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

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I N  S E N A T E

March 30, 2012

Introduced by Sen. PARKER -- 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 enhancing the fitness and safety requirements for certain licensed individuals and establishes the New York state task force on the effects of aging on driving ability

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

Section 1. Section 502 of the vehicle and traffic law is amended by adding a new subdivision 2-a to read as follows:

2-A. DEFINITIONS. FOR PURPOSES OF THIS SECTION, THE TERM "FIT" SHALL MEAN DEEMED BY A LICENSED PHYSICIAN TO HAVE THE PHYSICAL AND MENTAL CAPACITY TO OPERATE A MOTOR VEHICLE.

S 2. Paragraph (a) of subdivision 6 of section 502 of the vehicle and traffic law, as amended by section 3 of part K of chapter 59 of the laws of 2009, is amended to read as follows:

(a) A license issued pursuant to subdivision five of this section shall be valid until the expiration date contained thereon, unless such license is suspended, revoked or cancelled. Such license may be renewed by submission of an application for renewal, the fee prescribed by law, proofs of prior licensing, fitness and acceptable vision prescribed by the commissioner, the applicant's social security number, and if required by the commissioner a photo image of the applicant in such numbers and form as the commissioner shall prescribe. UPON THE SEVENTH APPLICATION SUBMISSION, AND THEREAFTER FOR A RENEWAL OF A DRIVER'S LICENSE, APPLICANTS MUST SUBMIT PROOF OF A PHYSICAL EXAMINATION, CONDUCTED BY A LICENSED PHYSICIAN, TO PROVE THAT THE LICENSEE IS MEDICALLY FIT TO OPERATE A MOTOR VEHICLE. In addition, an applicant for renewal of a license containing a hazardous material endorsement shall pass an examination to retain such endorsement. The commissioner shall, with respect to the renewal of a hazardous materials endorsement, comply with the requirements imposed upon states by sections 383.141 and 1572.13 of title 49 of the code of federal regulations. A renewal of such license shall be issued by the commissioner upon approval of such

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

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application, except that no such license shall be issued if its issuance would be inconsistent with the provisions of section five hundred sixteen of this title, and except that the commissioner may refuse to renew such license if the applicant is the holder of a currently valid or renewable license to drive issued by another state or foreign country unless the applicant surrenders such license.

S 3. a. The "New York state task force on the effects of aging on driving ability" is hereby established (hereinafter referred to as the "task force"). The task force shall study the effects of aging on driving ability and develop a comprehensive approach to licensing drivers.

b. Such study shall include:

(i) Effective and efficient identification of drivers at risk of being involved in a motor vehicle accident because of functional limitations that affect their driving ability;

(ii) Prevalence and effect of degenerative processes affecting vision, hearing, mobility, cognitive functions, and reaction time;

(iii) Implementation and effect of the department's vision screening requirements and examination of new technologies;

(iv) Availability and effectiveness of remedial measures such as skills training, adaptive equipment, physical therapy, and adjustment of driving practices that will allow people to drive safely for as long as possible;

(v) Availability of alternative forms of transportation for people who can no longer safely drive; and

(vi) Effectiveness of existing public education initiatives relating to at-risk drivers.

S 4. Such task force shall consist of the following members, which shall each serve for a term of two years:

a. one member appointed by the governor;

b. one member appointed by the temporary president of the senate;

c. one member appointed by the minority leader of the senate;

d. one member appointed by the speaker of the assembly;

e. one member appointed by the minority leader of the assembly; and

f. two members appointed by the commissioner of the department of motor vehicles.

S 5. Such members of the task force shall receive no compensation for their services, but shall be reimbursed for all expenses actually and necessarily incurred by them in the performance of their duties. Vacancies in office shall be filled in the same manner as the original appointment.

S 6. The task force shall report its findings from such study and make recommendations with supporting legislation to the governor and the legislature within one year of the effective date of this act.

S 7. This act shall take effect immediately.