

STATE OF NEW YORK

7486--A

2017-2018 Regular Sessions

IN ASSEMBLY

April 27, 2017

Introduced by M. of A. CRESPO -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to requirements for licensing

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

1 Section 1. Subdivision 4 of section 502 of the vehicle and traffic law
2 is amended by adding a new paragraph (c-3) to read as follows:

3 (c-3) "Motorcycle Safety" awareness component. The commissioner shall
4 provide in the pre-licensing course, set forth in paragraph (b) of this
5 subdivision, a mandatory component in "Motorcycle Safety" awareness
6 education as a prerequisite for obtaining a license to operate a motor
7 vehicle. The purpose of the component is to educate prospective licen-
8 sees on the potential dangers to persons operating motorcycles on the
9 roadway.

10 § 2. Subparagraph (i) of paragraph (a), and paragraphs (b) and (d) of
11 subdivision 4 of section 502 of the vehicle and traffic law, subpara-
12 graph (i) of paragraph (a) as amended by chapter 97 of the laws of 2016,
13 paragraphs (b) and (d) as amended by chapter 585 of the laws of 2002,
14 are amended to read as follows:

15 (i) Upon submission of an application for a driver's license, the
16 applicant shall be required to take and pass a test, or submit evidence
17 of passage of a test, with respect to the laws relating to traffic, the
18 laws relating to driving while ability is impaired and while intoxicat-
19 ed, under the overpowering influence of "Road Rage", ~~[or]~~ "Work Zone
20 Safety" awareness and "Motorcycle Safety" awareness as defined by the
21 commissioner, the law relating to exercising due care to avoid colliding
22 with a parked, stopped or standing authorized emergency vehicle or
23 hazard vehicle pursuant to section eleven hundred forty-four-a of this
24 chapter, the ability to read and comprehend traffic signs and symbols
25 and such other matters as the commissioner may prescribe, and to satis-
26 factorily complete a course prescribed by the commissioner of not less
27 than four hours and not more than five hours, consisting of classroom

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

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1 driver training and highway safety instruction or the equivalent there-
2 of. Such test shall include at least seven written questions concerning
3 the effects of consumption of alcohol or drugs on the ability of a
4 person to operate a motor vehicle and the legal and financial conse-
5 quences resulting from violations of section eleven hundred ninety-two
6 of this chapter, prohibiting the operation of a motor vehicle while
7 under the influence of alcohol or drugs. Such test shall include one or
8 more written questions concerning the devastating effects of "Road Rage"
9 on the ability of a person to operate a motor vehicle and the legal and
10 financial consequences resulting from assaulting, threatening or inter-
11 fering with the lawful conduct of another person legally using the road-
12 way. Such test shall include one or more questions concerning the poten-
13 tial dangers to persons and equipment resulting from the unsafe
14 operation of a motor vehicle in a work zone. Such test may include one
15 or more questions concerning motorcycle safety. Such test may include
16 one or more questions concerning the law for exercising due care to
17 avoid colliding with a parked, stopped or standing vehicle pursuant to
18 section eleven hundred forty-four-a of this chapter. Such test shall be
19 administered by the commissioner. The commissioner shall cause the
20 applicant to take a vision test and a test for color blindness. Upon
21 passage of the vision test, the application may be accepted and the
22 application fee shall be payable.

23 (b) Upon successful completion of the requirements set forth in para-
24 graph (a) of this subdivision which shall include an alcohol and drug
25 education component as described in paragraph (c) of this subdivision, a
26 "Road Rage" awareness component as described in paragraph (c-1) of this
27 subdivision and a "Work Zone Safety" awareness component as described in
28 paragraph (c-2) of this subdivision, and a "Motorcycle Safety" awareness
29 component as described in paragraph (c-3) of this subdivision the
30 commissioner shall cause the applicant to take a road test in a repre-
31 sentative vehicle of a type prescribed by the commissioner which shall
32 be appropriate to the type of license for which application is made,
33 except that the commissioner may waive the road test requirements for
34 certain classes of applicants. The commissioner shall have the power to
35 establish a program to allow persons other than employees of the depart-
36 ment to conduct road tests in representative vehicles when such tests
37 are required for applicants to obtain a class A, B or C license. If she
38 chooses to do so, she shall set forth her reasons in writing and conduct
39 a public hearing on the matter. She shall only establish such a program
40 after holding the public hearing.

41 (d) The commissioner shall make available for distribution upon regis-
42 tration at each location where the pre-licensing course will be given,
43 instructional handbooks outlining the content of the entire curriculum
44 of the pre-licensing course including the information required to be
45 included in the course pursuant to paragraphs (c), (c-1) [~~and~~], (c-2)
46 and (c-3) of this subdivision. The commissioner shall also provide for
47 the additional training of the instructors necessary for the competent
48 instruction of the alcohol and drug education [~~and~~], "Road Rage" aware-
49 ness [~~and~~], "Work Zone Safety" awareness and "Motorcycle Safety" aware-
50 ness subject matters of the pre-licensing course.

51 § 3. This act shall take effect on the one hundred eightieth day after
52 it shall have become a law provided that, effective immediately, the
53 commissioner of motor vehicles is authorized to promulgate such rules
54 and regulations as he or she deems necessary to effectuate the
55 provisions of this act on such date.