

# 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:

- 1 Section 1. Subdivision 2 of section 506 of the vehicle and traffic  
2 law, as added by chapter 780 of the laws of 1972, is amended to read as  
3 follows:
- 4 2. The commissioner may require every person holding a license issued  
5 pursuant to this article to submit to such an examination as shall be  
6 determined by him to be appropriate if (a) such person has been involved  
7 in three accidents while driving a motor vehicle or motorcycle within a  
8 period of eighteen months, if such accidents were required to be  
9 reported by section six hundred five of this chapter, or (b) such person  
10 experienced a loss of consciousness and was involved in an accident  
11 while driving a motor vehicle or motorcycle, if such accident was  
12 required to be reported by section six hundred five of this chapter and  
13 the commissioner receives evidence that such loss of consciousness  
14 caused or contributed to such accident.
- 15 § 2. The New York state department of motor vehicles ("department"),  
16 in consultation with the New York state department of health and the New  
17 York state division of state police, shall undertake a review of the  
18 department's medical review program regarding the department's reexam-  
19 ination of drivers and the methodologies by which the department  
20 receives information that would establish reasonable grounds for the  
21 commissioner of motor vehicles to believe that a person holding a  
22 license may not be qualified to drive a motor vehicle due to a chronic,  
23 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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1 ness or loss of body control. Such review shall include, but not be  
2 limited to, an examination of the means by which the department is noti-  
3 fied by a physician, a police officer, or other person of a driving  
4 incident, behavior, action or other cause relating to a person's safe  
5 driving performance; identification of any impediments that could have,  
6 or have, inhibited the submission of reports by physicians, police offi-  
7 cers, or other persons that a driver may have a medical condition that  
8 affects his or her ability to safely operate a motor vehicle; and the  
9 identification of procedures that the department could undertake to  
10 reduce any such impediments. Such review shall be made and completed  
11 within one year of the effective date of the chapter of the laws of 2018  
12 that added this section, and shall be submitted to the governor, the  
13 temporary president of the senate, the speaker of the assembly, the  
14 chair of the senate transportation committee, the chair of the assembly  
15 transportation committee, the chair of the senate health committee and  
16 the chair of the assembly health committee on or before such date.

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