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

4166

2009-2010 Regular Sessions

I N S E N A T E

April 15, 2009

Introduced by Sens. FLANAGAN, VOLKER -- 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 requiring certain drivers attend a mandatory driver safety course

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

Section 1. Section 604 of the vehicle and traffic law is amended to read as follows:

S 604. Reports; contents; preparation; distribution; filing. 1. Reports of accidents required under [the preceding] section SIX HUNDRED THREE OF THIS ARTICLE, or under the rules and regulations of the commissioner, shall be upon forms prepared by him OR HER and contain such information as he OR SHE shall prescribe. Blank forms for such reports shall be printed by the commissioner and a supply sent to all city, town and village clerks and to the chief officer of every city police department for general distribution and use as [herein] provided IN THIS ARTICLE.

2. FORMS PREPARED BY THE COMMISSIONER FOR USE IN ACCIDENT REPORTING SHALL CONTAIN A SECTION TO ASSESS THE LEVEL OF CARELESSNESS OR RECKLESSNESS OF THE DRIVER OR DRIVERS. THE COMMISSIONER, PURSUANT TO REGULATION, SHALL DETERMINE WHAT LEVEL OF CARELESSNESS OR RECKLESSNESS SHALL REQUIRE ATTENDANCE AT A MANDATORY DRIVER SAFETY COURSE PURSUANT TO SECTION SIX HUNDRED FOUR-A OF THIS ARTICLE.

3. Reports of accidents, required under [the preceding] section SIX HUNDRED THREE OF THIS ARTICLE, shall be sent to and filed with the commissioner at the main office of the bureau of motor vehicles in the city of Albany, except as otherwise provided by the rules and regulations of the commissioner.

S 2. The vehicle and traffic law is amended by adding a new section 604-a to read as follows:

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

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S 604-A. MANDATORY DRIVER SAFETY COURSE. PURSUANT TO INFORMATION SUPPLIED ON AN ACCIDENT REPORT FORM FILED PURSUANT TO THE PROVISIONS OF SECTION SIX HUNDRED FOUR OF THIS ARTICLE, THE DEPARTMENT SHALL DETERMINE WHETHER A DRIVER INVOLVED IN AN AUTOMOBILE ACCIDENT SHALL BE REQUIRED TO ATTEND A DRIVER SAFETY COURSE APPROVED BY THE DEPARTMENT. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS RELATING TO NOTIFYING THE DRIVER OF HIS OR HER REQUIREMENT TO ATTEND A DRIVER SAFETY COURSE, AND SANCTIONS TO BE IMPOSED UPON SUCH DRIVER IN THE EVENT THAT HE OR SHE FAILS TO ATTEND SUCH DRIVER SAFETY COURSE. SUCH SANCTIONS MAY INCLUDE, BUT NOT NECESSARILY BE LIMITED TO, SUSPENSION OF HIS OR HER DRIVERS' LICENSE.

S 3. This act shall take effect on the first of November next succeeding the date upon which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.