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

3410--A

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. PERRY -- Multi-Sponsored by -- M. of A. BROOK-KRASNY, CANESTRARI, GALEF, V. LOPEZ, ORTIZ, PHEFFER, TOWNS -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to mirrors on passenger and certain other vehicles

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

Section 1. Paragraph d of subdivision 10 of section 375 of the vehicle and traffic law, as amended by section 12 of part C of chapter 62 of the laws of 2003, is amended to read as follows:

d. (I) Every new passenger-type motor vehicle, except a motorcycle, manufactured for sale in New York state on or after January first, in the year next succeeding the effective date of this paragraph shall be manufactured with an interior rear-view mirror of the selective position prismatic type with a reflectance value in the night driving position of at least four percent; or its functional equivalent.

(II) EVERY NEW PASSENGER CAR MANUFACTURED FOR SALE IN NEW YORK STATE ON OR AFTER JANUARY FIRST IN THE YEAR NEXT SUCCEEDING THE EFFECTIVE DATE OF THIS SUBPARAGRAPH WHOSE INSIDE REARVIEW MIRROR DOES NOT MEET THE FIELD OF VIEW REQUIREMENTS SET FORTH IN FMVSS NUMBER 111 SHALL BE MANUFACTURED WITH AN OUTSIDE UNIT MAGNIFICATION MIRROR OR A CONVEX MIRROR INSTALLED ON THE PASSENGER'S SIDE IN CONFORMANCE WITH FMVSS NUMBER 111, AS SET FORTH IN TITLE 49, PART 571.111 OF THE CODE OF FEDERAL REGULATIONS, AS SUCH PART IS AMENDED FROM TIME TO TIME. FOR THE PURPOSES OF THIS SUBPARAGRAPH, THE TERM "FMVSS" SHALL MEAN FEDERAL MOTOR VEHICLE SAFETY STANDARD, THE TERMS "CONVEX MIRROR" AND "UNIT MAGNIFICATION MIRROR" SHALL HAVE THE SAME MEANING AS SUCH TERMS ARE DEFINED IN TITLE 49, PART 571.111 OF THE CODE OF FEDERAL REGULATIONS AND THE TERM

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

LBD01828-02-0

"PASSENGER CAR" SHALL HAVE THE SAME MEANING AS SUCH TERM IS DEFINED IN TITLE 49, PART 571.3 OF THE CODE OF FEDERAL REGULATIONS, AS SUCH PARTS ARE AMENDED FROM TIME TO TIME.

(III) EVERY NEW MULTIPURPOSE PASSENGER VEHICLE, TRUCK, AND BUS OTHER THAN A SCHOOL BUS WITH A GVWR OF TEN THOUSAND POUNDS OR LESS MANUFACTURED FOR SALE IN NEW YORK STATE ON OR AFTER JANUARY FIRST IN THE YEAR NEXT SUCCEEDING THE EFFECTIVE DATE OF THIS SUBPARAGRAPH SHALL HAVE MIRRORS WHICH CONFORM TO THE REQUIREMENTS OF FMVSS NUMBER 111, AS SET FORTH IN TITLE 49, PART 571.111 OF THE CODE OF FEDERAL REGULATIONS, AS SUCH PART IS AMENDED FROM TIME TO TIME. FOR THE PURPOSES OF THIS SUBPARAGRAPH, THE TERM "FMVSS" SHALL MEAN FEDERAL MOTOR VEHICLE SAFETY STANDARD, THE TERM "UNIT MAGNIFICATION MIRROR" SHALL HAVE THE SAME MEANING AS SUCH TERM IS DEFINED IN TITLE 49, PART 571.111 OF THE CODE OF FEDERAL REGULATIONS AND THE TERMS "MULTIPURPOSE PASSENGER VEHICLE," "TRUCK," "BUS" AND "SCHOOL BUS" SHALL HAVE THE SAME MEANING AS SUCH TERMS ARE DEFINED IN TITLE 49, PART 571.3 OF THE CODE OF FEDERAL REGULATIONS, AS SUCH PARTS ARE AMENDED FROM TIME TO TIME.

(IV) For purposes of this section, "passenger-type motor vehicle" shall mean any motor vehicle with a seating capacity of not more than fifteen adults, not including the driver, that is equipped with one or more rear windows.

(V) Any violation of the provisions of this paragraph by any manufacturer shall constitute an offense and shall be punishable by a civil fine of not more than seven hundred fifty dollars for each offense.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law, except that effective immediately, the commissioner of motor vehicles is authorized and directed to promulgate any rules and regulations necessary for the implementation of this act on such effective date.