

# STATE OF NEW YORK

2119--A

Cal. No. 696

2017-2018 Regular Sessions

## IN SENATE

January 12, 2017

Introduced by Sens. RITCHIE, FUNKE, MARCHIONE, PHILLIPS -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

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

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

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

(i) Upon submission of an application for a driver's license, the applicant shall be required to take and pass a test, or submit evidence of passage of a test, with respect to the laws relating to traffic, the laws relating to driving while ability is impaired and while intoxicated, under the overpowering influence of "Road Rage", ~~[ex]~~ "Work Zone Safety" awareness and "Motorcycle Safety" awareness as defined by the

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

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1 commissioner, the law relating to exercising due care to avoid colliding  
2 with a parked, stopped or standing authorized emergency vehicle or  
3 hazard vehicle pursuant to section eleven hundred forty-four-a of this  
4 chapter, the ability to read and comprehend traffic signs and symbols  
5 and such other matters as the commissioner may prescribe, and to satis-  
6 factorily complete a course prescribed by the commissioner of not less  
7 than four hours and not more than five hours, consisting of classroom  
8 driver training and highway safety instruction or the equivalent there-  
9 of. Such test shall include at least seven written questions concerning  
10 the effects of consumption of alcohol or drugs on the ability of a  
11 person to operate a motor vehicle and the legal and financial conse-  
12 quences resulting from violations of section eleven hundred ninety-two  
13 of this chapter, prohibiting the operation of a motor vehicle while  
14 under the influence of alcohol or drugs. Such test shall include one or  
15 more written questions concerning the devastating effects of "Road Rage"  
16 on the ability of a person to operate a motor vehicle and the legal and  
17 financial consequences resulting from assaulting, threatening or inter-  
18 fering with the lawful conduct of another person legally using the road-  
19 way. Such test shall include one or more questions concerning the poten-  
20 tial dangers to persons and equipment resulting from the unsafe  
21 operation of a motor vehicle in a work zone. Such test may include one  
22 or more questions concerning motorcycle safety. Such test may include  
23 one or more questions concerning the law for exercising due care to  
24 avoid colliding with a parked, stopped or standing vehicle pursuant to  
25 section eleven hundred forty-four-a of this chapter. Such test shall be  
26 administered by the commissioner. The commissioner shall cause the  
27 applicant to take a vision test and a test for color blindness. Upon  
28 passage of the vision test, the application may be accepted and the  
29 application fee shall be payable.

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

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

1 ness [~~and~~], "Work Zone Safety" awareness and "Motorcycle Safety" aware-  
2 ness subject matters of the pre-licensing course.  
3 § 3. This act shall take effect on the one hundred eightieth day after  
4 it shall have become a law provided that, effective immediately, the  
5 commissioner of motor vehicles is authorized to promulgate such rules  
6 and regulations as he or she deems necessary to effectuate the  
7 provisions of this act on such date.