

STATE OF NEW YORK

3108

2019-2020 Regular Sessions

IN ASSEMBLY

January 28, 2019

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.