

# STATE OF NEW YORK

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2960--B

Cal. No. 407

2019-2020 Regular Sessions

## IN SENATE

January 31, 2019

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Introduced by Sens. KAPLAN, KENNEDY -- 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 -- repassed 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 adding a "School Bus Safety" awareness component to the pre-licensing driver's education course

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

1 Section 1. Subparagraph (i) of paragraph (a) and paragraphs (b) and  
2 (d) of subdivision 4 of section 502 of the vehicle and traffic law, as  
3 amended by chapter 355 of the laws of 2017, are amended and a new para-  
4 graph (c-4) is added to read as follows:

5 (i) Upon submission of an application for a driver's license, the  
6 applicant shall be required to take and pass a test, or submit evidence  
7 of passage of a test, with respect to the laws relating to traffic, the  
8 laws relating to driving while ability is impaired and while intoxicat-  
9 ed, under the overpowering influence of "Road Rage", "Work Zone Safety"  
10 awareness and "Motorcycle Safety" awareness as defined by the commis-  
11 sioner, "School Bus Safety" awareness, the law relating to exercising  
12 due care to avoid colliding with a parked, stopped or standing author-  
13 ized emergency vehicle or hazard vehicle pursuant to section eleven  
14 hundred forty-four-a of this chapter, the ability to read and comprehend  
15 traffic signs and symbols and such other matters as the commissioner may  
16 prescribe, and to satisfactorily complete a course prescribed by the  
17 commissioner of not less than four hours and not more than five hours,

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

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1 consisting of classroom driver training and highway safety instruction  
2 or the equivalent thereof. Such test shall include at least seven writ-  
3 ten questions concerning the effects of consumption of alcohol or drugs  
4 on the ability of a person to operate a motor vehicle and the legal and  
5 financial consequences resulting from violations of section eleven  
6 hundred ninety-two of this chapter, prohibiting the operation of a motor  
7 vehicle while under the influence of alcohol or drugs. Such test shall  
8 include one or more written questions concerning the devastating effects  
9 of "Road Rage" on the ability of a person to operate a motor vehicle and  
10 the legal and financial consequences resulting from assaulting, threat-  
11 ening or interfering with the lawful conduct of another person legally  
12 using the roadway. Such test shall include one or more questions  
13 concerning the potential dangers to persons and equipment resulting from  
14 the unsafe operation of a motor vehicle in a work zone. Such test may  
15 include one or more questions concerning motorcycle safety. Such test  
16 may include one or more questions concerning the law for exercising due  
17 care to avoid colliding with a parked, stopped or standing vehicle  
18 pursuant to section eleven hundred forty-four-a of this chapter. Such  
19 test may include one or more questions concerning school bus safety.  
20 Such test shall be administered by the commissioner. The commissioner  
21 shall cause the applicant to take a vision test and a test for color  
22 blindness. Upon passage of the vision test, the application may be  
23 accepted and the application fee shall be payable.

24 (b) Upon successful completion of the requirements set forth in para-  
25 graph (a) of this subdivision which shall include an alcohol and drug  
26 education component as described in paragraph (c) of this subdivision, a  
27 "Road Rage" awareness component as described in paragraph (c-1) of this  
28 subdivision and a "Work Zone Safety" awareness component as described in  
29 paragraph (c-2) of this subdivision, ~~and~~ a "Motorcycle Safety" aware-  
30 ness component as described in paragraph (c-3) of this subdivision, and  
31 a "School Bus Safety" awareness component as described in paragraph  
32 (c-4) of this subdivision the commissioner shall cause the applicant to  
33 take a road test in a representative vehicle of a type prescribed by the  
34 commissioner which shall be appropriate to the type of license for which  
35 application is made, except that the commissioner may waive the road  
36 test requirements for certain classes of applicants. The commissioner  
37 shall have the power to establish a program to allow persons other than  
38 employees of the department to conduct road tests in representative  
39 vehicles when such tests are required for applicants to obtain a class  
40 A, B or C license. If she chooses to do so, she shall set forth her  
41 reasons in writing and conduct a public hearing on the matter. She shall  
42 only establish such a program after holding the public hearing.

43 (c-4) "School Bus Safety" awareness component. (i) The commissioner  
44 shall provide in the pre-licensing course, set forth in paragraph (b) of  
45 this subdivision, a mandatory component in "School Bus Safety" awareness  
46 education as a prerequisite for obtaining a license to operate a motor  
47 vehicle. The purpose of the component is to educate prospective licen-  
48 sees on the dangers of passing a school bus in violation of section  
49 eleven hundred seventy-four of this chapter, to reduce the number of  
50 such incidents, and to promote school bus safety.

51 (ii) The commissioner shall establish a curriculum for the "School Bus  
52 Safety" awareness component which shall include, but shall not be limit-  
53 ed to, an overview of traffic laws governing overtaking and passing  
54 school buses, including but not limited to section eleven hundred seven-  
55 ty-one and section eleven hundred seventy-four of this chapter.

1 (iii) In developing such curriculum, the commissioner shall consult  
2 with the commissioner of transportation.

3 (d) The commissioner shall make available for distribution upon regis-  
4 tration at each location where the pre-licensing course will be given,  
5 instructional handbooks outlining the content of the entire curriculum  
6 of the pre-licensing course including the information required to be  
7 included in the course pursuant to paragraphs (c), (c-1), (c-2) [~~and~~],  
8 (c-3) and (c-4) of this subdivision. The commissioner shall also provide  
9 for the additional training of the instructors necessary for the compe-  
10 tent instruction of the alcohol and drug education, "Road Rage" aware-  
11 ness, "Work Zone Safety" awareness [~~and~~], "Motorcycle Safety" awareness  
12 and "School Bus Safety" awareness subject matters of the pre-licensing  
13 course.

14 § 2. This act shall take effect on the one hundred eightieth day after  
15 it shall have become a law. Effective immediately, the addition, amend-  
16 ment and/or repeal of any rule or regulation necessary for the implemen-  
17 tation of this act on its effective date are authorized to be made and  
18 completed on or before such effective date.