

2039

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 15, 2015

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Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring an operator of a motor vehicle approaching stationary emergency vehicles, tow or recovery trucks, or highway maintenance vehicles on the roadway to switch lanes or reduce the speed of a motor vehicle

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

1     Section 1. Subdivision (b) of section 1144 of the vehicle and traffic  
2     law, as amended by chapter 300 of the laws of 1960, is amended to read  
3     as follows:  
4     (b) THE OPERATOR OF A MOTOR VEHICLE APPROACHING A STATIONARY AUTHOR-  
5     IZED EMERGENCY VEHICLE THAT DISPLAYS FLASHING YELLOW, AMBER, WHITE, RED  
6     OR BLUE LIGHTS, OR A STATIONARY TOW VEHICLE OR A RECOVERY VEHICLE THAT  
7     DISPLAYS FLASHING LIGHTS WHILE PERFORMING A RECOVERY OR LOADING ON THE  
8     ROADSIDE, OR A STATIONARY HIGHWAY MAINTENANCE VEHICLE THAT DISPLAYS  
9     FLASHING LIGHTS, SHALL APPROACH SUCH EMERGENCY VEHICLE, TOW VEHICLE,  
10    RECOVERY VEHICLE OR HIGHWAY MAINTENANCE VEHICLE WITH DUE CAUTION AND  
11    SHALL, ABSENT ANY OTHER DIRECTION BY A LAW ENFORCEMENT OFFICER, PROCEED  
12    AS FOLLOWS:  
13    (1) IF EXISTING SAFETY AND TRAFFIC CONDITIONS PERMIT, MAKE A LANE  
14    CHANGE INTO A LANE NOT ADJACENT TO SUCH VEHICLES; OR  
15    (2) IF A LANE CHANGE PURSUANT TO PARAGRAPH ONE OF THIS SUBDIVISION IS  
16    NOT POSSIBLE, REDUCE THE SPEED OF SUCH MOTOR VEHICLE TO A REASONABLE AND  
17    PROPER SPEED FOR EXISTING ROAD AND TRAFFIC CONDITIONS, AND SHALL BE  
18    PREPARED TO STOP SUCH MOTOR VEHICLE.  
19    VIOLATION OF THIS SUBDIVISION SHALL BE PUNISHABLE BY A FINE NOT TO  
20    EXCEED ONE HUNDRED DOLLARS FOR THE FIRST VIOLATION AND FIVE HUNDRED  
21    DOLLARS FOR ANY SUBSEQUENT VIOLATIONS OF THIS SUBDIVISION.

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

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1 (C) This section shall not operate to relieve the driver of an author-  
2 ized emergency vehicle from the duty to drive with reasonable care for  
3 all persons using the highway.  
4 S 2. This act shall take effect on the thirtieth day after it shall  
5 have become a law.