

3709

2015-2016 Regular Sessions

I N A S S E M B L Y

January 27, 2015

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

AN ACT to amend the vehicle and traffic law, in relation to the creation
of a linguistic and culturally compatible accident prevention course
pilot program

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

1 Section 1. Subdivision 1 of section 399-e of the vehicle and traffic
2 law is amended by adding a new paragraph (g) to read as follows:

3 (G) THE COMMISSIONER IS AUTHORIZED TO APPROVE ANY APPLICATION FROM A
4 MINORITY OR WOMEN BUSINESS ENTERPRISE PARTICIPATING IN A PILOT PROGRAM
5 AUTHORIZED UNDER ARTICLE TWELVE-D OF THIS TITLE, EVEN IF SUCH APPLICANT
6 DOES NOT MEET ALL OF THE CRITERIA SET FORTH IN THIS SUBDIVISION, AND
7 SHALL NOT REQUIRE THE PRIOR COMPLIANCE BY SUCH APPLICANT WITH SECTION
8 THREE HUNDRED NINETY-NINE-F OF THIS TITLE IN ORDER TO APPROVE PARTIC-
9 IPATION IN THE PILOT PROGRAM AUTHORIZED UNDER ARTICLE TWELVE-D OF THIS
10 TITLE PROVIDED THE APPLICANT CAN DEMONSTRATE A CAPACITY TO GENERATE AND
11 MAINTAIN THE EFFICACY DATA REQUIRED UNDER SECTION THREE HUNDRED NINETY-
12 NINE-F OF THIS TITLE DURING THE PERIOD OF TIME WHILE IN THE PILOT
13 PROGRAM.

14 S 2. The vehicle and traffic law is amended by adding a new article
15 12-D to read as follows:

16 ARTICLE 12-D

17 LINGUISTIC AND CULTURALLY COMPATIBLE ACCIDENT
18 PREVENTION COURSE PILOT PROGRAM

19 SECTION 399-P. LINGUISTIC AND CULTURALLY COMPATIBLE ACCIDENT PREVENTION
20 COURSE PILOT PROGRAM.

21 399-Q. APPLICATION.

22 399-R. PILOT PROGRAM SCOPE AND DURATION.

23 399-S. REGULATIONS.

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

LBD06736-01-5

1 S 399-P. LINGUISTIC AND CULTURALLY COMPATIBLE ACCIDENT PREVENTION
2 COURSE PILOT PROGRAM. THE COMMISSIONER SHALL ESTABLISH AND IMPLEMENT A
3 COMPREHENSIVE PILOT PROGRAM UTILIZING BUSINESS ENTITIES CERTIFIED AS
4 MINORITY OR WOMEN-OWNED BUSINESS ENTERPRISES UNDER ARTICLE FIFTEEN-A OF
5 THE EXECUTIVE LAW TO ADMINISTER AN APPROVED ACCIDENT PREVENTION COURSE
6 FOR THE PURPOSES OF GRANTING POINT AND INSURANCE PREMIUM REDUCTION BENEFITS.

7
8 S 399-Q. APPLICATION. APPLICANTS FOR PARTICIPATION IN THE PILOT
9 PROGRAM ESTABLISHED PURSUANT TO THIS ARTICLE SHALL BE CERTIFIED AS A
10 MINORITY OR WOMEN-OWNED BUSINESS ENTERPRISE UNDER ARTICLE FIFTEEN-A OF
11 THE EXECUTIVE LAW FOR AT LEAST THE THREE YEARS PRECEDING THE EFFECTIVE
12 DATE OF THIS SECTION, HAVE SOME EXPERIENCE IN TEACHING DRIVER SAFETY
13 AND/OR DRIVER LICENSE PREPARATORY COURSES AND DEMONSTRATE A PROFICIENCY
14 IN DELIVERING INSTRUCTION IN AT LEAST FOUR OR MORE LANGUAGES OTHER THAN
15 ENGLISH WHICH THE COMMISSIONER DESIGNATES AS A PREVALENT LANGUAGE WITHIN
16 THE STATE. IN ORDER TO BE APPROVED FOR PARTICIPATION IN SUCH PILOT
17 PROGRAM, THE COURSE MUST COMPLY WITH THE PROVISIONS OF LAW, RULES AND
18 REGULATIONS APPLICABLE THERETO. THE COMMISSIONER MAY, IN HIS OR HER
19 DISCRETION, IMPOSE A REASONABLE FEE FOR THE SUBMISSION OF EACH APPLICATION
20 TO PARTICIPATE IN THE PILOT PROGRAM ESTABLISHED PURSUANT TO THIS
21 ARTICLE. SUCH A FEE SHALL NOT EXCEED SEVEN THOUSAND FIVE HUNDRED
22 DOLLARS.

23 S 399-R. PILOT PROGRAM SCOPE AND DURATION. THE COMMISSIONER SHALL
24 CONDUCT A PILOT PROGRAM DESIGNED TO EXPAND THE CULTURAL COMPETENCY OF
25 PROVIDERS OF ACCIDENT PREVENTION COURSES BY REQUIRING PROVIDERS UNDER
26 THE PROGRAM TO BE CERTIFIED MINORITY OR WOMEN-OWNED ENTERPRISES UNDER
27 ARTICLE FIFTEEN-A OF THE EXECUTIVE LAW, AND WHO HAVE THE CAPABILITY OF
28 DELIVERING INSTRUCTION IN AT LEAST FIVE LANGUAGES DESIGNATED AS PREDOMINANT
29 LANGUAGES USED IN THE STATE BY THE COMMISSIONER, INCLUSIVE OF
30 ENGLISH, TO STUDENTS PARTICIPATING IN AN ACCIDENT PREVENTION COURSE FOR
31 POINT AND INSURANCE PREMIUM REDUCTION BENEFITS. APPLICANT PARTICIPATION
32 IN THE PILOT PROGRAM SHALL BE LIMITED TO FIVE YEARS.

33 S 399-S. REGULATIONS. 1. THE COMMISSIONER IS AUTHORIZED AND DIRECTED
34 TO PROMULGATE ANY RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE
35 PROVISIONS OF THIS ARTICLE TO ENSURE THE COMPETENT DELIVERY OF INSTRUCTION
36 TO STUDENTS ENROLLED IN ACCIDENT PREVENTION COURSES OPERATED BY
37 ENTITIES PARTICIPATING IN THE PILOT PROGRAM AUTHORIZED UNDER THIS ARTICLE,
38 AND TO REQUIRE SAFEGUARDS TO ENSURE THAT ENROLLEES ACTUALLY
39 RECEIVED SUCH INSTRUCTION, IN A CLASSROOM SETTING OR VIA THE INTERNET,
40 PRIOR TO ANY CERTIFICATION THAT AN ENROLLEE HAD SUCCESSFULLY COMPLETED
41 THE NECESSARY TRAINING, AND ANY OTHER AND FURTHER RULES OR REGULATIONS
42 THE COMMISSIONER MAY DEEM NECESSARY AND PROPER.

43 2. THE COMMISSIONER IS AUTHORIZED TO IMPOSE A FEE UPON EACH ACCIDENT
44 PREVENTION COURSE SPONSORING AGENCY APPROVED FOR PARTICIPATION IN THE
45 PILOT PROGRAM, WHICH SHALL NOT EXCEED TEN DOLLARS FOR EACH STUDENT WHO
46 COMPLETES AN ACCIDENT PREVENTION COURSE UNDER THIS PILOT PROGRAM.

47 S 3. This act shall take effect immediately.