STATE OF NEW YORK

811--A

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. WALLACE, NORRIS, McMAHON, LUPARDO, TAGUE -- read once and referred to the Committee on Transportation -- 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 use of green lights on municipal hazard vehicles designed for ice and snow removal and in relation to the operation of vehicles when approaching such a parked, stopped or standing hazard vehicle

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

Section 1. Paragraph 5 of subdivision 41 of section 375 of the vehicle and traffic law, as added by chapter 197 of the laws of 1970, the opening paragraph as amended by chapter 349 of the laws of 2004, is amended to read as follows:

5. Green light. **(a)** One green light may be affixed to any motor vehicle owned by a member of a volunteer ambulance service, or on a motor vehicle owned by a member of such person's family, or by a business enterprise in which such person has a proprietary interest or by which he is employed, provided such member has been authorized in writing to so affix a green light by the chief officer of such service as designated by the members thereof. Such green light may be displayed exclusively by such member of a volunteer ambulance service only when engaged in an emergency operation. The use of green lights on vehicles shall be restricted for use only by a member of a volunteer ambulance service as provided for in this paragraph **except as otherwise provided for in subparagraph c of this paragraph**.

(b) As used in this paragraph volunteer ambulance service means: [~~a.~~] **(i)** a non-profit membership corporation (other than a fire corporation) incorporated under or subject to the provisions of the membership corporations law, or any other law, operating its ambulance or ambulances on

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

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a non-profit basis for the convenience of the members thereof and their families or of the community or under a contract with a county, city, town or village pursuant to section one hundred twenty-two-b of the general municipal law; or

[~~b.~~] (ii) an unincorporated association of persons operating its ambulance or ambulances on a non-profit basis for the convenience of the members and their families or of the community.

(c)(i) In addition to the amber light authorized to be displayed pursuant to paragraph three of this subdivision, one or more green lights or combination green and amber lights may be affixed to a hazard vehicle designed for ice and snow removal owned and operated by the state or by a county, city, town or village. Such green light or lights may be displayed on a hazard vehicle designed for ice and snow removal owned and operated by the state or by a county, city, town or village when such vehicle is engaged in a hazardous operation and is also displaying the amber light or lights required to be displayed during a hazardous operation pursuant to paragraph three of this subdivision. Nothing contained in this subparagraph shall be deemed to authorize the use of green lights on hazard vehicles designed for ice and snow removal owned and operated by the state or by a county, city, town or village unless such hazard vehicles also display one or more amber lights as otherwise authorized in this subdivision.

(ii) The commissioner is authorized to promulgate rules and regulations relating to the use, placement, power and display of green lights on a hazard vehicle designed for ice and snow removal owned and operated by the state or by a county, city, town or village.

§ 2. Subdivision (b) of section 1144-a of the vehicle and traffic law, as amended by section 3 of part C of chapter 58 of the laws of 2020, is amended to read as follows:

(b) Every operator of a motor vehicle shall exercise due care to avoid colliding with a hazard vehicle which is parked, stopped or standing on the shoulder or on any portion of such highway and such hazard vehicle is displaying one or more amber lights pursuant to the provisions of paragraph three of subdivision forty-one of section three hundred seventy-five of this chapter or, if such hazard vehicle is designed for the towing or pushing of disabled vehicles such hazard vehicle is displaying one or more amber lights or one or more blue or combination blue and amber lights pursuant to the provisions of paragraph three or subparagraph b-1 of paragraph four, as applicable, of subdivision forty-one of section three hundred seventy-five of this chapter or, if such hazard vehicle owned and operated by the state or by a county, city, town or village is designed for the removal of ice and snow such hazard vehicle is displaying one or more amber lights or one or more green or combination green and amber lights pursuant to the provisions of paragraph three or subparagraph (c) of paragraph five, as applicable, of subdivision forty-one of section three hundred seventy-five of this chapter. For operators of motor vehicles on parkways or controlled access highways, such due care shall include, but not be limited to, moving from a lane which contains or is immediately adjacent to the shoulder where (i) such hazard vehicle displaying one or more amber lights pursuant to the provisions of paragraph three of subdivision forty-one of section three hundred seventy-five of this chapter or (ii) such hazard vehicle designed for the towing or pushing of disabled vehicles displaying one or more amber lights or one or more blue or combination blue and amber lights pursuant to the provisions of paragraph three or subparagraph b-1 of paragraph four, as applicable, of subdivision forty-one of section

three hundred seventy-five of this chapter **or (iii) such hazard vehicle owned and operated by the state or by a county, city, town or village is displaying one or more amber lights or one or more green or combination green and amber lights pursuant to the provisions of paragraph three or subparagraph (c) of paragraph five, as applicable, of subdivision forty-one of section three hundred seventy-five of this chapter**, is parked, stopped or standing to another lane, provided that such movement otherwise complies with the requirements of this chapter including, but not limited to, the provisions of sections eleven hundred ten and eleven hundred twenty-eight of this title.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.