

# STATE OF NEW YORK

2960--A

Cal. No. 407

2019-2020 Regular Sessions

## IN SENATE

January 31, 2019

Introduced by Sens. KAPLAN, KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, in relation to adding a school bus safety component to the pre-licensing driver's education course

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

1 Section 1. Subparagraph (i) of paragraph (a) and paragraphs (b) and  
2 (d) of subdivision 4 of section 502 of the vehicle and traffic law, as  
3 amended by chapter 355 of the laws of 2017, are amended and a new para-  
4 graph (c-4) is added to read as follows:  
5 (i) Upon submission of an application for a driver's license, the  
6 applicant shall be required to take and pass a test, or submit evidence  
7 of passage of a test, with respect to the laws relating to traffic, the  
8 laws relating to driving while ability is impaired and while intoxicat-  
9 ed, under the overpowering influence of "Road Rage", "Work Zone Safety"  
10 awareness and "Motorcycle Safety" awareness as defined by the commis-  
11 sioner, the law relating to exercising due care to avoid colliding with  
12 a parked, stopped or standing authorized emergency vehicle or hazard  
13 vehicle pursuant to section eleven hundred forty-four-a of this chapter,  
14 the ability to read and comprehend traffic signs and symbols, school bus  
15 safety and such other matters as the commissioner may prescribe, and to  
16 satisfactorily complete a course prescribed by the commissioner of not  
17 less than four hours and not more than five hours, consisting of class-  
18 room driver training and highway safety instruction or the equivalent  
19 thereof. Such test shall include at least seven written questions

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

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1 concerning the effects of consumption of alcohol or drugs on the ability  
2 of a person to operate a motor vehicle and the legal and financial  
3 consequences resulting from violations of section eleven hundred nine-  
4 ty-two of this chapter, prohibiting the operation of a motor vehicle  
5 while under the influence of alcohol or drugs. Such test shall include  
6 one or more written questions concerning the devastating effects of  
7 "Road Rage" on the ability of a person to operate a motor vehicle and  
8 the legal and financial consequences resulting from assaulting, threat-  
9 ening or interfering with the lawful conduct of another person legally  
10 using the roadway. Such test shall include one or more questions  
11 concerning the potential dangers to persons and equipment resulting from  
12 the unsafe operation of a motor vehicle in a work zone. Such test may  
13 include one or more questions concerning motorcycle safety. Such test  
14 may include one or more questions concerning the law for exercising due  
15 care to avoid colliding with a parked, stopped or standing vehicle  
16 pursuant to section eleven hundred forty-four-a of this chapter. Such  
17 test shall include one or more questions concerning school bus safety.  
18 Such test shall be administered by the commissioner. The commissioner  
19 shall cause the applicant to take a vision test and a test for color  
20 blindness. Upon passage of the vision test, the application may be  
21 accepted and the application fee shall be payable.

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

41 (c-4) "School bus safety" component. (i) The commissioner shall  
42 provide in the pre-licensing course, set forth in paragraph (b) of this  
43 subdivision, a mandatory component in "school bus safety" education as a  
44 prerequisite for obtaining a license to operate a motor vehicle. The  
45 purpose of the component is to educate prospective licensees on the  
46 dangers of passing a school bus in violation of section eleven hundred  
47 seventy-four of this chapter, to reduce the number of such incidents,  
48 and to promote school bus safety.

49 (ii) The commissioner shall establish a curriculum for the "school bus  
50 safety" component which shall include, but shall not be limited to, an  
51 overview of traffic laws governing overtaking and passing school buses,  
52 specifically section eleven hundred seventy-four of this chapter.

53 (iii) In developing such curriculum, the commissioner shall consult  
54 with the commissioner of transportation.

55 (d) The commissioner shall make available for distribution upon regis-  
56 tration at each location where the pre-licensing course will be given,

1 instructional handbooks outlining the content of the entire curriculum  
2 of the pre-licensing course including the information required to be  
3 included in the course pursuant to paragraphs (c), (c-1), (c-2) [~~and~~],  
4 (c-3) and (c-4) of this subdivision. The commissioner shall also provide  
5 for the additional training of the instructors necessary for the compe-  
6 tent instruction of the alcohol and drug education, "Road Rage" aware-  
7 ness, "Work Zone Safety" awareness [~~and~~], "Motorcycle Safety" awareness  
8 and "school bus safety" subject matters of the pre-licensing course.

9 § 2. This act shall take effect one year after it shall have become a  
10 law. Effective immediately, the addition, amendment and/or repeal of any  
11 rule or regulation necessary for the implementation of this act on its  
12 effective date are authorized and directed to be made and completed on  
13 or before such effective date.