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

8117

I N S E N A T E

June 9, 2010

Introduced by Sen. NOZZOLIO -- 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 establishing visor communication cards for the deaf and hard of hearing

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

Section 1. The vehicle and traffic law is amended by adding a new section 404-x to read as follows:

S 404-X. VISOR COMMUNICATION CARD FOR THE NEW YORK STATE DEAF AND HARD OF HEARING. 1. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) "DEAF PERSON" SHALL MEAN ANY PERSON WHO, BECAUSE OF HEARING LOSS, IS NOT ABLE TO DISCRIMINATE SPEECH WHEN SPOKEN IN A NORMAL CONVERSATIONAL TONE REGARDLESS OF THE USE OF AMPLIFICATION DEVICES; AND

(B) "HARD OF HEARING PERSON" SHALL MEAN ANY PERSON WHO, BECAUSE OF HEARING LOSS, HAS A DIMINISHED CAPACITY TO DISCRIMINATE SPEECH WHEN SPOKEN IN A NORMAL CONVERSATIONAL TONE.

(C) "VISOR COMMUNICATION CARD" SHALL MEAN SUCH IDENTIFICATION AS ISSUED BY THE DEPARTMENT WHICH IDENTIFIES THE DRIVER AS DEAF OR HARD OF HEARING, AS DEFINED IN THIS SECTION, AND WHICH DETAILS THE APPROPRIATE PROCEDURES FOR ASSISTING A DEAF OR HARD OF HEARING DRIVER DURING A TRAFFIC STOP AS PROMULGATED BY THE DEPARTMENT PURSUANT TO THIS SECTION.

2. ANY PERSON RESIDING IN THIS STATE, UPON REQUEST AND ACCOMPANIED BY A DOCTOR'S STATEMENT INDICATING SUCH PERSON IS EITHER DEAF OR HARD OF HEARING, SHALL BE ISSUED A VISOR COMMUNICATION CARD FOR THE DEAF AND HARD OF HEARING OF A DESIGN APPROVED BY THE COMMISSIONER. APPLICATION FOR SUCH VISOR COMMUNICATION CARD SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

3. A VISOR COMMUNICATION CARD ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE, PROVIDED, HOWEVER, THAT ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, FUNDS IN THE AMOUNT OF FIVE THOUSAND DOLLARS, OR SO MUCH THEREOF AS MAY BE AVAILABLE, SHALL BE

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

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ALLOCATED FROM SUCH FUND TO THE DEPARTMENT TO OFFSET COSTS ASSOCIATED WITH THE PRODUCTION OF SUCH VISOR COMMUNICATION CARDS.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such effective date.