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I N   A S S E M B L Y

May 20, 2010

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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.