

4609

2009-2010 Regular Sessions

I N S E N A T E

April 24, 2009

Introduced by Sens. ONORATO, DILAN, FOLEY, HASSELL-THOMPSON, C. JOHNSON, SAMPSON -- 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 the roof and cargo bed surfaces of certain motor vehicles to be cleared of accumulated snow, sleet, or hail

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 1229-e to read as follows:
3 S 1229-E. CLEARANCE OF SNOW, SLEET, AND HAIL. 1. NO PERSON SHALL OPER-
4 ATE A MOTOR VEHICLE WHILE THERE IS AN ACCUMULATION OF SNOW, SLEET, OR
5 HAIL ON THE ROOF OR CARGO BED SURFACES THEREOF, WHETHER OF ANY OCCUPANT
6 COMPARTMENT, TRAILER, OR OTHER CARGO COMPARTMENT.
7 2. THE REMOVAL OF ACCUMULATED SNOW, SLEET, OR HAIL REQUIRED BY SUBDI-
8 VISION ONE OF THIS SECTION SHALL NOT APPLY DURING THE FALLING OF SNOW,
9 SLEET, OR HAIL OR WITHIN THREE HOURS AFTER THE CESSATION OF THE FALLING
10 THEREOF.
11 3. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ANY AUTOMOBILE
12 TRANSPORTER, MOTORCYCLE, OR AUTHORIZED EMERGENCY VEHICLE.
13 S 2. Section 125 of the vehicle and traffic law, as amended by chapter
14 365 of the laws of 2008, is amended to read as follows:
15 S 125. Motor vehicles. Every vehicle operated or driven upon a public
16 highway which is propelled by any power other than muscular power,
17 except (a) electrically-driven mobility assistance devices operated or
18 driven by a person with a disability, (a-1) electric personal assistive
19 mobility devices operated outside a city with a population of one
20 million or more, (b) vehicles which run only upon rails or tracks, (c)
21 snowmobiles as defined in article forty-seven of this chapter, and (d)
22 all terrain vehicles as defined in article forty-eight-B of this chap-
23 ter. For the purposes of title four of this chapter, the term motor

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

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1 vehicle shall exclude fire and police vehicles other than ambulances.
2 For the purposes of titles four and five AND SECTION TWELVE HUNDRED
3 TWENTY-NINE-E of this chapter the term motor vehicles shall exclude farm
4 type tractors and all terrain type vehicles used exclusively for agri-
5 cultural purposes, or for snow plowing, other than for hire, farm equip-
6 ment, including self-propelled machines used exclusively in growing,
7 harvesting or handling farm produce, and self-propelled caterpillar or
8 crawler-type equipment while being operated on the contract site.
9 S 3. This act shall take effect on the first of November next succeed-
10 ing the date on which it shall have become a law.