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

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2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. PERALTA, ESPAILLAT, ROBINSON, ALFANO, BARRA -- Multi-Sponsored by -- M. of A. BENJAMIN, CLARK, COOK, ERRIGO, FINCH, LAVINE, MAYERSOHN, J. RIVERA, WEISENBERG -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to commercial driving schools and private driving instruction

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 507-a to read as follows:

S 507-A. COMMERCIAL DRIVING SCHOOLS AND PRIVATE DRIVING INSTRUCTION. 1. HOLDERS OF VALID LEARNER'S PERMITS WHO HAVE NOT COMPLETED AN APPROVED DRIVER EDUCATION COURSE IN HIGH SCHOOL OR COLLEGE SHALL COMPLETE A MINIMUM OF TEN HOURS OF ROAD TRAINING EXPERIENCE CONDUCTED BY AN APPROVED COMMERCIAL DRIVING SCHOOL OR A PRIVATE INSTRUCTOR CONSISTENT WITH REGULATIONS AND THE PROVISIONS OF THIS SECTION.

2. ALL PRIVATE DRIVING INSTRUCTORS SHALL:

(A) HOLD A VALID DRIVERS' LICENSE ISSUED BY A STATE OR TERRITORY OF THE UNITED STATES, OR BY THE FEDERAL GOVERNMENT; AND

(B) PROVIDE NOTICE TO THEIR INSURANCE COMPANY OF THEIR INTENT TO PROVIDE DRIVING INSTRUCTION. INSURANCE COMPANIES SHALL ISSUE AN IDENTIFICATION CERTIFICATE WHICH SHALL BE PRESENTED TO THE DEPARTMENT INSPECTOR AT THE POINT OF ROAD TEST.

3. ALL COMMERCIAL DRIVING SCHOOLS SHALL:

(A) REQUIRE THEIR INSTRUCTORS TO HOLD A VALID DRIVERS' LICENSE ISSUED BY A STATE OR TERRITORY OF THE UNITED STATES, OR BY THE FEDERAL GOVERNMENT;

(B) PROVIDE NOTICE TO EACH INSTRUCTOR'S INSURANCE COMPANY OF HIS OR HER INTENT TO PROVIDE DRIVING INSTRUCTION. INSURANCE COMPANIES SHALL

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

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ISSUE AN IDENTIFICATION CERTIFICATE WHICH SHALL BE PRESENTED TO THE DEPARTMENT INSPECTOR AT THE POINT OF THE ROAD TEST;

(C) EQUIP ALL INSTRUCTIONAL VEHICLES WITH DUAL BRAKE SYSTEMS;

(D) POST A BOND IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS PRIOR TO ENROLLING ANY STUDENTS;

(E) PROVIDE HANDICAP ACCESSIBILITY ENTRANCES FOR ATTENDEES AT FIVE-HOUR PRE-LICENSING CLASSES AND DEFENSIVE DRIVING COURSES OFFERED ON SITE;

(F) MAINTAIN A MINIMUM OF TWO VEHICLES;

(G) PROVIDE PROOF OF A MINIMUM OF TWENTY-THOUSAND DRIVING HOURS BY THE SCHOOL'S PRINCIPAL OWNER; AND

(H) BE LOCATED NO CLOSER THAN FORTY CITY BLOCKS FROM ANOTHER COMMERCIAL DRIVING SCHOOL.

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