STATE OF NEW YORK

5486

2021-2022 Regular Sessions

IN SENATE

March 8, 2021

Introduced by Sen. KENNEDY -- 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 and the transportation law, in relation to establishing a commercial driver's license (CDL) class A young adult licensing pilot program

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

Section 1. Paragraphs (a) and (b) of subdivision 2 of section 502 of the vehicle and traffic law, as amended by chapter 520 of the laws of 1991, are amended to read as follows:

(a) An applicant for a [~~class A license or for a~~] commercial driver's license which contains an H or an X endorsement or which is valid for operation in interstate commerce shall be at least twenty-one years of age.

(b) Except as provided in paragraph (a) of this subdivision an applicant for a class **A,** B, C or E license shall be at least eighteen years of age.

§ 2. Section 14 of the transportation law is amended by adding a new subdivision 36 to read as follows:

36. (a) To promulgate, in consultation with the department of motor vehicles, rules and regulations to establish and implement a commercial driver's license (CDL) class A young adult licensing program.

(i) Such rules and regulations shall be no less protective of public safety than the rules and regulations promulgated by the federal government with respect to the training of entry-level commercial motor vehicle operators. The regulations shall set forth the criteria to be included in the training program and shall be no less than the entry-level driver training requirements prescribed by the United States secretary of transportation under Appendices A, C, D and E to section 380 of title 49 of the United States code as amended from time to time.

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

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(ii) Such rules and regulations shall include no less than three hundred hours of behind-the-wheel training with an experienced driver upon completion of subparagraph (i) of this paragraph.

(b) For purposes of this subdivision, the following terms shall have the following meanings:

(i) "young adult" shall mean an individual who ranges in age from eighteen to twenty years old;

(ii) "experienced driver" shall mean an individual who (A) is not less than twenty-one years of age, (B) has held a commercial driver's license for at least a two-year period, (C) has had no preventable accidents reportable to the United States secretary of transportation or pointed moving violations for at least a one-year period, and (D) has a minimum of one year of experience driving a commercial vehicle in commerce.

(c) Such pilot program shall provide qualified young adult drivers with a CDL class A driver's license.

§ 3. This act shall be deemed repealed if any federal agency or any court of competent jurisdiction determines that this act would render New York state ineligible for the receipt of federal funds.

§ 4. Severability. If any clause, sentence, subdivision, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 5. This act shall take effect immediately; provided that the commissioner of transportation shall notify the legislative bill drafting commission upon the occurrence of the repeal of this act provided for in section three of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.