

STATE OF NEW YORK

5228

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 requiring instruction in pedestrian and bicyclist safety as part of the drivers pre-licensing course

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

1 Section 1. Paragraphs (a), (b) and (d) of subdivision 4 of section 502
2 of the vehicle and traffic law, paragraph (a) as amended by chapter 585
3 of the laws of 2002, subparagraph (i) of paragraph (a) and paragraphs
4 (b) and (d) as amended by chapter 355 of the laws of 2017, are amended
5 and a new paragraph (c-4) is added to read as follows:

6 (a) (i) Upon submission of an application for a driver's license, the
7 applicant shall be required to take and pass a test, or submit evidence
8 of passage of a test, with respect to the laws relating to traffic, the
9 laws relating to driving while ability is impaired and while intoxicat-
10 ed, under the overpowering influence of "Road Rage", "Work Zone Safety"
11 awareness [~~and~~], "Motorcycle Safety" awareness and "Pedestrian and Bicy-
12 clist Safety" awareness as defined by the commissioner, the law relating
13 to exercising due care to avoid colliding with a parked, stopped or
14 standing authorized emergency vehicle or hazard vehicle pursuant to
15 section eleven hundred forty-four-a of this chapter, the ability to read
16 and comprehend traffic signs and symbols and such other matters as the
17 commissioner may prescribe, and to satisfactorily complete a course
18 prescribed by the commissioner of not less than four hours and not more
19 than five hours, consisting of classroom driver training and highway
20 safety instruction or the equivalent thereof. Such test shall include at
21 least seven written questions concerning the effects of consumption of
22 alcohol or drugs on the ability of a person to operate a motor vehicle
23 and the legal and financial consequences resulting from violations of
24 section eleven hundred ninety-two of this chapter, prohibiting the oper-

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

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1 ation of a motor vehicle while under the influence of alcohol or drugs.
2 Such test shall include one or more written questions concerning the
3 devastating effects of "Road Rage" on the ability of a person to operate
4 a motor vehicle and the legal and financial consequences resulting from
5 assaulting, threatening or interfering with the lawful conduct of another
6 person legally using the roadway. Such test shall include one or more
7 questions concerning the potential dangers to persons and equipment
8 resulting from the unsafe operation of a motor vehicle in a work zone.
9 Such test may include one or more questions concerning motorcycle safety.
10 Such test may include one or more questions concerning the law for
11 exercising due care to avoid colliding with a parked, stopped or standing
12 vehicle pursuant to section eleven hundred forty-four-a of this
13 chapter. Such test shall include one or more questions concerning how
14 to safely pass a bicyclist on the road, how to navigate an intersection
15 with pedestrians and bicyclists, and the dangers of motorists to bicy-
16 clists and pedestrians. Such test shall be administered by the commis-
17 sioner. The commissioner shall cause the applicant to take a vision test
18 and a test for color blindness. Upon passage of the vision test, the
19 application may be accepted and the application fee shall be payable.

20 (ii) The commissioner shall promulgate rules and regulations estab-
21 lishing eligibility standards for the taking and passing of knowledge
22 tests in other than written form.

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

43 (c-4) "Pedestrian and Bicyclist Safety" awareness component. The
44 commissioner shall provide in the pre-licensing course, set forth in
45 paragraph (b) of this subdivision, a mandatory component in "Pedestrian
46 and Bicyclist Safety" awareness education as a prerequisite for obtain-
47 ing a license to operate a motor vehicle. The purpose of the component
48 is to educate prospective licensees on how to safely pass a bicyclist on
49 the road, how to navigate an intersection with pedestrians and bicy-
50 clists, and the dangers of motorists to bicyclists and pedestrians.

51 (d) The commissioner shall make available for distribution upon regis-
52 tration at each location where the pre-licensing course will be given,
53 instructional handbooks outlining the content of the entire curriculum
54 of the pre-licensing course including the information required to be
55 included in the course pursuant to paragraphs (c), (c-1), (c-2) ~~[and]~~,
56 (c-3) and (c-4) of this subdivision. The commissioner shall also provide

1 for the additional training of the instructors necessary for the compe-
2 tent instruction of the alcohol and drug education, "Road Rage" aware-
3 ness, "Work Zone Safety" awareness [~~and~~], "Motorcycle Safety" aware-
4 and "Pedestrian and Bicyclist Safety" awareness subject matters of the
5 pre-licensing course.

6 § 2. This act shall take effect on the one hundred eightieth day after
7 it shall have become a law.