STATE OF NEW YORK

2109

2017-2018 Regular Sessions

IN ASSEMBLY

January 17, 2017

Introduced by M. of A. MAYER, BENEDETTO, CRESPO, GALEF, RIVERA, OTIS, GOTTFRIED, ARROYO, CYMBROWITZ, BARRETT -- Multi-Sponsored by -- M. of A. COOK, GOODELL, HIKIND, LUPINACCI, PERRY, SIMON -- read once and referred 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:

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

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

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

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

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

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

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

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

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§ 3. Senior driver safety commission. 1. The commission shall consist of twelve members. Four of the members shall be appointed by the governor, of which one shall be from the department of motor vehicles, one shall be from the department of transportation and one shall be from the office for the aging. Three of the members shall be appointed by the temporary president of the senate. Three of the members shall be appointed by the speaker of the assembly. One member shall be appointed by the minority leader of the senate. One member shall be appointed by the minority leader of the assembly. All appointments shall be made within thirty days of the effective date of this act.

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

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

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

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

(c) survey and assess the leading causes of senior driver car accidents;

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

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

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

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

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

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

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

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