2880

2009-2010 Regular Sessions

I N   S E N A T E

March 5, 2009
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Introduced by Sen. BONACIC -- 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 approaching a parked, stopped or standing hazard vehicle on the shoulder of a highway

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

1   Section 1. The vehicle and traffic law is amended by adding a new
2 section 1132 to read as follows:
3   S 1132. OPERATION OF VEHICLES WHEN APPROACHING A PARKED, STOPPED OR
4 STANDING HAZARD VEHICLE. EVERY OPERATOR OF A MOTOR VEHICLE SHALL EXER-
5 CISE DUE CARE TO AVOID COLLIDING WITH A HAZARD VEHICLE WHICH IS PARKED,
6 STOPPED OR STANDING ON THE SHOULDER OR ON ANY PORTION OF SUCH HIGHWAY
7 AND SUCH HAZARD VEHICLE IS DISPLAYING ONE OR MORE AMBER LIGHTS PURSUANT
8 TO THE PROVISIONS OF PARAGRAPH THREE OF SUBDIVISION FORTY-ONE OF SECTION
9 THREE HUNDRED SEVENTY-FIVE OF THIS CHAPTER. FOR OPERATORS OF MOTOR
10 VEHICLES ON PARKWAYS OR CONTROLLED ACCESS HIGHWAYS, SUCH DUE CARE SHALL
11 INCLUDE, BUT NOT BE LIMITED TO, MOVING FROM A LANE WHICH CONTAINS OR IS
12 IMMEDIATELY ADJACENT TO THE SHOULDER WHERE SUCH HAZARD VEHICLE DISPLAY-
13 ING ONE OR MORE AMBER LIGHTS PURSUANT TO THE PROVISIONS OF PARAGRAPH
14 THREE OF SUBDIVISION FORTY-ONE OF SECTION THREE HUNDRED SEVENTY-FIVE OF
15 THIS CHAPTER IS PARKED, STOPPED OR STANDING TO ANOTHER LANE, PROVIDED
16 THAT SUCH MOVEMENT OTHERWISE COMPLIES WITH THE REQUIREMENTS OF THIS
17 CHAPTER INCLUDING, BUT NOT LIMITED TO, THE PROVISIONS OF SECTIONS ELEVEN
18 HUNDRED TEN OF THIS TITLE AND ELEVEN HUNDRED TWENTY-EIGHT OF THIS ARTI-
19 CLE.
20   S 2. This act shall take effect on the one hundred twentieth day after
21 it shall have become a law; provided, however, that effective immediate-
22 ly, the addition, amendment, and/or repeal of any rule or regulation
23 necessary for the implementation of this act on its effective date is
24 authorized and directed to be made and completed on or before such
25 effective date.

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