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

7763--B

2015-2016 Regular Sessions

I N A S S E M B L Y

May 26, 2015

Introduced by M. of A. DenDEKKER, LUPARDO, CROUCH, SEAWRIGHT, HYNDMAN, ORTIZ, COLTON, SKOUFIS, QUART, ABBATE, DILAN, MALLIOTAKIS, LUPINACCI, RAIA, GARBARINO, RA, CASTORINA, LAVINE, FRIEND, CRESPO, McDONOUGH, MILLER -- Multi-Sponsored by -- M. of A. CYMBROWITZ, DAVILA, RICHARDSON, SIMON, SKARTADOS -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to including sani-vans and waste collection vehicles in the definition of "hazard vehicle" and to including hazard vehicles within certain speed restrictions

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

Section 1. Section 117-a of the vehicle and traffic law, as amended by chapter 154 of the laws of 1992, is amended to read as follows:

S 117-a. Hazard vehicle. Every vehicle owned and operated or leased by a utility, whether public or private, used in the construction, maintenance and repair of its facilities, every vehicle specially equipped or designed for the towing or pushing of disabled vehicles, every vehicle engaged in highway maintenance, or in ice and snow removal where such operation involves the use of a public highway [and], vehicles driven by rural letter carriers while in the performance of their official duties, AND EVERY SANI-VAN AND WASTE COLLECTION VEHICLE WHILE ENGAGED IN THE COLLECTION OF REFUSE AND/OR RECYCLABLE MATERIALS ON A PUBLIC HIGHWAY.

S 2. Section 141-a of the vehicle and traffic law, as added by chapter 758 of the laws of 1987, is renumbered section 141-b and amended to read as follows:

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

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S 141-b. Sani-vans. Any motor vehicle which is so designed that it contains a rear compaction unit and is intended for use in the collection of refuse. FOR THE PURPOSE OF SECTION ONE HUNDRED SEVENTEEN-A OF THIS CHAPTER, THE TERM "SANI-VAN" SHALL MEAN ANY MOTOR VEHICLE WHICH IS SO DESIGNED THAT IT CONTAINS A REAR COMPACTION UNIT AND IS INTENDED FOR AND IS USED IN THE COLLECTION OF REFUSE AND/OR RECYCLABLE MATERIALS.

S 3. The vehicle and traffic law is amended by adding a new section 159-a to read as follows:

S 159-A. WASTE COLLECTION VEHICLE. ANY MOTOR VEHICLE WHICH IS COMMONLY CLASSIFIED AS A GARBAGE TRUCK THAT IS DESIGNED FOR AND IS USED IN THE COLLECTION OF REFUSE AND/OR RECYCLABLE MATERIALS.

S 4. Subdivision (e) of section 1180 of the vehicle and traffic law, as amended by chapter 465 of the laws of 2010, is amended to read as follows:

(e) The driver of every vehicle shall, consistent with the requirements of subdivision (a) of this section, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when approaching and passing by an emergency situation involving any authorized emergency vehicle which is parked, stopped or standing on a highway and which is displaying one or more red or combination red, white, and/or blue lights pursuant to the provisions of paragraph two and subparagraph b of paragraph four of subdivision forty-one of section three hundred seventy-five of this chapter, when traveling upon any narrow or winding roadway, and when any special hazard exists with respect to pedestrians, or other traffic by reason of weather or highway conditions, including, but not limited to a highway construction or maintenance work area, OR WHEN APPROACHING A HAZARD VEHICLE WHICH IS PARKED, STOPPED OR STANDING ON THE SHOULDER OR ON ANY PORTION OF SUCH HIGHWAY AND SUCH HAZARD VEHICLE IS DISPLAYING ONE OR MORE AMBER LIGHTS PURSUANT TO THE PROVISIONS OF PARAGRAPH THREE OF SUBDIVISION FORTY-ONE OF SECTION THREE HUNDRED SEVENTY-FIVE OF THIS CHAPTER.

S 5. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.