

# STATE OF NEW YORK

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4047

2017-2018 Regular Sessions

## IN SENATE

February 2, 2017

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

AN ACT to establish the senior driver safety commission and providing for its powers and duties; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "Bill  
2 Geller act", in memory of Bill Geller, a forty-seven year old man from  
3 Somers, New York who was struck and killed by an eighty-eight year old  
4 driver as he was walking down a road on a clear, sunny day. Mr. Geller  
5 left a grieving family, including a young son. The driver was never  
6 charged in conjunction with his death.

7 § 2. Legislative intent. 1. The legislature hereby finds and declares:

8 (a) seniors represent the fastest-growing segment of drivers, with  
9 current projections suggesting that a quarter of all drivers will be  
10 over 65 by 2025;

11 (b) drivers 85 years of age and older have a higher rate of fatal  
12 accidents than teenagers;

13 (c) accidents involving senior drivers are caused in large part by  
14 factors such as diminished peripheral vision, which can lead drivers to  
15 enter roadways in the path of oncoming vehicles; slower reaction time; a  
16 more limited range of movement; and poor night vision; and

17 (d) based upon the National Highway Traffic Safety Administration's  
18 suggestions and comparative analysis of provisions across the states,  
19 New York State lags behind other states in adopting age-appropriate  
20 driving safeguards.

21 2. The legislature therefore finds and declares that a senior driver  
22 safety commission shall be established pursuant to this act.

23 § 3. Senior driver safety commission. 1. The commission shall consist  
24 of twelve members. Four of the members shall be appointed by the gover-

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

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1 nor, of which one shall be from the department of motor vehicles, one  
2 shall be from the department of transportation and one shall be from the  
3 office for the aging. Three of the members shall be appointed by the  
4 temporary president of the senate. Three of the members shall be  
5 appointed by the speaker of the assembly. One member shall be appointed  
6 by the minority leader of the senate. One member shall be appointed by  
7 the minority leader of the assembly. All appointments shall be made  
8 within thirty days of the effective date of this act.

9 2. The commission shall, within twenty days following the appointment  
10 of all its members, elect a chairperson from among such members.

11 3. The commission shall study, examine and review the issue of senior  
12 driver safety. In conducting its study, the commission shall:

13 (a) evaluate the effectiveness of current laws and regulations in  
14 regards to senior driver safety;

15 (b) make regulatory and legislative recommendations necessary to  
16 increase the safety of all drivers, passengers and pedestrians;

17 (c) survey and assess the leading causes of senior driver car acci-  
18 dents;

19 (d) identify and analyze preventative measures that may be implemented  
20 by the state to reduce the number of accidents involving senior drivers;

21 (e) study and evaluate the availability and effectiveness of screening  
22 tests for identifying impaired drivers;

23 (f) survey and assess the problems of driving under the influence of  
24 prescription drugs often used by senior drivers;

25 (g) analyze and provide measures that may mitigate the risks associ-  
26 ated with the operation of motor vehicles by senior drivers, including  
27 the use of non-traditional driving devices that may mitigate risks; and

28 (h) consider any other issues or matters the commission may deem  
29 appropriate to fulfill the scope of its charge.

30 4. The commission shall report its findings, conclusions and recommen-  
31 dations to the governor and legislature no later than one hundred eighty  
32 days after the effective date of this act.

33 § 4. As used in this act "senior driver" is defined as any individual  
34 aged 70 and older with a valid driver's license issued by the New York  
35 state department of motor vehicles.

36 § 5. This act shall take effect immediately and shall remain in effect  
37 until the one hundred eightieth day after it shall have become a law,  
38 when upon such date the provisions of this act shall be deemed repealed.