

STATE OF NEW YORK

7700

IN SENATE

February 9, 2018

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to sleep apnea testing for commercial vehicle drivers

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 509-z to read as follows:

3 § 509-z. Medical examinations. 1. Each commercial vehicle carrier
4 shall require commercial drivers to be screened for sleep apnea, as
5 defined in subdivision nine of section two hundred sixty-two of the
6 public health law, pursuant to regulations established by the commis-
7 sioner, by a physician, a certified nurse practitioner to the extent
8 authorized by law and consistent with subdivision three of section six
9 thousand nine hundred two of the education law, or a registered physi-
10 cian assistant who is not the personal physician, nurse practitioner or
11 physician assistant of the driver.

12 2. The commissioner shall establish qualification standards for
13 commercial drivers who test positive for sleep apnea and shall require
14 qualification to be employed as a commercial driver be dependent on
15 documentation of compliance with treatment for sleep apnea.

16 § 2. This act shall take effect on the one hundred twentieth day after
17 it shall have become a law.

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

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