

# STATE OF NEW YORK

6204

2017-2018 Regular Sessions

## IN ASSEMBLY

February 27, 2017

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 Assembly, 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-owned business enterprise participating in a pilot  
5 program authorized under article twelve-D of this title, even if such  
6 applicant does not meet all of the criteria set forth in this subdivi-  
7 sion, and shall not require the prior compliance by such applicant with  
8 section three hundred ninety-nine-f of this article in order to approve  
9 participation in the pilot program authorized under article twelve-D of  
10 this title provided the applicant can demonstrate a capacity to generate  
11 and maintain the efficacy data required under section three hundred  
12 ninety-nine-f of this article during the period of time while in the  
13 pilot program.

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

### ARTICLE 12-D

#### LINGUISTIC AND CULTURALLY COMPATIBLE ACCIDENT 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.

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1 § 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 bene-  
7 fits.

8 § 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 applica-  
20 tion 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 § 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 predomi-  
29 nant 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 § 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 instruc-  
36 tion to students enrolled in accident prevention courses operated by  
37 entities participating in the pilot program authorized under this arti-  
38 cle, 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 § 3. This act shall take effect immediately.