STATE OF NEW YORK

7192--A

2021-2022 Regular Sessions

IN ASSEMBLY

April 29, 2021

Introduced by M. of A. LUPARDO -- read once and referred to the Committee on Transportation -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to the operation of a three-wheeled vehicle

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

Section 1. Subparagraphs (iv) and (vii) of paragraph (a) of subdivision 2 of section 501 of the vehicle and traffic law, subparagraph (iv) as amended by chapter 339 of the laws of 2005, subparagraph (vii) as added by chapter 173 of the laws of 1990, are amended to read as follows:

(iv) Class D. Such license shall be valid to operate any passenger or limited use automobile or any truck with a GVWR of not more than twenty-six thousand pounds or any such vehicle towing a vehicle with a GVWR of not more than ten thousand pounds, or any such vehicle towing another vehicle with a GVWR of more than ten thousand pounds provided such combination of vehicles has a GCWR of not more than twenty-six thousand pounds, or any personal use vehicle with a GVWR of not more than twenty-six thousand pounds or any such vehicle towing a vehicle with a GVWR of not more than ten thousand pounds, except it shall not be valid to operate a tractor, a motorcycle other than a class B or C limited use motorcycle, a vehicle used to transport passengers for hire or for which a hazardous materials endorsement is required, or a vehicle defined as a bus in subdivision one of section five hundred nine-a of this title. **Such license also shall be valid to operate a three-wheeled motor vehicle that has two wheels situated in the front and one wheel in the rear, has a steering wheel and seating which does not require the operator to straddle or sit astride, is equipped with safety belts for all occupants**

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

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and is manufactured to comply with federal motor vehicle safety standards for motorcycles including, but not limited to, 49 C.F.R. part 571.

(vii) Class M. Such license shall be valid to operate any motorcycle, or any motorcycle, other than a limited use motorcycle, towing a trailer. Such license also shall be valid to operate a three-wheeled motor vehicle that has two wheels situated in the front and one wheel in the rear, has a steering wheel and seating which does not require the operator to straddle or sit astride, is equipped with safety belts for all occupants and is manufactured to comply with federal motor vehicle safety standards for motorcycles including, but not limited to, 49 C.F.R. part 571.

§ 2. Paragraph (b) of subdivision 4 of section 502 of the vehicle and traffic law, as amended by chapter 513 of the laws of 2019, is amended to read as follows:

(b) Upon successful completion of the requirements set forth in paragraph (a) of this subdivision which shall include an alcohol and drug education component as described in paragraph (c) of this subdivision, a "Road Rage" awareness component as described in paragraph (c-1) of this subdivision and a "Work Zone Safety" awareness component as described in paragraph (c-2) of this subdivision, a "Motorcycle Safety" awareness component as described in paragraph (c-3) of this subdivision, and a "School Bus Safety" awareness component as described in paragraph (c-4) of this subdivision the commissioner shall cause the applicant to take a road test in a representative vehicle of a type prescribed by the commissioner which shall be appropriate to the type of license for which application is made, except that the commissioner may waive the road test requirements for certain classes of applicants. Provided, however, that the term "representative vehicle" shall not include a three-wheeled motor vehicle that has two wheels situated in the front and one wheel in the rear, has a steering wheel and seating which does not require the operator to straddle or sit astride, is equipped with safety belts for all occupants and is manufactured to comply with federal motor vehicle safety standards for motorcycles including, but not limited to, 49 C.F.R. part 571. The commissioner shall have the power to establish a program to allow persons other than employees of the department to conduct road tests in representative vehicles when such tests are required for applicants to obtain a class A, B or C license. If she chooses to do so, she shall set forth her reasons in writing and conduct a public hearing on the matter. She shall only establish such a program after holding the public hearing.

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law.