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

8383

I N S E N A T E

June 28, 2010

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the vehicle and traffic law, in relation to limiting the hours that holders of junior drivers licenses and learners' permits may operate a motor vehicle

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

Section 1. Subparagraph (ii) of paragraph (a) of subdivision 3 of section 501 of the vehicle and traffic law, as added by chapter 449 of the laws of 1989, is amended to read as follows:

(ii) from [five] SIX o'clock in the morning to [nine] EIGHT o'clock in the evening, to and from a place of business where the holder is regularly employed, or when accompanied by a duly licensed parent, guardian, person in a position of loco parentis, driver education teacher, or driving school instructor.

S 2. Paragraph (b) of subdivision 3 of section 501 of the vehicle and traffic law, as added by chapter 449 of the laws of 1989, subparagraph (ii) as amended by chapter 644 of the laws of 2002, is amended to read as follows:

(b) in all other areas of the state, except for the city of New York:

(i) from [five] SIX o'clock in the morning to [nine] EIGHT o'clock in the evening; or

(ii) from [nine] EIGHT o'clock in the evening to [five] SIX o'clock in the morning when going to or from school, or to or from a place of business where the holder is employed on a regularly scheduled basis, or when accompanied by a duly licensed parent, guardian or one in a position of loco parentis to the licensee.

S 3. Paragraph (b) of subdivision 5 of section 501 of the vehicle and traffic law, as amended by chapter 84 of the laws of 1990, the opening paragraph and subparagraphs (i), (ii) and (iii) as amended by chapter 644 of the laws of 2002, is amended to read as follows:

(b) In addition to the restrictions contained in paragraph (a) of this subdivision, a learner's permit issued to a person applying for a class DJ or class MJ license shall be subject to the restrictions contained in

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

LBD17805-01-0

section five hundred one-b of this article and shall not be valid for the operation of any motor vehicle:

(i) within the city of New York, except that the holder of such permit may operate a motor vehicle within the city of New York from [five] SIX o'clock in the morning to [nine] EIGHT o'clock in the evening when such person is under the immediate supervision and control of a person at least twenty-one years of age who is such holder's parent, guardian, person in a position of loco parentis, driver education teacher for the purpose of certification pursuant to section eight hundred six-a of the education law or driving school instructor for the purpose of certification pursuant to subdivision seven-a of section three hundred ninety-four of this chapter and such vehicle is equipped with dual controls as prescribed by the commissioner;

(ii) in the counties of Nassau and Suffolk, except that the holder of such permit may operate a motor vehicle within the counties of Nassau and Suffolk from [five] SIX o'clock in the morning to [nine] EIGHT o'clock in the evening when such person is under the immediate supervision and control of a person at least twenty-one years of age who is such holder's licensed parent, guardian, person in a position of loco parentis, driver education teacher for the purpose of certification pursuant to section eight hundred six-a of the education law, or driving school instructor for the purpose of certification pursuant to subdivision seven-a of section three hundred ninety-four of this chapter, or a person at least twenty-one years of age who holds a license valid in this state for the operation of the type of vehicle being operated, for the purpose of certification pursuant to subdivision two of section five hundred two of this article, and who has been designated by such holder's parent, guardian or person in a position of loco parentis to accompany such holder, as evidenced by a written statement to that effect;

(iii) from [nine] EIGHT o'clock in the evening to [five] SIX o'clock in the morning, unless the holder of such permit is under the immediate supervision and control of a person at least twenty-one years of age who is such holder's licensed parent, guardian, person in a position of loco parentis, driver education teacher for the purpose of certification pursuant to section eight hundred six-a of the education law, or driving school instructor for the purpose of certification pursuant to subdivision seven-a of section three hundred ninety-four of this chapter.

S 4. This act shall take effect on the thirtieth day after it shall have become a law.