STATE OF NEW YORK

5225

2019-2020 Regular Sessions

IN SENATE

April 17, 2019

Introduced by Sen. GOUNARDES -- 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 authorizing the commissioner of the department of motor vehicles to require examination of persons involved in an accident which was caused by a loss of consciousness by such person

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

Section 1. Subdivision 2 of section 506 of the vehicle and traffic law, as added by chapter 780 of the laws of 1972, is amended to read as follows:

2. The commissioner may require every person holding a license issued pursuant to this article to submit to such an examination as shall be determined by him to be appropriate if **(a)** such person has been involved in three accidents while driving a motor vehicle or motorcycle within a period of eighteen months, if such accidents were required to be reported by section six hundred five of this chapter**, or (b) such person experienced a loss of consciousness and was involved in an accident while driving a motor vehicle or motorcycle, if such accident was required to be reported by section six hundred five of this chapter and the commissioner receives evidence that such loss of consciousness caused or contributed to such accident**.

§ 2. The New York state department of motor vehicles ("department"), in consultation with the New York state department of health and the New York state division of state police, shall undertake a review of the department's medical review program regarding the department's reexamination of drivers and the methodologies by which the department receives information that would establish reasonable grounds for the commissioner of motor vehicles to believe that a person holding a license may not be qualified to drive a motor vehicle due to a chronic, ongoing condition that may cause loss of consciousness, loss of aware-

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

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ness or loss of body control. Such review shall include, but not be limited to, an examination of the means by which the department is notified by a physician, a police officer, or other person of a driving incident, behavior, action or other cause relating to a person's safe driving performance; identification of any impediments that could have, or have, inhibited the submission of reports by physicians, police officers, or other persons that a driver may have a medical condition that affects his or her ability to safely operate a motor vehicle; and the identification of procedures that the department could undertake to reduce any such impediments. Such review shall be made and completed within one year of the effective date of the chapter of the laws of 2018 that added this section, and shall be submitted to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate transportation committee, the chair of the assembly transportation committee, the chair of the senate health committee and the chair of the assembly health committee on or before such date.

§ 3. This act shall take effect immediately, provided, however that section one of this act shall take effect on the thirtieth day after it shall have become a law.