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I N A S S E M B L Y

May 20, 2010

Introduced by M. of A. GANTT, CUSICK, MAISEL, TITONE -- Multi-Sponsored
by -- M. of A. GABRYSZAK, WEISENBERG -- (at request of the Department
of Motor Vehicles) -- read once and referred to the Committee on
Transportation

AN ACT to amend the vehicle and traffic law, in relation to the require-
ments for licensing and to amend chapter 403 of the laws of 2009
amending the vehicle and traffic law relating to the graduated licens-
ing program, in relation to the effective date thereof

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

1 Section 1. Paragraph (c) of subdivision 2 of section 502 of the vehi-
2 cle and traffic law, as added by chapter 173 of the laws of 1990, is
3 amended to read as follows:
4 (c) An applicant for a class D or M license shall be at least eighteen
5 years of age, except that an application shall be accepted if the appli-
6 cant is at least seventeen years of age and submits acceptable proof of
7 successful completion of a driver education course, approved by the
8 state education department and the commissioner, AND PROOF OF COMPLETION
9 OF THE MINIMUM HOURS OF SUPERVISED DRIVING AS REQUIRED IN PARAGRAPH (D)
10 OF THIS SUBDIVISION.
11 S 2. Subdivision 1 of section 507 of the vehicle and traffic law, as
12 amended by chapter 173 of the laws of 1990, is amended to read as
13 follows:
14 1. Driver education. Notwithstanding any other provisions of this
15 article, a class D or class M license, whichever is appropriate, may be
16 issued to a minor seventeen years of age who has successfully completed
17 a driver education course approved by the state education department and
18 the commissioner in a high school or college AND WHO HAS SUBMITTED PROOF
19 OF COMPLETION OF THE MINIMUM HOURS OF SUPERVISED DRIVING AS REQUIRED IN
20 PARAGRAPH (D) OF SUBDIVISION TWO OF SECTION FIVE HUNDRED TWO OF THIS
21 ARTICLE. No such driver education course may be approved unless class-
22 room training is provided by a person approved by the state education
23 department and the commissioner. However, a school district may contract
24 with one or more licensed drivers' schools to provide behind the wheel

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

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1 training, pursuant to regulations promulgated by the commissioner. The
2 commissioner shall prescribe the requirements for licensing of such
3 minors. A student enrolled in such an approved driver education course
4 may operate a motor vehicle without holding a driver's license or a
5 learner's permit while under the immediate supervision of an instructor
6 in such course or a driver's school instructor providing behind the
7 wheel training in such a course, provided such operation is in accord-
8 ance with the rules established by the commissioner. Every student who
9 successfully completes such course in a day, evening or summer school
10 program offered by a public or private school shall receive certif-
11 ication of such completion on a certificate prescribed by the commis-
12 sioner.

13 S 3. Section 14 of chapter 403 of the laws of 2009 amending the vehi-
14 cle and traffic law relating to the graduated licensing program is
15 amended to read as follows:

16 S 14. This act shall take effect immediately; provided, however, that:

17 (a) sections one, [two, three,] five, six, eight, nine and ten AND THE
18 AMENDMENTS TO PARAGRAPH (D) OF SUBDIVISION 1 OF SECTION 501-B OF THE
19 VEHICLE AND TRAFFIC LAW MADE BY SECTION TWO of this act shall take
20 effect on the one hundred eightieth day after it shall have become a law
21 and shall apply to licenses issued on or after such effective date. Any
22 license issued pursuant to section 503-a of the vehicle and traffic law
23 prior to such effective date shall remain in effect until the expiration
24 date of such license;

25 (b) sections four and twelve of this act shall take effect November 1,
26 2009; [and]

27 (c) section eleven of this act shall expire and be deemed repealed
28 November 1, 2009; AND

29 (D) SECTION THREE AND THE AMENDMENTS TO PARAGRAPH (C) OF SUBDIVISION 1
30 OF SECTION 501-B OF THE VEHICLE AND TRAFFIC LAW MADE BY SECTION TWO OF
31 THIS ACT SHALL TAKE EFFECT SEPTEMBER 1, 2010.

32 S 4. This act shall take effect immediately; provided, however, that
33 sections one and two of this act shall take effect thirty days after it
34 shall have become a law and shall apply to all persons enrolling in
35 approved driver education courses on or after such date.