



January 28, 2019

Hon. Liz Krueger, Chair
Senate Standing Committee on Finance
172 State Street, Capitol Building
Room 416 CAP
Albany, NY 12247

Hon. Helene E. Weinstein, Chair
Assembly Standing Committee on Ways and Means
New York State Assembly
Weinstein is LOB 923
Albany, NY 12248

RE: SUPPORT Autonomous Vehicle One Hand on the Wheel Repeal

Dear Chairwoman Krueger, Chairwoman Weinstein, and Members of the Committees:

On behalf of the Alliance of Automobile Manufacturers (Alliance), thank you for the opportunity to share our thoughts on Part M of the 2019-2020 Executive Budget Proposal, which specifically relates to the testing and use of automated vehicle technologies within the state. The Alliance is a trade association representing twelve of the world's leading car and light truck manufacturers, and is comprised of BMW Group, FCA US LLC, Ford Motor Company, General Motors Company, Jaguar Land Rover, Mazda, Mercedes-Benz USA, Mitsubishi Motors, Porsche, Toyota, Volkswagen Group of America, and Volvo Car USA. Together, Alliance members account for roughly 70% of the cars and light duty trucks sold throughout the United States each year.

Automated Driving Systems (ADS), as defined in SAE International's protocol on automated vehicle technology (SAE J3016:SEP2016), have the potential to revolutionize mobility and dramatically reduce the 94% of accidents attributable to human error, according to the National Highway Traffic Safety Administration.¹ These systems use multiple redundant sensors to create a 360 degree field of "view" to guide the vehicle. They can react faster than a human driver to changing conditions, and have the capacity to eliminate issues relating to driver distraction. Eventually, ADSs have the potential to increase mobility for the blind, disabled, elderly, and economically disadvantaged individuals, who may be incapable of accessing or operating a conventional motor vehicle. With its mix of urban and rural geography, New York is well positioned to benefit from vehicles with ADS technology.

Part M of the 2019-2020 Executive Budget Proposal seeks to accomplish a number of important policy changes in this area, including a continuance of the state's automated vehicle testing program by 2 years, an indefinite extension of reporting requirements for the Commissioner of the Department of Motor Vehicles, and a repeal of the state's unique requirement for a driver to keep one hand on a steering wheel at all times. It is on this third point that will be the focus of our testimony.

¹ See National Motor Vehicle Crash Causation Survey (NMVCCS)

Currently in New York, there is a major stumbling block to further deployment of viable ADS safety technology. According to *Section 1226, of Article 33*, of the New York State Code, a driver is required to keep one hand on the wheel at all times. This once well-considered law was passed years ago (1971), well before anyone could have foreseen the deployment of ADS-equipped vehicles on New York roadways. The effect of this language prohibits the adoption and use of near-term automated vehicle technologies within the state. New York is the only state that currently forbids the operation of hands-free automated driving systems.

The governor rightly seeks to remove this section of the vehicle and traffic law with the passage of Part M of the 2019-2020 Executive Budget Proposal.

Often, when discussing automated vehicle technologies, many jump quickly to the end of the spectrum, to fully automated vehicles that are capable of driving anywhere, anytime, without any involvement from a human driver – or even without a human in the vehicle. Under the SAE International J3016 protocol, these are classified as Level 5 vehicles, which appear to still be a long way off at the current rate of advancement of this technology.

While Level 5 vehicles mark the limits of the technology, automated driving technologies associated with SAE Level 2 and Level 3 offer many of their own unique and compelling features, some of which are already approved to operate on roadways in this country. There are Level 2 systems that are fully capable of driving down a highway – keeping up with traffic, changing lanes, navigating curves and bends in the roadway – without a driver's input on steering, acceleration, or braking. There are also Level 2 systems that can parallel park a vehicle without any involvement from the driver. Level 2 systems still require a human driver to fully monitor the driving environment, but driving operations have been automated. There are Level 3 systems that are designed to manage all the same driving tasks while in low-speed, stop-and-go traffic. Unlike Level 2 systems, however, these Level 3 technologies are also fully capable of monitoring the driving environment, so that a human driver could actually focus on other tasks while in the vehicle. Such systems are designed to move along with traffic, and give control back to the human driver as traffic thinned and speeds increased to a specific level.

These are the sort of helpful technologies that could be available to New York residents now or in the near future with the passage of Part M and the repeal of Section 1226. No similar law exists in any of the 49 other states prohibiting the use of such technologies and we are very supportive of the governor's efforts to make this change in New York.

Thank you in advance for the consideration of our views. Please do not hesitate to contact me directly with any questions or requests for further information.

Regards,



Wayne Weikel
Senior Director, State Affairs