

**PROGRESS ON RULEMAKING TO
ESTABLISH REQUIREMENTS FOR
AUTONOMOUS VEHICLE TESTING
IN NEW MEXICO**

PRESENTED TO

TRANSPORTATION INFRASTRUCTURE AND REVENUE SUBCOMMITTEE

AUGUST 31, 2021

ALBUQUERQUE, NM

2021 NEW MEXICO LEGISLATIVE SESSION - REGULAR

HB 270 – AUTNOMOUS VEHICLES

AN ACT RELATING TO MOTOR VEHICLES; ADDING DEFINITIONS TO THE MOTOR VEHICLE CODE; PROVIDING FOR AUTONOMOUS VEHICLES; REQUIRING PERMITS; ALLOWING PLATOONING OF MOTOR VEHICLES

Introduced and Authored by:

Representative Patricia Lundstrom and Representative Harry Garcia

Sponsors Include:

Representative Randal Crowder

Representative Dayan Hochman-Vigil

Representative Joy Garratt

Passed March 19, 2021

Signed by Governor Michelle Lujan Grisham and Became Law on April 6, 2021

Within HB 270 and Specific to the Rulemaking Responsibilities of the Department

SECTION 7. A new section of the Motor Vehicle Code is enacted to read:

"AUTONOMOUS MOTOR VEHICLES--NOTIFICATION AND REGULATION OF TESTING.--

A. Prior to testing an autonomous motor vehicle or an autonomous commercial motor vehicle on a public highway in New Mexico, a person owning or operating such a motor vehicle shall notify the department of transportation at least five calendar days in advance of such operation on a form provided by rule by the department of at least the following information:

- (1) the serial number and type of each motor vehicle to be tested;
- (2) the routes to be used by the motor vehicles;
- (3) the level of automated driving systems to be used by the motor vehicles; and
- 4) such additional information as may be required by the department of transportation by rule.

B. The department of transportation shall promulgate rules regarding the notification and regulation process provided for in Subsection A of this section, including forms to be used and information to be submitted by operators of autonomous motor vehicles and autonomous commercial motor vehicles when testing such motor vehicles on public highways in New Mexico."

SECTION 9. **EFFECTIVE DATE**.--The effective date of the provisions of this act is **July 1, 2022**

Intent of the Rule will be to encourage the advancement and efficient implementation of autonomous vehicle testing in New Mexico that will not impede on maintaining a safe environment for public roadway users.

Elements of Consideration to be included in the rule:

- Credentials of AV Designer/Manufacturer/Implementers
- Prior coordination with NHTSA
- Maturity of respective AV programs
- Record of testing
- Indemnification and Coverage
- Crash Response and Police Interaction Plan

It will take into account existing successful practices in other states

It will ensure a common framework is in place for AV testing throughout the state

It will avoid inconsistencies with surrounding states that would adversely impact testing across state boundaries

It will clearly delineate between the federal and states roles with respect to the advancement of AV technology and will not encroach on those defined authorities.

Stakeholder Participation Will be Solicited to Include

Agency Representation:

NMDOT

NMSP

TRD-MVD

OSI

DOIT

Public Representation:

Albuquerque

Las Cruces

Gallup

Santa Fe

Las Vegas

Roswell

Industry Representation:

WAYMO

TUSIMPLE

DAIMLER-BENZ

UPS

ALLIANCE for AUTOMOBILE INNOVATION

Others

Discipline Representation:

NMTA

ITSNM

ITE

AAMVA

AAA NM

NMDOT Rulemaking Committee

Justin Reese, Deputy Secretary

Jerry Valdez, Executive Director

John Newell, Office of the General Counsel

Judith Paquin, Office of the General Counsel

Jeremy Lovato, Chief Information Officer

Charles Remkes, Chief of ITS Operations

Getting to July 1, 2022

EFFECTIVE DATE OF RULE

7/1/2022

Publication to the Register

2/22/2022

Submittal Deadline to the Register

2/15/2022

STC Dates

1/20/2022

STC Agenda Deadline

1/6/2022

Finalize Rule

21/15/2021

Hearing(s)

11/15/2021

Hearing Preparation

10/30/2021

NOPR Publication

10/15/2021

NOPR Submittal Deadline

10/1/2021

NOPR Preparation

9/20/2021

Final Proposed Rule/Redline

9/1/2021

Workshops with Stakeholders

6-7-8/2021

Draft Rule Internally

6/1/2021

In Progress

Done

Done

7/1/2022

4/15/2022

3/31/2022

3/17/2022

3/3/2022

2/15/2022

1/15/2022

12/30/2021

12/15/2021

12/1/2021

11/20/2021

11/1/2021

8-9-10/2021

8/1/2021

7/1/2022

6/15/2022

6/4/2022

5/19/2022

5/5/2022

4/15/2022

3/15/2022

2/28/2022

2/15/2022

2/1/2022

1/20/2021

1/1/2022

10-11-12/2021

10/1/2021

Starting from May 20, 2021



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