

7938

I N S E N A T E

May 26, 2016

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

AN ACT to amend the vehicle and traffic law, in relation to the operation of vehicles when approaching a parked, stopped or standing vehicle displaying a blue or green light

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 3 of section 502 of the vehicle and traffic
2 law, as amended by chapter 458 of the laws of 2011, is amended to read
3 as follows:

4 3. Application for learner's permit. An application for a learner's
5 permit shall be included in the application for a license. A learner's
6 permit shall be issued in such form as the commissioner shall determine
7 but shall not be issued unless the applicant has successfully passed the
8 vision test required by this section and the test set forth in paragraph
9 (a) of subdivision four of this section with respect to laws relating to
10 traffic and ability to read and comprehend traffic signs and symbols and
11 has satisfactorily completed any course required pursuant to paragraph
12 (a) of subdivision four of this section. Upon acceptance of an applica-
13 tion for a learner's permit the commissioner shall provide the applicant
14 with a driver's manual which includes but is not limited to the laws
15 relating to traffic, the laws relating to and physiological effects of
16 driving while ability impaired and driving while intoxicated, the law
17 for exercising due care to avoid colliding with a parked, stopped or
18 standing [authorized emergency vehicle or hazard] vehicle pursuant to
19 section eleven hundred forty-four-a of this chapter, explanations of
20 traffic signs and symbols and such other matters as the commissioner may
21 prescribe.

22 S 2. Subparagraph (i) of paragraph (a) of subdivision 4 of section 502
23 of the vehicle and traffic law, as amended by chapter 458 of the laws of
24 2011, is amended to read as follows:

25 (i) Upon submission of an application for a driver's license, the
26 applicant shall be required to take and pass a test, or submit evidence
27 of passage of a test, with respect to the laws relating to traffic, the
28 laws relating to driving while ability is impaired and while intoxicat-
29 ed, under the overpowering influence of "Road Rage", or "Work Zone Safe-
30 ty" awareness as defined by the commissioner, the law relating to exer-

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

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1 cising due care to avoid colliding with a parked, stopped or standing
2 authorized emergency vehicle or hazard vehicle pursuant to section elev-
3 en hundred forty-four-a of this chapter, the ability to read and compre-
4 hend traffic signs and symbols and such other matters as the commission-
5 er may prescribe, and to satisfactorily complete a course prescribed by
6 the commissioner of not less than four hours and not more than five
7 hours, consisting of classroom driver training and highway safety
8 instruction or the equivalent thereof. Such test shall include at least
9 seven written questions concerning the effects of consumption of alcohol
10 or drugs on the ability of a person to operate a motor vehicle and the
11 legal and financial consequences resulting from violations of section
12 eleven hundred ninety-two of this chapter, prohibiting the operation of
13 a motor vehicle while under the influence of alcohol or drugs. Such test
14 shall include one or more written questions concerning the devastating
15 effects of "Road Rage" on the ability of a person to operate a motor
16 vehicle and the legal and financial consequences resulting from assault-
17 ing, threatening or interfering with the lawful conduct of another
18 person legally using the roadway. Such test shall include one or more
19 questions concerning the potential dangers to persons and equipment
20 resulting from the unsafe operation of a motor vehicle in a work zone.
21 Such test may include one or more questions concerning the law for exer-
22 cising due care to avoid colliding with a parked, stopped or standing
23 [authorized emergency vehicle or hazard] vehicle pursuant to section
24 eleven hundred forty-four-a of this chapter. Such test shall be adminis-
25 tered by the commissioner. The commissioner shall cause the applicant to
26 take a vision test and a test for color blindness. Upon passage of the
27 vision test, the application may be accepted and the application fee
28 shall be payable.

29 S 3. The section heading of section 1144-a of the vehicle and traffic
30 law, as amended by chapter 458 of the laws of 2011, is amended to read
31 as follows:

32 Operation of vehicles when approaching a parked, stopped or standing
33 authorized emergency vehicle or hazard vehicle OR VEHICLE DISPLAYING A
34 BLUE OR GREEN LIGHT.

35 S 4. Section 1144-a of the vehicle and traffic law is amended by
36 adding a new subdivision (c) to read as follows:

37 (C) EVERY OPERATOR OF A MOTOR VEHICLE SHALL EXERCISE DUE CARE TO AVOID
38 COLLIDING WITH A VEHICLE DISPLAYING A BLUE LIGHT PURSUANT TO THE
39 PROVISIONS OF PARAGRAPH FOUR OR A GREEN LIGHT PURSUANT TO THE PROVISIONS
40 OF PARAGRAPH FIVE OF SUBDIVISION FORTY-ONE OF SECTION THREE HUNDRED
41 SEVENTY-FIVE OF THIS CHAPTER WHICH IS PARKED, STOPPED OR STANDING ON THE
42 SHOULDER OR ANY PORTION OF SUCH HIGHWAY. FOR OPERATORS OF MOTOR VEHICLES
43 ON PARKWAYS OR CONTROLLED ACCESS HIGHWAYS, SUCH DUE CARE SHALL INCLUDE,
44 BUT NOT BE LIMITED TO, MOVING FROM A LANE WHICH CONTAINS OR IS IMME-
45 DIATELY ADJACENT TO THE SHOULDER WHERE SUCH VEHICLE DISPLAYING A BLUE
46 LIGHT PURSUANT TO THE PROVISIONS OF PARAGRAPH FOUR OR A GREEN LIGHT
47 PURSUANT TO THE PROVISIONS OF PARAGRAPH FIVE OF SUBDIVISION FORTY-ONE OF
48 SECTION THREE HUNDRED SEVENTY-FIVE OF THIS CHAPTER IS PARKED, STOPPED OR
49 STANDING TO ANOTHER LANE, PROVIDED THAT SUCH MOVEMENT OTHERWISE COMPLIES
50 WITH THE REQUIREMENTS OF THIS CHAPTER INCLUDING, BUT NOT LIMITED TO, THE
51 PROVISIONS OF SECTIONS ELEVEN HUNDRED TEN AND ELEVEN HUNDRED
52 TWENTY-EIGHT OF THIS TITLE.

53 S 5. This act shall take effect on the one hundred eightieth day after
54 it shall have become a law.