

7938

I N S E N A T E

May 26, 2016

Introduced by Sen. VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the operation of vehicles when approaching a parked, stopped or standing vehicle displaying a blue or green light

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

1 Section 1. Subdivision 3 of section 502 of the vehicle and traffic  
2 law, as amended by chapter 458 of the laws of 2011, is amended to read  
3 as follows:

4 3. Application for learner's permit. An application for a learner's  
5 permit shall be included in the application for a license. A learner's  
6 permit shall be issued in such form as the commissioner shall determine  
7 but shall not be issued unless the applicant has successfully passed the  
8 vision test required by this section and the test set forth in paragraph  
9 (a) of subdivision four of this section with respect to laws relating to  
10 traffic and ability to read and comprehend traffic signs and symbols and  
11 has satisfactorily completed any course required pursuant to paragraph  
12 (a) of subdivision four of this section. Upon acceptance of an applica-  
13 tion for a learner's permit the commissioner shall provide the applicant  
14 with a driver's manual which includes but is not limited to the laws  
15 relating to traffic, the laws relating to and physiological effects of  
16 driving while ability impaired and driving while intoxicated, the law  
17 for exercising due care to avoid colliding with a parked, stopped or  
18 standing [authorized emergency vehicle or hazard] vehicle pursuant to  
19 section eleven hundred forty-four-a of this chapter, explanations of  
20 traffic signs and symbols and such other matters as the commissioner may  
21 prescribe.

22 S 2. Subparagraph (i) of paragraph (a) of subdivision 4 of section 502  
23 of the vehicle and traffic law, as amended by chapter 458 of the laws of  
24 2011, is amended to read as follows:

25 (i) Upon submission of an application for a driver's license, the  
26 applicant shall be required to take and pass a test, or submit evidence  
27 of passage of a test, with respect to the laws relating to traffic, the  
28 laws relating to driving while ability is impaired and while intoxicat-  
29 ed, under the overpowering influence of "Road Rage", or "Work Zone Safe-  
30 ty" awareness as defined by the commissioner, the law relating to exer-

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

LBD01976-06-6

1 cising due care to avoid colliding with a parked, stopped or standing  
2 authorized emergency vehicle or hazard vehicle pursuant to section elev-  
3 en hundred forty-four-a of this chapter, the ability to read and compre-  
4 hend traffic signs and symbols and such other matters as the commission-  
5 er may prescribe, and to satisfactorily complete a course prescribed by  
6 the commissioner of not less than four hours and not more than five  
7 hours, consisting of classroom driver training and highway safety  
8 instruction or the equivalent thereof. Such test shall include at least  
9 seven written questions concerning the effects of consumption of alcohol  
10 or drugs on the ability of a person to operate a motor vehicle and the  
11 legal and financial consequences resulting from violations of section  
12 eleven hundred ninety-two of this chapter, prohibiting the operation of  
13 a motor vehicle while under the influence of alcohol or drugs. Such test  
14 shall include one or more written questions concerning the devastating  
15 effects of "Road Rage" on the ability of a person to operate a motor  
16 vehicle and the legal and financial consequences resulting from assault-  
17 ing, threatening or interfering with the lawful conduct of another  
18 person legally using the roadway. Such test shall include one or more  
19 questions concerning the potential dangers to persons and equipment  
20 resulting from the unsafe operation of a motor vehicle in a work zone.  
21 Such test may include one or more questions concerning the law for exer-  
22 cising due care to avoid colliding with a parked, stopped or standing  
23 [authorized emergency vehicle or hazard] vehicle pursuant to section  
24 eleven hundred forty-four-a of this chapter. Such test shall be adminis-  
25 tered by the commissioner. The commissioner shall cause the applicant to  
26 take a vision test and a test for color blindness. Upon passage of the  
27 vision test, the application may be accepted and the application fee  
28 shall be payable.

29 S 3. The section heading of section 1144-a of the vehicle and traffic  
30 law, as amended by chapter 458 of the laws of 2011, is amended to read  
31 as follows:

32 Operation of vehicles when approaching a parked, stopped or standing  
33 authorized emergency vehicle or hazard vehicle OR VEHICLE DISPLAYING A  
34 BLUE OR GREEN LIGHT.

35 S 4. Section 1144-a of the vehicle and traffic law is amended by  
36 adding a new subdivision (c) to read as follows:

37 (C) EVERY OPERATOR OF A MOTOR VEHICLE SHALL EXERCISE DUE CARE TO AVOID  
38 COLLIDING WITH A VEHICLE DISPLAYING A BLUE LIGHT PURSUANT TO THE  
39 PROVISIONS OF PARAGRAPH FOUR OR A GREEN LIGHT PURSUANT TO THE PROVISIONS  
40 OF PARAGRAPH FIVE OF SUBDIVISION FORTY-ONE OF SECTION THREE HUNDRED  
41 SEVENTY-FIVE OF THIS CHAPTER WHICH IS PARKED, STOPPED OR STANDING ON THE  
42 SHOULDER OR ANY PORTION OF SUCH HIGHWAY. FOR OPERATORS OF MOTOR VEHICLES  
43 ON PARKWAYS OR CONTROLLED ACCESS HIGHWAYS, SUCH DUE CARE SHALL INCLUDE,  
44 BUT NOT BE LIMITED TO, MOVING FROM A LANE WHICH CONTAINS OR IS IMME-  
45 DIATELY ADJACENT TO THE SHOULDER WHERE SUCH VEHICLE DISPLAYING A BLUE  
46 LIGHT PURSUANT TO THE PROVISIONS OF PARAGRAPH FOUR OR A GREEN LIGHT  
47 PURSUANT TO THE PROVISIONS OF PARAGRAPH FIVE OF SUBDIVISION FORTY-ONE OF  
48 SECTION THREE HUNDRED SEVENTY-FIVE OF THIS CHAPTER IS PARKED, STOPPED OR  
49 STANDING TO ANOTHER LANE, PROVIDED THAT SUCH MOVEMENT OTHERWISE COMPLIES  
50 WITH THE REQUIREMENTS OF THIS CHAPTER INCLUDING, BUT NOT LIMITED TO, THE  
51 PROVISIONS OF SECTIONS ELEVEN HUNDRED TEN AND ELEVEN HUNDRED  
52 TWENTY-EIGHT OF THIS TITLE.

53 S 5. This act shall take effect on the one hundred eightieth day after  
54 it shall have become a law.