

# STATE OF NEW YORK

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3532--A

2021-2022 Regular Sessions

## IN SENATE

January 30, 2021

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Introduced by Sens. KENNEDY, GALLIVAN, SKOUFIS -- read twice and ordered printed, and when printed to be committed 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:

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

5 5. Green light. (a) One green light may be affixed to any motor vehi-  
6 cle owned by a member of a volunteer ambulance service, or on a motor  
7 vehicle owned by a member of such person's family, or by a business  
8 enterprise in which such person has a proprietary interest or by which  
9 he is employed, provided such member has been authorized in writing to  
10 so affix a green light by the chief officer of such service as desig-  
11 nated by the members thereof. Such green light may be displayed exclu-  
12 sively by such member of a volunteer ambulance service only when engaged  
13 in an emergency operation. The use of green lights on vehicles shall be  
14 restricted for use only by a member of a volunteer ambulance service as  
15 provided for in this paragraph except as otherwise provided for in  
16 subparagraph c of this paragraph.

17 (b) As used in this paragraph volunteer ambulance service means: [~~a.~~]  
18 (i) a non-profit membership corporation (other than a fire corporation)  
19 incorporated under or subject to the provisions of the membership corpo-  
20 rations law, or any other law, operating its ambulance or ambulances on  
21 a non-profit basis for the convenience of the members thereof and their

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

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1 families or of the community or under a contract with a county, city,  
2 town or village pursuant to section one hundred twenty-two-b of the  
3 general municipal law; or

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

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

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

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

29 (b) Every operator of a motor vehicle shall exercise due care to avoid  
30 colliding with a hazard vehicle which is parked, stopped or standing on  
31 the shoulder or on any portion of such highway and such hazard vehicle  
32 is displaying one or more amber lights pursuant to the provisions of  
33 paragraph three of subdivision forty-one of section three hundred seven-  
34 ty-five of this chapter or, if such hazard vehicle is designed for the  
35 towing or pushing of disabled vehicles such hazard vehicle is displaying  
36 one or more amber lights or one or more blue or combination blue and  
37 amber lights pursuant to the provisions of paragraph three or subpara-  
38 graph b-1 of paragraph four, as applicable, of subdivision forty-one of  
39 section three hundred seventy-five of this chapter or, if such hazard  
40 vehicle owned and operated by the state or by a county, city, town or  
41 village is designed for the removal of ice and snow such hazard vehicle  
42 is displaying one or more amber lights or one or more green or combina-  
43 tion green and amber lights pursuant to the provisions of paragraph  
44 three or subparagraph (c) of paragraph five, as applicable, of subdivi-  
45 sion forty-one of section three hundred seventy-five of this chapter.

46 For operators of motor vehicles on parkways or controlled access high-  
47 ways, such due care shall include, but not be limited to, moving from a  
48 lane which contains or is immediately adjacent to the shoulder where (i)  
49 such hazard vehicle displaying one or more amber lights pursuant to the  
50 provisions of paragraph three of subdivision forty-one of section three  
51 hundred seventy-five of this chapter or (ii) such hazard vehicle  
52 designed for the towing or pushing of disabled vehicles displaying one  
53 or more amber lights or one or more blue or combination blue and amber  
54 lights pursuant to the provisions of paragraph three or subparagraph b-1  
55 of paragraph four, as applicable, of subdivision forty-one of section  
56 three hundred seventy-five of this chapter or (iii) such hazard vehicle

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

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