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

4504

2011-2012 Regular Sessions

I N A S S E M B L Y

February 3, 2011

Introduced by M. of A. REILICH, HAWLEY, GIGLIO, McDONOUGH, DUPREY, BARCLAY, KOLB, CALHOUN, OAKS, MOLINARO, P. LOPEZ, CROUCH, BURLING, FINCH -- Multi-Sponsored by -- M. of A. McKEVITT -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to exceptions related to drivers' licenses and learners' permits and removing the requirement that military, police or fire vehicles are being used in an emergency operation by holders with a lower class of license

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

Section 1. Subparagraph (i) of paragraph (d) of subdivision 2 of section 501 of the vehicle and traffic law, as amended by chapter 36 of the laws of 2009, is amended to read as follows:

(i) Notwithstanding the foregoing provisions of this subdivision, a motor vehicle or combination of vehicles, other than a motorcycle, that is (A) a military vehicle operated by a member of the armed forces, or (B) a police vehicle or fire vehicle [during its use in an emergency operation as defined in section one hundred fourteen-b of this chapter, or in the performance of official duties, or activities related to the execution of emergency governmental functions pursuant to section 383.3 (d)(2) of title 49 of the code of federal regulations], or (C) a vehicle owned and identified as being owned by the state or a political subdivision thereof or an ambulance service as defined in subdivision two of section three thousand one of the public health law or a voluntary ambulance service as defined in subdivision three of such section and used to provide emergency medical service as defined in section three thousand one of the public health law, or to perform official duties, or activities related to the execution of emergency governmental functions pursuant to section 383.3 (d)(2) of title 49 of the code of federal regulations, may be operated with any class license other than a class DJ, M or MJ license. For the purposes of this paragraph the term "member

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

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of the armed forces" shall include active duty military personnel; members of the reserve components of the armed forces; members of the national guard on active duty, including personnel on full time active guard duty, personnel on part-time national guard training, and national guard military technicians (civilians who are required to wear military uniforms); and active duty United States coast guard personnel. The term shall not include United States reserve technicians. Notwithstanding the provisions of section one hundred fourteen-b of this chapter, for the purposes of this subparagraph, the term "emergency operation" shall include returning from emergency service.

S 2. This act shall take effect immediately.