S T A T E O F N E W Y O R K

2318

2009-2010 Regular Sessions

I N S E N A T E

February 18, 2009

Introduced by Sen. PADAVAN -- 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 prohibiting holders of learner's permits from driving in a road test area

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

Section 1. Subdivision 5 of section 501 of the vehicle and traffic law is amended by adding two new paragraphs (d) and (e) to read as follows:

(D) IN ADDITION TO THE RESTRICTIONS CONTAINED IN THIS SUBDIVISION:

(I) LEARNER'S PERMITS ISSUED PURSUANT TO THIS SUBDIVISION SHALL NOT BE VALID IN ANY AREA DESIGNATED BY THE COMMISSIONER AS A ROAD TEST AREA UNLESS THE HOLDER OF SUCH PERMIT IS ACCOMPANIED BY A LICENSING EXAMINER OF THE DEPARTMENT;

(II) NO HOLDER OF A LEARNER'S PERMIT SHALL PRACTICE DRIVING OR RECEIVE DRIVING INSTRUCTION OR EDUCATION IN ANY AREA DESIGNATED BY THE COMMISSIONER AS A ROAD TEST AREA; AND

(III) NO INSTRUCTOR OR EDUCATOR SHALL GIVE ANY DRIVING INSTRUCTION OR EDUCATION IN THE OPERATION OF A MOTOR VEHICLE WITHIN ANY AREA DESIGNATED BY THE COMMISSIONER AS A ROAD TEST AREA. HOWEVER, AN INSTRUCTOR OR EDUCATOR MAY ACCOMPANY AND SUPERVISE A HOLDER OF A LEARNER'S PERMIT WHO RESIDES WITHIN ANY SUCH ROAD TEST AREA FROM AND TO SUCH HOLDER'S PLACE OF RESIDENCE FOR THE PURPOSE OF GIVING INSTRUCTION OR EDUCATION TO SUCH HOLDER OUTSIDE OF SUCH ROAD TEST AREA.

(E) ANY LEARNER'S PERMIT ISSUED PURSUANT TO THIS SUBDIVISION SHALL HAVE IMPRINTED ON ITS FACE IN CONSPICUOUS TYPE THE STATEMENT "LEARNER'S PERMITS ARE NOT VALID IN A ROAD TEST AREA".

S 2. Section 509 of the vehicle and traffic law is amended by adding a new subdivision 10-a to read as follows:

10-A. NO HOLDER OF A LEARNER'S PERMIT SHALL PRACTICE DRIVING OR RECEIVE DRIVING INSTRUCTION OR EDUCATION IN ANY AREA DESIGNATED BY THE COMMISSIONER AS A ROAD TEST AREA.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD06934-01-9