

# STATE OF NEW YORK

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8565

2017-2018 Regular Sessions

## IN ASSEMBLY

July 10, 2017

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

AN ACT to amend the vehicle and traffic law, in relation to adding a  
school bus safety component to the pre-licensing driver's education  
course

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

1 Section 1. Subparagraph (i) of paragraph (a) and paragraphs (b) and  
2 (d) of subdivision 4 of section 502 of the vehicle and traffic law,  
3 subparagraph (i) of paragraph (a) as amended by chapter 97 of the laws  
4 of 2016 and paragraphs (b) and (d) as amended by chapter 585 of the laws  
5 of 2002, are amended and a new paragraph (c-3) is added to read as  
6 follows:

7 (i) Upon submission of an application for a driver's license, the  
8 applicant shall be required to take and pass a test, or submit evidence  
9 of passage of a test, with respect to the laws relating to traffic, the  
10 laws relating to driving while ability is impaired and while intoxicat-  
11 ed, under the overpowering influence of "Road Rage", or "Work Zone Safe-  
12 ty" awareness as defined by the commissioner, the law relating to exer-  
13 cising due care to avoid colliding with a parked, stopped or standing  
14 authorized emergency vehicle or hazard vehicle pursuant to section elev-  
15 en hundred forty-four-a of this chapter, the ability to read and compre-  
16 hend traffic signs and symbols, school bus safety and such other matters  
17 as the commissioner may prescribe, and to satisfactorily complete a  
18 course prescribed by the commissioner of not less than four hours and  
19 not more than five hours, consisting of classroom driver training and  
20 highway safety instruction or the equivalent thereof. Such test shall  
21 include at least seven written questions concerning the effects of  
22 consumption of alcohol or drugs on the ability of a person to operate a  
23 motor vehicle and the legal and financial consequences resulting from  
24 violations of section eleven hundred ninety-two of this chapter, prohib-

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

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1 iting the operation of a motor vehicle while under the influence of  
2 alcohol or drugs. Such test shall include one or more written questions  
3 concerning the devastating effects of "Road Rage" on the ability of a  
4 person to operate a motor vehicle and the legal and financial conse-  
5 quences resulting from assaulting, threatening or interfering with the  
6 lawful conduct of another person legally using the roadway. Such test  
7 shall include one or more questions concerning the potential dangers to  
8 persons and equipment resulting from the unsafe operation of a motor  
9 vehicle in a work zone. Such test may include one or more questions  
10 concerning the law for exercising due care to avoid colliding with a  
11 parked, stopped or standing vehicle pursuant to section eleven hundred  
12 forty-four-a of this chapter. Such test shall include one or more ques-  
13 tions concerning school bus safety. Such test shall be administered by  
14 the commissioner. The commissioner shall cause the applicant to take a  
15 vision test and a test for color blindness. Upon passage of the vision  
16 test, the application may be accepted and the application fee shall be  
17 payable.

18 (b) Upon successful completion of the requirements set forth in para-  
19 graph (a) of this subdivision which shall include an alcohol and drug  
20 education component as described in paragraph (c) of this subdivision, a  
21 "Road Rage" awareness component as described in paragraph (c-1) of this  
22 subdivision [and], a "Work Zone Safety" awareness component as described  
23 in paragraph (c-2) of this subdivision, and a "school bus safety" compo-  
24 nent as described in paragraph (c-3) of this subdivision, the commis-  
25 sioner shall cause the applicant to take a road test in a representative  
26 vehicle of a type prescribed by the commissioner which shall be appro-  
27 priate to the type of license for which application is made, except that  
28 the commissioner may waive the road test requirements for certain class-  
29 es of applicants. The commissioner shall have the power to establish a  
30 program to allow persons other than employees of the department to  
31 conduct road tests in representative vehicles when such tests are  
32 required for applicants to obtain a class A, B or C license. If she  
33 chooses to do so, she shall set forth her reasons in writing and conduct  
34 a public hearing on the matter. She shall only establish such a program  
35 after holding the public hearing.

36 (c-3) "School bus safety" component. (i) The commissioner shall  
37 provide in the pre-licensing course, set forth in paragraph (b) of this  
38 subdivision, a mandatory component in "school bus safety" education as a  
39 prerequisite for obtaining a license to operate a motor vehicle. The  
40 purpose of the component is to educate prospective licensees on the  
41 dangers of passing a school bus in violation of section eleven hundred  
42 seventy-four of this chapter, to reduce the number of such incidents,  
43 and to promote school bus safety.

44 (ii) The commissioner shall establish a curriculum for the "school bus  
45 safety" component which shall include, but shall not be limited to, an  
46 overview of traffic laws governing overtaking and passing school buses,  
47 specifically section eleven hundred seventy-four of this chapter.

48 (iii) In developing such curriculum, the commissioner shall consult  
49 with the commissioner of transportation.

50 (d) The commissioner shall make available for distribution upon regis-  
51 tration at each location where the pre-licensing course will be given,  
52 instructional handbooks outlining the content of the entire curriculum  
53 of the pre-licensing course including the information required to be  
54 included in the course pursuant to paragraphs (c), (c-1) [and], (c-2)  
55 and (c-3) of this subdivision. The commissioner shall also provide for  
56 the additional training of the instructors necessary for the competent

1 instruction of the alcohol and drug education [~~and~~], "Road Rage" aware-  
2 ness [~~and~~], "Work Zone Safety" awareness and "school bus safety" subject  
3 matters of the pre-licensing course.  
4 § 2. This act shall take effect immediately.