

STATE OF NEW YORK

6295--A

2021-2022 Regular Sessions

IN ASSEMBLY

March 12, 2021

Introduced by M. of A. LUPARDO, BRONSON, ABBATE, BUTTENSCHON, CRUZ, EPSTEIN, SIMON, TAYLOR, PALMESANO, DeSTEFANO, MIKULIN, McDONOUGH, SALKA, SCHMITT, WALCZYK, FAHY, GALLAHAN, LAWLER -- Multi-Sponsored by -- M. of A. BARCLAY, BLANKENBUSH, THIELE -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law and the transportation law, in relation to establishing a commercial driver's license (CDL) class A young adult training program

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

Section 1. Paragraphs (a) and (b) of subdivision 2 of section 502 of the vehicle and traffic law, as amended by chapter 520 of the laws of 1991, are amended to read as follows:

(a) An applicant for a ~~class A license or for a~~ commercial driver's license which contains an H or an X endorsement or which is valid for operation in interstate commerce shall be at least twenty-one years of age.

(b) Except as provided in paragraph (a) of this subdivision an applicant for a class A, B, C or E license shall be at least eighteen years of age.

§ 2. Subdivision 5 of section 502 of the vehicle and traffic law is amended by adding a new paragraph (d) to read as follows:

(d) The commissioner shall not issue a class A commercial driver's license to a person who is eighteen, nineteen or twenty years old unless, in addition to meeting the requirements of this chapter with respect to the issuance of commercial driver's licenses, such person submits acceptable proof of successful completion of the commercial driver's license (CDL) class A young adult training program established by the commissioner of transportation pursuant to subdivision thirty-six of section fourteen of the transportation law, and proof of completion

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

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1 of the minimum hours of supervised driving required by such subdivision.
2 The commissioner shall place an "intrastate only" restriction on any
3 class A commercial driver's license issued to a person who is eighteen,
4 nineteen or twenty years old and such restriction shall remain until
5 such person turns twenty-one years of age.

6 § 3. Section 14 of the transportation law is amended by adding a new
7 subdivision 36 to read as follows:

8 36. (a) To promulgate, in consultation with the commissioner of motor
9 vehicles, rules and regulations to establish and implement a commercial
10 driver's license (CDL) class A young adult training program for class A
11 commercial driver's license applicants who are eighteen, nineteen or
12 twenty years old.

13 (b) Such rules and regulations shall be no less protective of public
14 safety than the rules and regulations promulgated by the federal motor
15 carrier safety administration with respect to the training of entry-level
16 commercial motor vehicle operators. Such rules and regulations shall:

17 (i) set forth the requirements of, and criteria to be included in, the
18 training program which shall be no less than the entry-level driver
19 training requirements prescribed by the federal motor carrier safety
20 administration under Appendices A, C, D and E of part 380 of title 49 of
21 the Code of Federal Regulations, as may be amended from time to time;
22 and

23 (ii) include no less than three hundred hours of behind-the-wheel
24 training under the immediate supervision and control of an experienced
25 driver.

26 (c) For purposes of this subdivision, the following terms shall have
27 the following meanings:

28 (i) "Young adult" shall mean an individual who is eighteen, nineteen
29 or twenty years old.

30 (ii) "Experienced driver" shall mean an individual who:

31 (A) is not less than twenty-one years of age;

32 (B) holds a valid class A commercial driver's license which is not
33 suspended, revoked or cancelled pursuant to the provisions of this chap-
34 ter, the vehicle and traffic law, or rules and regulations promulgated
35 thereunder and has held such commercial driver's license for at least
36 two years;

37 (C) has not, for at least a one-year period: been the operator of a
38 motor vehicle involved in an accident reportable to the federal motor
39 carrier safety administration, or been the operator of a commercial
40 motor vehicle involved in an accident reportable to the commissioner of
41 motor vehicles, or been convicted of a serious traffic violation, or
42 been convicted of any violation of title VII of the vehicle and traffic
43 law for which the commissioner of motor vehicles assesses points, or
44 been disqualified from operating a commercial motor vehicle pursuant to
45 this chapter, the vehicle and traffic law, or rules and regulations
46 promulgated thereunder; and

47 (D) has a minimum of one year of experience driving, in commerce, a
48 commercial motor vehicle which can only be operated with a class A
49 commercial driver's license.

50 (iii) "Serious traffic violation" shall have the same meaning as such
51 term is defined in subdivision four of section five hundred ten-a of the
52 vehicle and traffic law.

53 § 4. This act shall be deemed repealed if any federal agency deter-
54 mines in writing that this act would render New York state ineligible
55 for the receipt of federal funds or any court of competent jurisdiction

1 finally determines that this act would render New York state out of
2 compliance with federal law or regulation.

3 § 5. Severability. If any clause, sentence, subdivision, paragraph,
4 section or part of this act be adjudged by any court of competent juris-
5 diction to be invalid, such judgment shall not affect, impair or invali-
6 date the remainder thereof, but shall be confined in its operation to
7 the clause, sentence, subdivision, paragraph, section or part thereof
8 directly involved in the controversy in which such judgment shall have
9 been rendered.

10 § 6. This act shall take effect on the one hundred eightieth day after
11 it shall have become a law; provided that the commissioner of transpor-
12 tation shall notify the legislative bill drafting commission upon the
13 occurrence of the repeal of this act provided for in section four of
14 this act in order that the commission may maintain an accurate and time-
15 ly effective data base of the official text of the laws of the state of
16 New York in furtherance of effectuating the provisions of section 44 of
17 the legislative law and section 70-b of the public officers law.