

6051

2009-2010 Regular Sessions

I N A S S E M B L Y

February 24, 2009

Introduced by M. of A. SWEENEY, MAGEE, LUPARDO, DelMONTE, SCHIMEL, FIELDS, LIFTON, DESTITO, SCHIMMINGER, JOHN, KOON, GALEF, CHRISTENSEN, MAGNARELLI, REILLY, JAFFEE, RUSSELL -- Multi-Sponsored by -- M. of A. CROUCH, DenDEKKER, EDDINGTON, McENENY, PHEFFER, ROBINSON, WEISENBERG -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the operation of an emergency vehicle without a commercial drivers license

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

1 Section 1. Subparagraph (i) of paragraph (d) of subdivision 2 of
2 section 501 of the vehicle and traffic law, as amended by section 6 of
3 part E of chapter 60 of the laws of 2005, is amended to read as follows:
4 (i) Notwithstanding the foregoing provisions of this subdivision, a
5 motor vehicle or combination of vehicles, other than a motorcycle, that
6 is a military vehicle operated by a member of the armed forces, or a
7 police or fire vehicle [during its use in an emergency operation, as
8 defined in section one hundred fourteen-b of this chapter], or a vehicle
9 owned and identified as being owned by the state, a political subdivi-
10 sion thereof, an ambulance service as defined in subdivision two of
11 section three thousand one of the public health law or a voluntary ambu-
12 lance service as defined in subdivision three of such section and used
13 to provide emergency medical service as defined in section three thou-
14 sand one of the public health law may be operated with any class license
15 other than a class DJ, M or MJ license. For the purposes of this para-
16 graph the term "member of the armed forces" shall include active duty
17 military personnel; members of the reserve components of the armed forc-
18 es; members of the national guard on active duty, including personnel on
19 full time active guard duty, personnel on part-time national guard
20 training, and national guard military technicians (civilians who are
21 required to wear military uniforms); and active duty United States coast

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

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1 guard personnel. The term shall not include United States reserve tech-
2 nicians.

3 S 2. Paragraph (b) of subdivision 4 of section 501-a of the vehicle
4 and traffic law, as amended by chapter 251 of the laws of 2007, is
5 amended to read as follows:

6 (b) However, a commercial motor vehicle shall not include: (i) a
7 personal use vehicle or a farm vehicle or a combination of such vehi-
8 cles; (ii) any motor vehicle or combination of motor vehicles operated
9 by a member of the armed forces for military purposes; (iii) a police or
10 fire vehicle, or a vehicle [during its use in an emergency operation, as
11 defined in section one hundred fourteen-b of this chapter,] owned and
12 identified as being owned by the state, a political subdivision thereof,
13 an ambulance service as defined in subdivision two of section three
14 thousand one of the public health law or a voluntary ambulance service
15 as defined in subdivision three of such section and used to provide
16 emergency medical service as defined in section three thousand one of
17 the public health law or combination of such vehicles; or (iv) a vehicle
18 or combination of vehicles which is designed and primarily used for
19 purposes other than the transportation of persons or property and which
20 is operated on a public highway only occasionally for the purpose of
21 being transported to a construction or off-highway site at which its
22 primary purpose is to be performed except as may otherwise be specif-
23 ically provided by regulation of the commissioner. For the purposes of
24 this paragraph, the term "member of the armed forces" shall include
25 active duty military personnel; members of the reserve components of the
26 armed forces; members of the national guard on active duty, including
27 personnel on full time active guard duty, personnel on part-time
28 national guard training, and national guard military technicians (civil-
29 ians who are required to wear military uniforms); and active duty United
30 States coast guard personnel. The term shall not include United States
31 reserve technicians.

32 S 3. This act shall take effect immediately.