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

3053

2009-2010 Regular Sessions

I N S E N A T E

March 10, 2009

Introduced by Sens. SEWARD, BONACIC, VOLKER -- 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 permitting holders of class DJ and class MJ licenses to drive to volunteer fire and ambulance activities

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

Section 1. Subdivision 3 of section 501 of the vehicle and traffic law, as added by chapter 449 of the laws of 1989, the subdivision heading and the first undesignated paragraph as amended by chapter 173 of the laws of 1990, subparagraph (ii) of paragraph (b) as amended by chapter 644 of the laws of 2002, is amended to read as follows:

3. Restrictions on use of class DJ and class MJ licenses. A class DJ or class MJ license shall permit the holder to operate a vehicle in accordance with the following restrictions:

(a) in the counties of Nassau and Suffolk:

(i) for the purpose of driving to and from a state-approved cooperative work-study educational program, or to or from an approved program for credit in a post-secondary institution, or to or from a state-approved registered evening high school or while engaged in farm employment, or to or from an approved driver education course; or

(ii) from five o'clock in the morning to nine o'clock in the evening, to and from a place of business where the holder is regularly employed, or when accompanied by a duly licensed parent, guardian, person in a position of loco parentis, driver education teacher, or driving school instructor.

(b) in all other areas of the state, except for the city of New York:

(i) from five o'clock in the morning to nine o'clock in the evening; or

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

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(ii) from nine o'clock in the evening to five o'clock in the morning when going to or from school, or to or from a place of business where the holder is employed on a regularly scheduled basis, OR TO OR FROM A FIRE, ALARM OF FIRE, ACCIDENT OR ALARM OF ACCIDENT FOR THE PROVISION OF VOLUNTEER FIRE OR VOLUNTEER AMBULANCE SERVICES, or when accompanied by a duly licensed parent, guardian or one in a position of loco parentis to the licensee.

(c) in the city of New York, driving shall be prohibited.

(d) for the purpose of this subdivision, the term "school" shall mean instruction, education or training licensed or approved by a department or agency of the state or training conducted by the armed forces of the United States except it shall not include extra-curricular activities or social events for which scholastic credits are not given.

(e) any person operating a motor vehicle to or from school [or], to or from a place of business OR TO OR FROM PARTICIPATION IN VOLUNTEER FIRE OR VOLUNTEER AMBULANCE SERVICES as authorized by this subdivision must possess documentation signed by such person's instructor [or], employer OR VOLUNTEER FIRE OR AMBULANCE COMPANY. The commissioner shall, by regulation, prescribe the form and content of such documentation.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.