

4272

2011-2012 Regular Sessions

I N S E N A T E

March 25, 2011

Introduced by Sen. MARCELLINO -- 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 restrictions
on commercial driver's licenses

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

1 Section 1. Subdivision 5 of section 502 of the vehicle and traffic law
2 is amended by adding a new paragraph (d) to read as follows:
3 (D) THE COMMISSIONER SHALL NOT ISSUE A COMMERCIAL DRIVER'S LICENSE TO
4 A PERSON WHILE SUCH PERSON IS REQUIRED TO REGISTER UNDER ARTICLE SIX-C
5 OF THE CORRECTION LAW WHEN SUCH COMMERCIAL DRIVER'S LICENSE SHALL BE FOR
6 THE PURPOSE OF DRIVING ANY BUS, AS SUCH TERM IS DEFINED IN SECTION ONE
7 HUNDRED FOUR OF THIS CHAPTER OR ANY SCHOOL BUS AS DEFINED IN SECTION ONE
8 HUNDRED FORTY-TWO OF THIS CHAPTER.
9 S 2. Subdivision 1 of section 509-c of the vehicle and traffic law is
10 amended by adding a new paragraph (h) to read as follows:
11 (H) PERMANENTLY, IF THAT PERSON WAS CONVICTED OF A VIOLATION THAT
12 REQUIRES REGISTRATION UNDER ARTICLE SIX-C OF THE CORRECTION LAW.
13 S 3. Subdivision 2 of section 509-c of the vehicle and traffic law is
14 amended by adding a new paragraph (h) to read as follows:
15 (H) PERMANENTLY, IF THAT PERSON WAS CONVICTED OF A VIOLATION THAT
16 REQUIRES REGISTRATION UNDER ARTICLE SIX-C OF THE CORRECTION LAW.
17 S 4. Paragraph (a) of subdivision 1 of section 509-cc of the vehicle
18 and traffic law is amended by adding a new subparagraph (iv) to read as
19 follows:
20 (IV) HAS BEEN CONVICTED OF A VIOLATION THAT REQUIRES REGISTRATION
21 UNDER ARTICLE SIX-C OF THE CORRECTION LAW; OR
22 S 5. Subdivision 2 of section 509-cc of the vehicle and traffic law is
23 amended by adding a new paragraph (b-1) to read as follows:
24 (B-1) PERMANENTLY, IF THAT PERSON WAS CONVICTED OF A VIOLATION THAT
25 REQUIRES REGISTRATION UNDER ARTICLE SIX-C OF THE CORRECTION LAW.

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

LBD10517-01-1

1 S 6. Subdivision 1 of section 510-a of the vehicle and traffic law, as
2 amended by section 13 of part E of chapter 60 of the laws of 2005, is
3 amended to read as follows:

4 1. Revocation. A commercial driver's license shall be revoked by the
5 commissioner whenever the holder is convicted within or outside of this
6 state (a) of a felony involving the use of a motor vehicle except a
7 felony as described in paragraph (b) of this subdivision; (b) of a felo-
8 ny involving manufacturing, distributing or dispensing a drug as defined
9 in section one hundred fourteen-a of this chapter or possession of any
10 such drug with intent to manufacture, distribute or dispense such drug
11 in which a motor vehicle was used; (c) of a violation of subdivision one
12 or two of section six hundred of this chapter; (d) of operating a
13 commercial motor vehicle when, as a result of prior violations committed
14 while operating a commercial motor vehicle, the driver's commercial
15 driver's license is revoked, suspended, or canceled, or the driver is
16 disqualified from operating a commercial motor vehicle; (e) or has been
17 convicted of causing a fatality through the negligent operation of a
18 commercial motor vehicle, including but not limited to the crimes of
19 vehicular manslaughter or criminally negligent homicide; (F) OF ANY
20 VIOLATION THAT REQUIRES REGISTRATION UNDER ARTICLE SIX-C OF THE
21 CORRECTION LAW AND WHERE SUCH COMMERCIAL DRIVER'S LICENSE IS FOR THE
22 PURPOSE OF DRIVING ANY BUS, AS SUCH TERM IS DEFINED IN SECTION ONE
23 HUNDRED FOUR OF THIS CHAPTER OR ANY SCHOOL BUS AS DEFINED IN SECTION ONE
24 HUNDRED FORTY-TWO OF THIS CHAPTER.

25 S 7. This act shall take effect on the one hundred twentieth day after
26 it shall have become a law; provided, however, that effective immediate-
27 ly, the addition, amendment and/or repeal of any rule or regulation
28 necessary for the implementation of this act on its effective date is
29 authorized and directed to be made and completed on or before such
30 effective date.