

# STATE OF NEW YORK

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3503--A

2017-2018 Regular Sessions

## IN SENATE

January 23, 2017

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Introduced by Sen. VALESKY -- read twice and ordered printed, and when printed to be committed 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 requiring drivers between sixteen and twenty-five years of age to take and pass the national safety council course, or a similar nationally approved course approved by the department of motor vehicles in order to obtain a license or upon conviction of a moving violation

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

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

3 (c-1) (i) As a prerequisite to receiving a license, an applicant for a  
4 class D license who is at least sixteen but not more than twenty-five  
5 years of age shall be required to take and pass the national safety  
6 council course, or a similar nationally recognized psychology-based,  
7 behavioral course approved by the department, relating to young driver's  
8 attitudes and behaviors behind the wheel.

9 (ii) A driving safety course designed for drivers younger than twen-  
10 ty-five years of age must:

11 (A) be a four hour classroom-based course that utilizes compelling  
12 videos, peer discussions, highly interactive team exercises, role play-  
13 ing and workbook exercises specific to young drivers;

14 (B) include instruction on:

15 (1) the definition of "preventable collision" and the characteristics  
16 of a preventable collision;

17 (2) the traffic laws of this state;

18 (3) issues commonly associated with motor vehicle accidents involving  
19 drivers younger than twenty-five years of age, including the conse-  
20 quences of making poor decisions, taking unnecessary risks, identifying

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

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1 behavior that can be controlled, risks associated with specific driving  
2 choices and behaviors, driving without seat belts, speed kills, risks,  
3 challenges and techniques associated with navigating intersections and  
4 right-of-way situations, following too closely, aggressive driving and  
5 road rage;

6 (4) manual, visual, and cognitive distractions relative to cell phones  
7 and hands free devices, use of in-vehicle infotainment systems, adjust-  
8 ment of controls, use of gps and road maps and multi-tasking while driv-  
9 ing a vehicle and the role of peer pressure in those situations;

10 (5) impaired driving related to fatigue;

11 (6) impaired driving related to drugs and alcohol;

12 (7) techniques for identification of potential hazards on the road and  
13 consequences of unsafe driving behaviors;

14 (8) the effect of poor driver decision-making on the family, friends,  
15 school, and community of a young driver; and

16 (9) the importance of taking control of potentially dangerous driving  
17 situations both as a driver and as a passenger; and

18 (C) require a written commitment plan by the student to family and  
19 friends whereby the student commits to appropriate and respectful driv-  
20 ing behaviors.

21 (iii) Any driver at least eighteen but not more than twenty-five years  
22 of age who is convicted of one or multiple moving violations for a  
23 single traffic stop shall be required to take an eight-hour course  
24 approved by the department.

25 (A) the course curriculum must be an eight hour classroom-based course  
26 and must include instruction regarding:

27 (1) proven psychological principles that lead to effective behavioral  
28 change such as Dr. William Glasser's "choice theory", as it relates to  
29 behind-the-wheel driving behavior;

30 (2) why drivers do or do not choose to obey traffic laws with the  
31 primary focus on behaviors rather than excuses; and

32 (3) additional problem driver behaviors including, but not limited to:  
33 hazards associated with prescriptive and over-the-counter drugs, includ-  
34 ing synergism; impacts of driving with excessive speed; impacts of  
35 right-of-way violations; dangers of distracted driving; proper passing  
36 and following distances; aggressive driving behaviors and the human  
37 ability to choose behavior.

38 (B) The course shall:

39 (1) encourage the problem driver to explore and understand his or her  
40 own attitudes in various driving situations; and

41 (2) teach the problem driver that poor behavioral choices made behind  
42 the wheel often result in unintended consequences, including motor vehi-  
43 cle violations, or accidents, and that the driver shall appreciate the  
44 responsibility placed upon each driver to conform his or her driving  
45 conduct for the benefit of other motorists, pedestrians and themselves.

46 (C) The training shall be highly interactive, classroom-based, and  
47 engaging, taking advantage of various forms of media.

48 § 2. The commissioner of the department of motor vehicles will estab-  
49 lish an application fee for the driver safety course described in  
50 section one of this act, as he or she deems appropriate. The fee shall  
51 be paid by applicants for a class D license who are under the age of  
52 twenty-five. All revenues generated by such fees shall be expended to  
53 cover the costs of implementing the driver's safety course program and  
54 the processing of any information necessary to implementing the program.

55 § 3. This act shall take effect on the first of January next succeed-  
56 ing the date upon which it shall have become a law.