

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:

1 Section 1. Subdivision 3 of section 501 of the vehicle and traffic
2 law, as added by chapter 449 of the laws of 1989, the subdivision head-
3 ing and the first undesignated paragraph as amended by chapter 173 of
4 the laws of 1990, subparagraph (ii) of paragraph (b) as amended by chap-
5 ter 644 of the laws of 2002, is amended to read as follows:
6 3. Restrictions on use of class DJ and class MJ licenses. A class DJ
7 or class MJ license shall permit the holder to operate a vehicle in
8 accordance with the following restrictions:
9 (a) in the counties of Nassau and Suffolk:
10 (i) for the purpose of driving to and from a state-approved cooper-
11 ative work-study educational program, or to or from an approved program
12 for credit in a post-secondary institution, or to or from a state-ap-
13 proved registered evening high school or while engaged in farm employ-
14 ment, or to or from an approved driver education course; or
15 (ii) from five o'clock in the morning to nine o'clock in the evening,
16 to and from a place of business where the holder is regularly employed,
17 or when accompanied by a duly licensed parent, guardian, person in a
18 position of loco parentis, driver education teacher, or driving school
19 instructor.
20 (b) in all other areas of the state, except for the city of New York:
21 (i) from five o'clock in the morning to nine o'clock in the evening;
22 or

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

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

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

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

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

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