

# STATE OF NEW YORK

811

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 2017

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring an operator of a motor vehicle approaching stationary emergency vehicles, tow or recovery trucks, or highway maintenance vehicles on the roadway to switch lanes or reduce the speed of a motor vehicle

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

1 Section 1. Subdivision (b) of section 1144 of the vehicle and traffic  
2 law, as amended by chapter 300 of the laws of 1960, is amended to read  
3 as follows:

4 (b) The operator of a motor vehicle approaching a stationary author-  
5 ized emergency vehicle that displays flashing yellow, amber, white, red  
6 or blue lights, or a stationary tow vehicle or a recovery vehicle that  
7 displays flashing lights while performing a recovery or loading on the  
8 roadside, or a stationary highway maintenance vehicle that displays  
9 flashing lights, shall approach such emergency vehicle, tow vehicle,  
10 recovery vehicle or highway maintenance vehicle with due caution and  
11 shall, absent any other direction by a law enforcement officer, proceed  
12 as follows:

13 (1) if existing safety and traffic conditions permit, make a lane  
14 change into a lane not adjacent to such vehicles; or

15 (2) if a lane change pursuant to paragraph one of this subdivision is  
16 not possible, reduce the speed of such motor vehicle to a reasonable and  
17 proper speed for existing road and traffic conditions, and shall be  
18 prepared to stop such motor vehicle.

19 Violation of this subdivision shall be punishable by a fine not to  
20 exceed one hundred dollars for the first violation and five hundred  
21 dollars for any subsequent violations of this subdivision.

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

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1     (c) This section shall not operate to relieve the driver of an author-  
2 ized emergency vehicle from the duty to drive with reasonable care for  
3 all persons using the highway.  
4     § 2. This act shall take effect on the thirtieth day after it shall  
5 have become a law.