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

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4298--A

Cal. No. 303

2015-2016 Regular Sessions

I N   S E N A T E

March 11, 2015

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Introduced by Sens. ROBACH, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, in relation to vehicles that may travel on the shoulders of controlled-access highways

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

1   Section 1. Section 1131 of the vehicle and traffic law, as added by
2 chapter 162 of the laws of 1990, is amended to read as follows:
3   S 1131. Driving on shoulders and slopes. Except for bicycles and those
4 classes of vehicles required to travel on shoulders or slopes, no motor
5 vehicle shall be driven over, across, along, or within any shoulder or
6 slope of any state controlled-access highway except at a location
7 specifically authorized and posted by the department of transportation.
8 The foregoing limitation shall not prevent EMERGENCY VEHICLES AND TOW
9 TRUCKS FROM USING SHOULDERS OR SLOPES WHEN DISPATCHED TO THE SCENE OF AN
10 ACCIDENT BY A LAW ENFORCEMENT AGENCY OR AN AUTHORITY, DEPARTMENT OR
11 AGENCY HAVING JURISDICTION OVER SUCH CONTROLLED-ACCESS HIGHWAY, PROVIDED
12 THE EMERGENCY VEHICLE OR TOW TRUCK SHALL AT ALL TIMES BE OPERATED IN
13 COMPLIANCE WITH ALL STANDARDS OF CARE IMPOSED TO PREVENT THOSE INJURIES
14 OR DAMAGES TO PERSONS OR PROPERTY OF ANOTHER WHICH MAY RESULT FROM THE
15 OPERATOR'S NEGLIGENCE, RECKLESSNESS OR INTENTIONAL MISCONDUCT, NOR SHALL
16 IT PREVENT motor vehicles from using shoulders or slopes when directed
17 by police officers or flagpersons, nor does it prevent motor vehicles
18 from stopping, standing, or parking on shoulders or slopes where such
19 stopping, standing, or parking is lawful.
20 S 2. This act take effect immediately.

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

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