

5301

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

Introduced by Sen. NOZZOLIO -- 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 establishing visor communication cards for the deaf and hard of hearing

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 404-x to read as follows:

3 S 404-X. VISOR COMMUNICATION CARD FOR THE NEW YORK STATE DEAF AND
4 HARD OF HEARING. 1. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL
5 HAVE THE FOLLOWING MEANINGS:

6 (A) "DEAF PERSON" SHALL MEAN ANY PERSON WHO, BECAUSE OF HEARING LOSS,
7 IS NOT ABLE TO DISCRIMINATE SPEECH WHEN SPOKEN IN A NORMAL CONVERSA-
8 TIONAL TONE REGARDLESS OF THE USE OF AMPLIFICATION DEVICES; AND

9 (B) "HARD OF HEARING PERSON" SHALL MEAN ANY PERSON WHO, BECAUSE OF
10 HEARING LOSS, HAS A DIMINISHED CAPACITY TO DISCRIMINATE SPEECH WHEN
11 SPOKEN IN A NORMAL CONVERSATIONAL TONE.

12 (C) "VISOR COMMUNICATION CARD" SHALL MEAN SUCH IDENTIFICATION AS
13 ISSUED BY THE DEPARTMENT WHICH IDENTIFIES THE DRIVER AS DEAF OR HARD OF
14 HEARING, AS DEFINED IN THIS SECTION, AND WHICH DETAILS THE APPROPRIATE
15 PROCEDURES FOR ASSISTING A DEAF OR HARD OF HEARING DRIVER DURING A TRAF-
16 FIC STOP AS PROMULGATED BY THE DEPARTMENT PURSUANT TO THIS SECTION.

17 2. ANY PERSON RESIDING IN THIS STATE, UPON REQUEST AND ACCOMPANIED BY
18 A DOCTOR'S STATEMENT INDICATING SUCH PERSON IS EITHER DEAF OR HARD OF
19 HEARING, SHALL BE ISSUED A VISOR COMMUNICATION CARD FOR THE DEAF AND
20 HARD OF HEARING OF A DESIGN APPROVED BY THE COMMISSIONER. APPLICATION
21 FOR SUCH VISOR COMMUNICATION CARD SHALL BE FILED WITH THE COMMISSIONER
22 IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

23 3. A VISOR COMMUNICATION CARD ISSUED PURSUANT TO THIS SECTION SHALL BE
24 ISSUED UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY
25 SECTION FOUR HUNDRED ONE OF THIS ARTICLE, PROVIDED, HOWEVER, THAT ONE

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

LBD00514-01-3

1 YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, FUNDS IN THE AMOUNT OF
2 FIVE THOUSAND DOLLARS, OR SO MUCH THEREOF AS MAY BE AVAILABLE, SHALL BE
3 ALLOCATED FROM SUCH FUND TO THE DEPARTMENT TO OFFSET COSTS ASSOCIATED
4 WITH THE PRODUCTION OF SUCH VISOR COMMUNICATION CARDS.

5 S 2. This act shall take effect on the one hundred eightieth day after
6 it shall have become a law. Effective immediately, the addition, amend-
7 ment and/or repeal of any rule or regulation necessary for the implemen-
8 tation of this act on its effective date are authorized to be made on or
9 before such effective date.