autonomous vehicles and
10 automated driving systems within such city.

11 § 1298. Operation of a motor vehicle with an automated driving system
12 by a human driver. 1. A person may operate a motor vehicle equipped
13 with an automated driving system capable of performing the entire dynam-
14 ic driving task if:

15 (a) such automated driving system will issue a request to intervene
16 whenever the automated driving system is not capable of performing the
17 entire dynamic driving task with the expectation that the person will
18 respond appropriately to such a request; and

19 (b) the automated driving system is capable of being operated in
20 compliance with title seven of this chapter when reasonable to do so
21 unless an exemption has been granted by the department.

22 2. Nothing in this article prohibits or restricts a human driver from
23 operating a fully autonomous vehicle equipped with controls that allow
24 for the human driver to control all or part of the dynamic driving task.

25 § 2. The vehicle and traffic law is amended by adding a new section
26 383-a to read as follows:

27 § 383-a. Equipment required for certain automated motor vehicles. 1.
28 For purposes of this section, the terms "fully autonomous vehicle,"
29 "automated driving system," and "human driver" shall have the same mean-
30 ings as defined in section twelve hundred ninety of this chapter.

31 2. A fully autonomous vehicle that is designed to be operated exclu-
32 sively by the automated driving system for all trips is not subject to
33 motor vehicle equipment laws or regulations of this state which (a)
34 relate to or support motor vehicle operation by a human driver; and (b)
35 are not relevant for an automated driving system.

36 § 3. The vehicle and traffic law is amended by adding a new section
37 301-c to read as follows:

38 § 301-c. Inspection criteria for fully autonomous vehicles. Section
39 three hundred one of this article and any regulations promulgated by the
40 commissioner therewith shall only apply to a fully autonomous vehicle in
41 a manner consistent with the provisions of section three hundred eight-
42 y-three-a of this title.

43 § 4. This act shall take effect on the ninetieth day after it shall
44 have become a law. Effective immediately, the addition, amendment and/or
45 repeal of any rule or regulation necessary for the implementation of
46 this act on its effective date are authorized to be made and completed
47 on or before such effective date.