

STATE OF NEW YORK

6335

2021-2022 Regular Sessions

IN SENATE

April 22, 2021

Introduced by Sen. KENNEDY -- 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 a three-wheeled vehicle

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

1 Section 1. Subparagraphs (iv) and (vii) of paragraph (a) of subdivi-
2 sion 2 of section 501 of the vehicle and traffic law, subparagraph (iv)
3 as amended by chapter 339 of the laws of 2005, subparagraph (vii) as
4 added by chapter 173 of the laws of 1990, are amended to read as
5 follows:

6 (iv) Class D. Such license shall be valid to operate any passenger or
7 limited use automobile or any truck with a GVWR of not more than twen-
8 ty-six thousand pounds or any such vehicle towing a vehicle with a GVWR
9 of not more than ten thousand pounds, or any such vehicle towing another
10 vehicle with a GVWR of more than ten thousand pounds provided such
11 combination of vehicles has a GCWR of not more than twenty-six thousand
12 pounds, or any personal use vehicle with a GVWR of not more than twen-
13 ty-six thousand pounds or any such vehicle towing a vehicle with a GVWR
14 of not more than ten thousand pounds, except it shall not be valid to
15 operate a tractor, a motorcycle other than a class B or C limited use
16 motorcycle, a vehicle used to transport passengers for hire or for which
17 a hazardous materials endorsement is required, or a vehicle defined as a
18 bus in subdivision one of section five hundred nine-a of this title.
19 Such license also shall be valid to operate a three-wheeled motor vehi-
20 cle that has two wheels situated in the front and one wheel in the rear,
21 has a steering wheel and seating which does not require the operator to
22 straddle or sit astride, is equipped with safety belts for all occupants
23 and is manufactured to comply with federal motor vehicle safety stand-
24 ards for motorcycles including, but not limited to, 49 C.F.R. part 571.

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

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1 (vii) Class M. Such license shall be valid to operate any motorcycle,
2 or any motorcycle, other than a limited use motorcycle, towing a trail-
3 er. Such license also shall be valid to operate a three-wheeled motor
4 vehicle that has two wheels situated in the front and one wheel in the
5 rear, has a steering wheel and seating which does not require the opera-
6 tor to straddle or sit astride, is equipped with safety belts for all
7 occupants and is manufactured to comply with federal motor vehicle safe-
8 ty standards for motorcycles including, but not limited to, 49 C.F.R.
9 part 571.

10 § 2. Paragraph (b) of subdivision 4 of section 502 of the vehicle and
11 traffic law, as amended by chapter 513 of the laws of 2019, is amended
12 to read as follows:

13 (b) Upon successful completion of the requirements set forth in para-
14 graph (a) of this subdivision which shall include an alcohol and drug
15 education component as described in paragraph (c) of this subdivision, a
16 "Road Rage" awareness component as described in paragraph (c-1) of this
17 subdivision and a "Work Zone Safety" awareness component as described in
18 paragraph (c-2) of this subdivision, a "Motorcycle Safety" awareness
19 component as described in paragraph (c-3) of this subdivision, and a
20 "School Bus Safety" awareness component as described in paragraph (c-4)
21 of this subdivision the commissioner shall cause the applicant to take a
22 road test in a representative vehicle of a type prescribed by the
23 commissioner which shall be appropriate to the type of license for which
24 application is made, except that the commissioner may waive the road
25 test requirements for certain classes of applicants. Provided, however,
26 that the term "representative vehicle" shall not include a three-wheeled
27 motor vehicle that has two wheels situated in the front and one wheel in
28 the rear, has a steering wheel and seating which does not require the
29 operator to straddle or sit astride, is equipped with safety belts for
30 all occupants and is manufactured to comply with federal motor vehicle
31 safety standards for motorcycles including, but not limited to, 49
32 C.F.R. part 571. The commissioner shall have the power to establish a
33 program to allow persons other than employees of the department to
34 conduct road tests in representative vehicles when such tests are
35 required for applicants to obtain a class A, B or C license. If she
36 chooses to do so, she shall set forth her reasons in writing and conduct
37 a public hearing on the matter. She shall only establish such a program
38 after holding the public hearing.

39 § 3. This act shall take effect immediately.