

9660

I N A S S E M B L Y

May 14, 2014

Introduced by M. of A. STECK -- read once and referred 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 ASSEMBLY,
DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 509-c of the vehicle and traffic
2 law is amended by adding a new paragraph (h) to read as follows:
3 (H) PERMANENTLY, IF THAT PERSON WAS CONVICTED OF A VIOLATION THAT
4 REQUIRES REGISTRATION UNDER ARTICLE SIX-C OF THE CORRECTION LAW.
5 S 2. Subdivision 2 of section 509-c of the vehicle and traffic law is
6 amended by adding a new paragraph (h) to read as follows:
7 (H) PERMANENTLY, IF THAT PERSON WAS CONVICTED OF A VIOLATION THAT
8 REQUIRES REGISTRATION UNDER ARTICLE SIX-C OF THE CORRECTION LAW.
9 S 3. Paragraph (b) of subdivision 1 of section 509-cc of the vehicle
10 and traffic law is amended by adding a new subparagraph (vi) to read as
11 follows:
12 (VI) HAS BEEN CONVICTED OF A VIOLATION THAT REQUIRES REGISTRATION
13 UNDER ARTICLE SIX-C OF THE CORRECTION LAW; OR
14 S 4. Subdivision 2 of section 509-cc of the vehicle and traffic law is
15 amended by adding a new paragraph (b-1) to read as follows:
16 (B-1) PERMANENTLY, IF THAT PERSON WAS CONVICTED OF A VIOLATION THAT
17 REQUIRES REGISTRATION UNDER ARTICLE SIX-C OF THE CORRECTION LAW.
18 S 5. Subdivision 1 of section 510-a of the vehicle and traffic law,
19 as amended by section 4 of part CC of chapter 58 of the laws of 2011, is
20 amended to read as follows:
21 1. Revocation. A commercial driver's license shall be revoked by the
22 commissioner whenever the holder is convicted within or outside of this
23 state (a) of a felony involving the use of a motor vehicle except a
24 felony as described in paragraph (b) of this subdivision; (b) of a felony
25 involving manufacturing, distributing or dispensing a drug as defined
26 in section one hundred fourteen-a of this chapter or possession of any
27 such drug with intent to manufacture, distribute or dispense such drug
28 in which a motor vehicle was used; (c) of a violation of subdivision one

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

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1 or two of section six hundred of this chapter; (d) of operating a
2 commercial motor vehicle when, as a result of prior violations committed
3 while operating a commercial motor vehicle, the driver's commercial
4 driver's license is revoked, suspended, or canceled, or the driver is
5 disqualified from operating a commercial motor vehicle; (e) has been
6 convicted of causing a fatality through the negligent operation of a
7 commercial motor vehicle, including but not limited to the crimes of
8 vehicular manslaughter or criminally negligent homicide; [or] (f) the
9 commissioner determines that the holder has made a false statement
10 regarding information: (i) required by the federal motor carrier safety
11 improvement act of 1999 and Subpart J of Part 383 of title 49 of the
12 code of federal regulations relating to a commercial driver's license
13 document in an application for a commercial driver's license; (ii)
14 required by the federal motor carrier safety improvement act of 1999 and
15 Part 383.71 (a) and (g) of title 49 of the code of federal regulations
16 relating to an initial commercial driver's license or existing commer-
17 cial driver's license holder's self-certification in any of the self-
18 certifications regarding the type of driving engaged or to be engaged in
19 by the holder or regarding the non-applicability to the holder of the
20 physical qualification requirements of the federal motor carrier safety
21 improvement act of 1999 and Part 391 of title 49 of the code of federal
22 regulations relating to qualifications of drivers; or (iii) required by
23 the federal motor carrier safety improvement act of 1999 and Part
24 383.71(h) of title 49 of the code of federal regulations relating to
25 commercial driver's license requirements in any medical certificate; OR
26 (G) OF ANY VIOLATION THAT REQUIRES REGISTRATION UNDER ARTICLE SIX-C OF
27 THE CORRECTION LAW AND WHERE SUCH COMMERCIAL DRIVER'S LICENSE IS FOR THE
28 PURPOSE OF DRIVING ANY BUS, AS SUCH TERM IS DEFINED IN SECTION ONE
29 HUNDRED FOUR OF THIS CHAPTER OR ANY SCHOOL BUS AS DEFINED IN SECTION ONE
30 HUNDRED FORTY-TWO OF THIS CHAPTER.

31 S 6. This act shall take effect on the one hundred twentieth day after
32 it shall have become a law; provided, however, that section five of this
33 act shall take effect on the same date and in the same manner as section
34 5 of part CC of chapter 58 of the laws of 2011, takes effect. Effective
35 immediately, the addition, amendment and/or repeal of any rule or regu-
36 lation necessary for the implementation of this act on its effective
37 date is authorized to be made on or before such effective date.