

# STATE OF NEW YORK

4438

2019-2020 Regular Sessions

## IN ASSEMBLY

February 4, 2019

Introduced by M. of A. DenDEKKER, BRONSON, HAWLEY, BRABENEC -- read once  
and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the display  
of amber and blue lights on certain hazard vehicles

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

1 Section 1. Subparagraphs a and c of paragraph 4 of subdivision 41 of  
2 section 375 of the vehicle and traffic law, as amended by chapter 465 of  
3 the laws of 2010, are amended to read as follows:

4 a. One blue light may be affixed to any motor vehicle owned by a  
5 volunteer member of a fire department or on a motor vehicle owned by a  
6 member of such person's family residing in the same household or by a  
7 business enterprise in which such person has a proprietary interest or  
8 by which he or she is employed, provided such volunteer firefighter has  
9 been authorized in writing to so affix a blue light by the chief of the  
10 fire department or company of which he or she is a member, which author-  
11 ization shall be subject to revocation at any time by the chief who  
12 issued the same or his or her successor in office. Such blue light may  
13 be displayed exclusively by such volunteer firefighter on such a vehicle  
14 only when engaged in an emergency operation. The use of blue lights on  
15 vehicles shall be restricted for use only by a volunteer firefighter  
16 except as otherwise provided for in [~~subparagraph~~ subparagraphs b and  
17 b-1 of this paragraph.

18 c. The commissioner is authorized to promulgate rules and regulations  
19 relating to the use, placement, power and display of blue lights on a  
20 police vehicle [~~and~~], fire vehicle, and hazard vehicle designed for the  
21 towing or pushing of disabled vehicles.

22 § 2. Paragraph 4 of subdivision 41 of section 375 of the vehicle and  
23 traffic law is amended by adding a new subparagraph b-1 to read as  
24 follows:

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

LBD05153-01-9

1 b-1. In addition to the amber light authorized to be displayed pursu-  
2 ant to paragraph three of this subdivision, one or more blue lights or  
3 combination blue and amber lights may be affixed to a hazard vehicle  
4 designed for the towing or pushing of disabled vehicles provided that  
5 such blue light or lights shall be displayed on such a hazard vehicle  
6 for rear projection only. Such blue light or lights may be displayed on  
7 a hazard vehicle designed for the towing or pushing of disabled vehicles  
8 when such vehicle is engaged in a hazardous operation and is also  
9 displaying the amber light or lights required to be displayed during a  
10 hazardous operation pursuant to paragraph three of this subdivision.  
11 Nothing contained in this subparagraph shall be deemed to authorize the  
12 use of blue lights on hazard vehicles designed for the towing or pushing  
13 of disabled vehicles unless such hazard vehicles also display one or  
14 more amber lights as otherwise authorized in this subdivision.

15 § 3. Subdivision (b) of section 1144-a of the vehicle and traffic law,  
16 as amended by chapter 458 of the laws of 2011, is amended to read as  
17 follows:

18 (b) Every operator of a motor vehicle shall exercise due care to avoid  
19 colliding with a hazard vehicle which is parked, stopped or standing on  
20 the shoulder or on any portion of such highway and such hazard vehicle  
21 is displaying one or more amber lights pursuant to the provisions of  
22 paragraph three of subdivision forty-one of section three hundred seven-  
23 ty-five of this chapter or, if such hazard vehicle is designed for the  
24 towing or pushing of disabled vehicles such hazard vehicle is displaying  
25 one or more amber lights or one or more blue or combination blue and  
26 amber lights pursuant to the provisions of paragraph three or subpara-  
27 graph b-1 of paragraph four, as applicable, of subdivision forty-one of  
28 section three hundred seventy-five of this chapter. For operators of  
29 motor vehicles on parkways or controlled access highways, such due care  
30 shall include, but not be limited to, moving from a lane which contains  
31 or is immediately adjacent to the shoulder where (i) such hazard vehicle  
32 displaying one or more amber lights pursuant to the provisions of para-  
33 graph three of subdivision forty-one of section three hundred seventy-  
34 five of this chapter or (ii) such hazard vehicle designed for the towing  
35 or pushing of disabled vehicles displaying one or more amber lights or  
36 one or more blue or combination blue and amber lights pursuant to the  
37 provisions of paragraph three or subparagraph b-1 of paragraph four, as  
38 applicable, of subdivision forty-one of section three hundred seventy-  
39 five of this chapter, is parked, stopped or standing to another lane,  
40 provided that such movement otherwise complies with the requirements of  
41 this chapter including, but not limited to, the provisions of sections  
42 eleven hundred ten and eleven hundred twenty-eight of this title.

43 § 4. This act shall take effect immediately.