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

5509

2015-2016 Regular Sessions

I N A S S E M B L Y

February 24, 2015

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

AN ACT to amend the vehicle and traffic law, in relation to affixing blue lights on vehicles of members of a volunteer ambulance service

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

Section 1. Paragraphs 4 and 5 of subdivision 41 of section 375 of the vehicle and traffic law, paragraph 4 as amended by chapter 465 of the laws of 2010, subparagraph b of paragraph 4 as amended by chapter 143 of the laws of 2011, paragraph 5 as added by chapter 197 of the laws of 1970 and the opening paragraph of paragraph 5 as amended by chapter 349 of the laws of 2004, are amended to read as follows:

4. Blue light. a. One blue light may be affixed to any motor vehicle owned by a volunteer member of a fire department or on a motor vehicle owned by a member of such person's family residing in the same household or by a business enterprise in which such person has a proprietary interest or by which he or she is employed, provided such volunteer firefighter has been authorized in writing to so affix a blue light by the chief of the fire department or company of which he or she is a member, which authorization shall be subject to revocation at any time by the chief who issued the same or his or her successor in office. Such blue light may be displayed exclusively by such volunteer firefighter on such a vehicle only when engaged in an emergency operation. The use of blue lights on vehicles shall be restricted for use only by a volunteer firefighter except as otherwise provided for in subparagraph [b] C of this paragraph.

b. ONE BLUE LIGHT MAY BE AFFIXED TO ANY MOTOR VEHICLE OWNED BY A MEMBER OF A VOLUNTEER AMBULANCE SERVICE, OR ON A MOTOR VEHICLE OWNED BY A MEMBER OF SUCH PERSON'S FAMILY, OR BY A BUSINESS ENTERPRISE IN WHICH SUCH PERSON HAS A PROPRIETARY INTEREST OR BY WHICH HE OR SHE IS EMPLOYED, PROVIDED SUCH MEMBER HAS BEEN AUTHORIZED IN WRITING TO SO

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

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AFFIX A BLUE LIGHT BY THE CHIEF OFFICER OF SUCH SERVICE AS DESIGNATED BY THE MEMBERS THEREOF. SUCH BLUE LIGHT MAY BE DISPLAYED EXCLUSIVELY BY SUCH MEMBER OF A VOLUNTEER AMBULANCE SERVICE ONLY WHEN ENGAGED IN AN EMERGENCY OPERATION. THE USE OF BLUE LIGHTS ON VEHICLES SHALL BE RESTRICTED FOR USE ONLY BY A MEMBER OF A VOLUNTEER AMBULANCE SERVICE AS PROVIDED FOR IN THIS PARAGRAPH. AS USED IN THIS PARAGRAPH VOLUNTEER AMBULANCE SERVICE MEANS: (I) A NON-PROFIT MEMBERSHIP CORPORATION (OTHER THAN A FIRE CORPORATION) INCORPORATED UNDER OR SUBJECT TO THE PROVISIONS OF THE MEMBERSHIP CORPORATIONS LAW, OR ANY OTHER LAW, OPERATING ITS AMBULANCE OR AMBULANCES ON A NON-PROFIT BASIS FOR THE CONVENIENCE OF THE MEMBERS THEREOF AND THEIR FAMILIES OR OF THE COMMUNITY OR UNDER A CONTRACT WITH A COUNTY, CITY, TOWN OR VILLAGE PURSUANT TO SECTION ONE HUNDRED TWENTY-TWO-B OF THE GENERAL MUNICIPAL LAW; OR

(II) AN UNINCORPORATED ASSOCIATION OF PERSONS OPERATING ITS AMBULANCE OR AMBULANCES ON A NON-PROFIT BASIS FOR THE CONVENIENCE OF THE MEMBERS AND THEIR FAMILIES OR OF THE COMMUNITY.

C. In addition to the red and white lights authorized to be displayed pursuant to paragraph two of this subdivision, one or more blue lights or combination blue and red lights or combination blue, red and white lights may be affixed to a police vehicle, fire vehicle, ambulance, emergency ambulance service vehicle, and county emergency medical services vehicle provided that such blue light or lights shall be displayed on a police vehicle, fire vehicle, ambulance, emergency ambulance service vehicle, and county emergency medical services vehicle for rear projection only. In the event that the trunk or rear gate of a police vehicle, fire vehicle, ambulance, emergency ambulance service vehicle, and county emergency medical services vehicle obstructs or diminishes the visibility of other emergency lighting on such vehicles, a blue light may be affixed to and displayed from the trunk, rear gate or interior of such vehicles. Such lights may be displayed on a police vehicle, fire vehicle, ambulance, emergency ambulance service vehicle, and county emergency medical services vehicle when such vehicles are engaged in an emergency operation. Nothing contained in this subparagraph shall be deemed to authorize the use of blue lights on police vehicles, fire vehicles, ambulances, emergency ambulance service vehicles, and county emergency medical services vehicles unless such vehicles also display one or more red or combination red and white lights as otherwise authorized in this subdivision.

[c.] D. The commissioner is authorized to promulgate rules and regulations relating to the use, placement, power and display of blue lights on a police vehicle and fire vehicle.

[5. Green light. One green light may be affixed to any motor vehicle owned by a member of a volunteer ambulance service, or on a motor vehicle owned by a member of such person's family, or by a business enterprise in which such person has a proprietary interest or by which he is employed, provided such member has been authorized in writing to so affix a green light by the chief officer of such service as designated by the members thereof. Such green light may be displayed exclusively by such member of a volunteer ambulance service only when engaged in an emergency operation. The use of green lights on vehicles shall be restricted for use only by a member of a volunteer ambulance service as provided for in this paragraph.

As used in this paragraph volunteer ambulance service means: a. a non-profit membership corporation (other than a fire corporation) incorporated under or subject to the provisions of the membership corporations law, or any other law, operating its ambulance or ambulances on

a non-profit basis for the convenience of the members thereof and their families or of the community or under a contract with a county, city, town or village pursuant to section one hundred twenty-two-b of the general municipal law; or

b. an unincorporated association of persons operating its ambulance or ambulances on a non-profit basis for the convenience of the members and their families or of the community.]

S 2. This act shall take effect immediately.