

STATE OF NEW YORK

9799

IN ASSEMBLY

February 13, 2020

Introduced by M. of A. DenDEKKER -- read once and referred to the
Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the display
of amber and blue lights on certain hazard vehicles

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

1 Section 1. Subparagraphs a and c of paragraph 4 of subdivision 41 of
2 section 375 of the vehicle and traffic law, as amended by chapter 465 of
3 the laws of 2010, are amended to read as follows:

4 a. One blue light may be affixed to any motor vehicle owned by a
5 volunteer member of a fire department or on a motor vehicle owned by a
6 member of such person's family residing in the same household or by a
7 business enterprise in which such person has a proprietary interest or
8 by which he or she is employed, provided such volunteer firefighter has
9 been authorized in writing to so affix a blue light by the chief of the
10 fire department or company of which he or she is a member, which author-
11 ization shall be subject to revocation at any time by the chief who
12 issued the same or his or her successor in office. Such blue light may
13 be displayed exclusively by such volunteer firefighter on such a vehicle
14 only when engaged in an emergency operation. The use of blue lights on
15 vehicles shall be restricted for use only by a volunteer firefighter
16 except as otherwise provided for in [~~subparagraph~~] subparagraphs b and
17 b-1 of this paragraph.

18 c. The commissioner is authorized to promulgate rules and regulations
19 relating to the use, placement, power and display of blue lights on a
20 police vehicle [~~and~~], fire vehicle, and hazard vehicle which is engaged
21 in highway maintenance, ice and snow removal, or is designed for the
22 towing or pushing of disabled vehicles where such operation involves the
23 use of a public highway.

24 § 2. Paragraph 4 of subdivision 41 of section 375 of the vehicle and
25 traffic law is amended by adding a new subparagraph b-1 to read as
26 follows:

27 b-1. In addition to the amber light authorized to be displayed pursu-
28 ant to paragraph three of this subdivision, one or more blue lights or

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

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1 combination blue and amber lights may be affixed to a hazard vehicle
2 which is engaged in highway maintenance, ice and snow removal, or is
3 designed for the towing or pushing of disabled vehicles where such oper-
4 ation involves the use of a public highway provided that such blue light
5 or lights shall be displayed on such a hazard vehicle for rear projec-
6 tion only. Such blue light or lights may be displayed on a hazard vehi-
7 cle which is engaged in highway maintenance, ice and snow removal, or is
8 designed for the towing or pushing of disabled vehicles where such oper-
9 ation involves the use of a public highway when such vehicle is engaged
10 in a hazardous operation and is also displaying the amber light or
11 lights required to be displayed during a hazardous operation pursuant
12 to paragraph three of this subdivision. Nothing contained in this
13 subparagraph shall be deemed to authorize the use of blue lights on
14 hazard vehicles which are engaged in highway maintenance, ice and snow
15 removal, or are designed for the towing or pushing of disabled vehicles
16 where such operation involves the use of a public highway unless such
17 hazard vehicles also display one or more amber lights as otherwise
18 authorized in this subdivision.

19 § 3. Subdivision (b) of section 1144-a of the vehicle and traffic law,
20 as amended by chapter 458 of the laws of 2011, is amended to read as
21 follows:

22 (b) Every operator of a motor vehicle shall exercise due care to avoid
23 colliding with a hazard vehicle which is parked, stopped or standing on
24 the shoulder or on any portion of such highway and such hazard vehicle
25 is displaying one or more amber lights pursuant to the provisions of
26 paragraph three of subdivision forty-one of section three hundred seven-
27 ty-five of this chapter or, if such hazard vehicle is engaged in highway
28 maintenance, ice and snow removal, or is designed for the towing or
29 pushing of disabled vehicles where such operation involves the use of a
30 public highway and such hazard vehicle is displaying one or more amber
31 lights or one or more blue or combination blue and amber lights pursuant
32 to the provisions of paragraph three or subparagraph b-1 of paragraph
33 four, as applicable, of subdivision forty-one of section three hundred
34 seventy-five of this chapter. For operators of motor vehicles on park-
35 ways or controlled access highways, such due care shall include, but not
36 be limited to, moving from a lane which contains or is immediately adja-
37 cent to the shoulder where (i) such hazard vehicle displaying one or
38 more amber lights pursuant to the provisions of paragraph three of
39 subdivision forty-one of section three hundred seventy-five of this
40 chapter or (ii) such hazard vehicle is engaged in highway maintenance,
41 ice and snow removal, or is designed for the towing or pushing of dis-
42 abled vehicles where such operation involves the use of a public highway
43 displaying one or more amber lights or one or more blue or combination
44 blue and amber lights pursuant to the provisions of paragraph three or
45 subparagraph b-1 of paragraph four, as applicable, of subdivision
46 forty-one of section three hundred seventy-five of this chapter, is
47 parked, stopped or standing to another lane, provided that such movement
48 otherwise complies with the requirements of this chapter including, but
49 not limited to, the provisions of sections eleven hundred ten and eleven
50 hundred twenty-eight of this title.

51 § 4. This act shall take effect immediately.