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

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:

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

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

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

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

b. In addition to the red and white lights authorized to be displayed pursuant to paragraph two of this subdivision, one or more blue lights or combination blue and red lights or combination blue, red and white lights may be affixed to a police OR FIRE vehicle, provided that such blue light or lights shall be displayed on a police OR FIRE vehicle for rear projection only. In the event that the trunk or rear gate of a police OR FIRE vehicle obstructs or diminishes the visibility of other emergency lighting on such vehicle, a blue light may be affixed to and displayed from the trunk, rear gate or interior of such vehicle. Such lights may be displayed on a police OR FIRE vehicle when such vehicle is engaged in an emergency operation. Nothing contained in this subparagraph shall be deemed to authorize the use of blue lights on police OR FIRE vehicles unless such vehicles also display one or more red or combination red and white lights as otherwise authorized in this subdivision.

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

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

S 3. This act shall take effect immediately.