

# STATE OF NEW YORK

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5004

2021-2022 Regular Sessions

## IN SENATE

February 22, 2021

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Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to enhancing the fitness and safety requirements for certain licensed individuals and establishes the New York state task force on the effects of aging on driving ability

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

1 Section 1. Section 502 of the vehicle and traffic law is amended by  
2 adding a new subdivision 2-a to read as follows:

3 2-a. Definitions. For purposes of this section, the term "fit" shall  
4 mean deemed by a licensed physician to have the physical and mental  
5 capacity to operate a motor vehicle.

6 § 2. Paragraph (a) of subdivision 6 of section 502 of the vehicle and  
7 traffic law, as amended by chapter 37 of the laws of 2019, is amended to  
8 read as follows:

9 (a) A license issued pursuant to subdivision five of this section  
10 shall be valid until the expiration date contained thereon, unless such  
11 license is suspended, revoked or cancelled. Such license may be renewed  
12 by submission of an application for renewal, the fee prescribed by law,  
13 proofs of prior licensing, fitness and acceptable vision prescribed by  
14 the commissioner, the applicant's social security number or, in lieu  
15 thereof, with respect to an application for a non-commercial driver's  
16 license or learner's permit which does not meet federal standards for  
17 identification, an affidavit signed by such applicant that they have not  
18 been issued a social security number, and if required by the commission-  
19 er, a photo image of the applicant in such numbers and form as the  
20 commissioner shall prescribe. Upon the seventh application submission,  
21 and thereafter for a renewal of a driver's license, applicants must  
22 submit proof of a physical examination, conducted by a licensed physi-  
23 cian, to prove that the licensee is medically fit to operate a motor

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

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1 vehicle. In addition, an applicant for renewal of a license containing a  
2 hazardous material endorsement shall pass an examination to retain such  
3 endorsement. The commissioner shall, with respect to the renewal of a  
4 hazardous materials endorsement, comply with the requirements imposed  
5 upon states by sections 383.141 and 1572.13 of title 49 of the code of  
6 federal regulations. A renewal of such license shall be issued by the  
7 commissioner upon approval of such application, except that no such  
8 license shall be issued if its issuance would be inconsistent with the  
9 provisions of section five hundred sixteen of this title, and except  
10 that the commissioner may refuse to renew such license if the applicant  
11 is the holder of a currently valid or renewable license to drive issued  
12 by another state or foreign country unless the applicant surrenders such  
13 license.

14 § 3. a. The "New York state task force on the effects of aging on  
15 driving ability" is hereby established (hereinafter referred to as the  
16 "task force"). The task force shall study the effects of aging on driv-  
17 ing ability and develop a comprehensive approach to licensing drivers.

18 b. Such study shall include:

19 (i) Effective and efficient identification of drivers at risk of being  
20 involved in a motor vehicle accident because of functional limitations  
21 that affect their driving ability;

22 (ii) Prevalence and effect of degenerative processes affecting vision,  
23 hearing, mobility, cognitive functions, and reaction time;

24 (iii) Implementation and effect of the department's vision screening  
25 requirements and examination of new technologies;

26 (iv) Availability and effectiveness of remedial measures such as  
27 skills training, adaptive equipment, physical therapy, and adjustment of  
28 driving practices that will allow people to drive safely for as long as  
29 possible;

30 (v) Availability of alternative forms of transportation for people who  
31 can no longer safely drive; and

32 (vi) Effectiveness of existing public education initiatives relating  
33 to at-risk drivers.

34 § 4. Such task force shall consist of the following members, which  
35 shall each serve for a term of two years:

36 a. one member appointed by the governor;

37 b. one member appointed by the temporary president of the senate;

38 c. one member appointed by the minority leader of the senate;

39 d. one member appointed by the speaker of the assembly;

40 e. one member appointed by the minority leader of the assembly; and

41 f. two members appointed by the commissioner of the department of  
42 motor vehicles.

43 § 5. Such members of the task force shall receive no compensation for  
44 their services, but shall be reimbursed for all expenses actually and  
45 necessarily incurred by them in the performance of their duties. Vacan-  
46 cies in office shall be filled in the same manner as the original  
47 appointment.

48 § 6. The task force shall report its findings from such study and make  
49 recommendations with supporting legislation to the governor and the  
50 legislature within one year of the effective date of this act.

51 § 7. This act shall take effect immediately.