

5593

2009-2010 Regular Sessions

I N S E N A T E

May 20, 2009

Introduced by Sen. AUBERTINE -- 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 drivers to reduce their speed when approaching emergency vehicles displaying blue lights and expanding the use of the blue light for rear projection for all volunteer emergency response vehicles

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

1 Section 1. Subdivision (e) of section 1180 of the vehicle and traffic  
2 law, as amended by chapter 211 of the laws of 2004, is amended to read  
3 as follows:

4 (e) The driver of every vehicle shall, consistent with the require-  
5 ments of subdivision (a) of this section, drive at an appropriate  
6 reduced speed when approaching and crossing an intersection or railway  
7 grade crossing, when approaching and going around a curve, when  
8 approaching a hill crest, when approaching and passing by an emergency  
9 situation involving any authorized emergency vehicle which is parked,  
10 stopped or standing on a highway and which is displaying A BLUE LIGHT OR  
11 one or more red or combination red [and], white, AND/OR BLUE lights  
12 pursuant to the provisions of [paragraph] PARAGRAPHS two AND FOUR of  
13 subdivision forty-one of section three hundred seventy-five of this  
14 chapter, when traveling upon any narrow or winding roadway, and when any  
15 special hazard exists with respect to pedestrians, or other traffic by  
16 reason of weather or highway conditions, including, but not limited to a  
17 highway construction or maintenance work area.

18 S 2. Paragraph 4 of subdivision 41 of section 375 of the vehicle and  
19 traffic law, as amended by chapter 45 of the laws of 2006, is amended to  
20 read as follows:

21 4. Blue light. a. One blue light may be affixed to any motor vehicle  
22 owned by a volunteer member of a fire department or on a motor vehicle  
23 owned by a member of such person's family residing in the same household

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

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1 or by a business enterprise in which such person has a proprietary  
2 interest or by which he or she is employed, provided such volunteer  
3 firefighter has been authorized in writing to so affix a blue light by  
4 the chief of the fire department or company of which he or she is a  
5 member, which authorization shall be subject to revocation at any time  
6 by the chief who issued the same or his or her successor in office. Such  
7 blue light may be displayed exclusively by such volunteer firefighter on  
8 such a vehicle only when engaged in an emergency operation. The use of  
9 blue and red light combinations shall be prohibited on all fire vehicles  
10 EXCEPT AS OTHERWISE PROVIDED FOR IN SUBPARAGRAPH B OF THIS PARAGRAPH.  
11 The use of blue lights on fire vehicles shall be prohibited and the use  
12 of blue lights on vehicles shall be restricted for use only by a volun-  
13 teer firefighter except as otherwise provided for in subparagraph b of  
14 this paragraph.

15 b. In addition to the red and white lights authorized to be displayed  
16 pursuant to paragraph two of this subdivision, one or more blue lights  
17 or combination blue and red lights or combination blue, red and white  
18 lights may be affixed to a police OR FIRE vehicle, provided that such  
19 blue light or lights shall be displayed on a police OR FIRE vehicle for  
20 rear projection only. In the event that the trunk or rear gate of a  
21 police OR FIRE vehicle obstructs or diminishes the visibility of other  
22 emergency lighting on such vehicle, a blue light may be affixed to and  
23 displayed from the trunk, rear gate or interior of such vehicle. Such  
24 lights may be displayed on a police OR FIRE vehicle when such vehicle is  
25 engaged in an emergency operation. Nothing contained in this subpara-  
26 graph shall be deemed to authorize the use of blue lights on police OR  
27 FIRE vehicles unless such vehicles also display one or more red or  
28 combination red and white lights as otherwise authorized in this subdi-  
29 vision.

30 c. The commissioner is authorized to promulgate rules and regulations  
31 relating to the use, placement, power and display of blue lights on a  
32 police OR FIRE vehicle.

33 D. FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM "FIRE VEHICLE" SHALL  
34 INCLUDE A VEHICLE ORDINARILY OPERATED BY A CHIEF OR ASSISTANT CHIEF OF A  
35 VOLUNTEER FIRE COMPANY OR FIRE DEPARTMENT.

36 S 3. This act shall take effect immediately.