

STATE OF NEW YORK

3965

2019-2020 Regular Sessions

IN SENATE

February 22, 2019

Introduced by Sen. KENNEDY -- 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 establishing a pre-licensing course internet program; and providing for the repeal of such provisions upon expiration thereof

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 article 12-D to read as follows:

ARTICLE 12-D

PRE-LICENSING COURSE INTERNET PILOT PROGRAM

5 Section 399-p. Pre-licensing course internet pilot program.

6 399-q. Application.

7 399-r. Regulations and fees.

8 399-s. Pilot program scope and duration.

9 399-t. Report by commissioner.

10 § 399-p. Pre-licensing course internet pilot program. The commissioner
11 shall establish, by regulation, a comprehensive pilot program to allow
12 use of the internet, for the administration and completion of an
13 approved pre-licensing course, which shall be deemed the equivalent of
14 the course required by subparagraph (i) of paragraph (a) of subdivision
15 four of section five hundred two of this chapter.

16 § 399-q. Application. An applicant for participation in the pilot
17 program established pursuant to this article shall be an approved spon-
18 sor of an internet accident prevention course, pursuant to article
19 twelve-C of this title, prior to the effective date of this article. In
20 order to be approved for participation in such pilot program, the course
21 must comply with provisions of law, rules and regulations applicable
22 thereto. The commissioner may, in his or her discretion, impose a fee
23 for the submission of each application. Such fee shall not exceed seven
24 thousand five hundred dollars, which shall be deposited in the dedicated

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

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1 highway and bridge trust fund established pursuant to section eighty-
2 nine-b of the state finance law.

3 § 399-r. Regulations and fees. 1. The commissioner is authorized and
4 directed to promulgate any rules and regulations necessary to implement
5 the provisions of this article and to insure that the internet pilot
6 program, as approved by the commissioner, can validate: student identity
7 at registration and throughout the course; participation throughout the
8 course; that time the requirements are met; and successful completion of
9 the course. Provided, however, that any rules and regulations promulgat-
10 ed pursuant to this article shall not stipulate any particular location
11 for delivery of a pre-licensing course or limit the time of day during
12 which such course may be taken.

13 2. The commissioner is authorized to impose a fee upon each pre-li-
14 censing course sponsoring agency approved to deliver such course, which
15 shall not exceed eight dollars for each student who completes such
16 course, and which shall be deposited in the dedicated highway and bridge
17 trust fund established pursuant to section eighty-nine-b of the state
18 finance law.

19 3. The commissioner is hereby authorized to promulgate and adopt on an
20 emergency basis regulations necessary for the implementation of this
21 section.

22 § 399-s. Pilot program scope and duration. The commissioner shall
23 conduct a pilot program designed to evaluate utilizing the internet for
24 delivering an approved pre-licensing course, which shall be deemed the
25 equivalent of the course required by subparagraph (i) of paragraph (a)
26 of subdivision four of section five hundred two of this chapter, by
27 permitting qualified applicants to participate in the pilot program for
28 a period of five years.

29 § 399-t. Report by commissioner. Within five years of the establish-
30 ment and implementation of this article, the commissioner shall report
31 to the governor, the temporary president of the senate and the speaker
32 of the assembly on the pre-licensing course internet pilot program and
33 its results. Such reports shall include recommendations as to the future
34 use of internet as an effective way, in addition to classroom presenta-
35 tion, to deliver to the public approved pre-licensing courses, and qual-
36 ifications for participants in such approved internet delivered
37 programs.

38 § 2. Paragraph (h) of subdivision 4 of section 502 of the vehicle and
39 traffic law, as added by section 1 of part L of chapter 59 of the laws
40 of 2009, is amended to read as follows:

41 (h) Course completion certificate fee. The fee for a course completion
42 certificate provided by the department to an entity that is approved by
43 the commissioner to offer the pre-licensing course, required by this
44 subdivision, for issuance by such entity to students upon their
45 completion of such pre-licensing course shall be one dollar. Such fee
46 shall be paid by such entity and shall not be charged to a person who
47 takes the course in any manner. The provisions of this paragraph shall
48 not apply to a pre-licensing course established pursuant to article
49 twelve-D of this chapter.

50 § 3. This act shall take effect on the one hundred eightieth day after
51 it shall have become a law and shall expire and be deemed repealed five
52 years after the date that the pre-licensing course internet pilot
53 program is established and implemented by the commissioner of motor
54 vehicles pursuant to article 12-D of the vehicle and traffic law, as
55 added by section one of this act; provided that any rules and regu-
56 lations necessary to implement the provisions of this act on its effec-

1 tive date are authorized and directed to be completed on or before such
2 date; and provided, further, that the commissioner of motor vehicles
3 shall notify the legislative bill drafting commission of the date he or
4 she establishes and implements the pre-licensing course internet pilot
5 program pursuant to article 12-D of the vehicle and traffic law, as
6 added by section one of this act, in order that such commission may
7 maintain an accurate and timely effective data base of the official text
8 of the laws of the state of New York in furtherance of effecting the
9 provisions of section 44 of the legislative law and section 70-b of the
10 public officers law.