STATE OF NEW YORK

1487--A

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. THIELE -- 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 restrictions on class DJ and class MJ licenses in the counties of Nassau and Suffolk by permitting such licensees to drive to and from school between the hours of five in the morning to nine o'clock in the evening

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

Section 1. Subdivision 3 of section 501 of the vehicle and traffic law, as added by chapter 449 of the laws of 1989, the subdivision heading and first undesignated paragraph as amended by chapter 173 of the laws of 1990 and subparagraph (ii) of paragraph (b) as amended by chapter 644 of the laws of 2002, is amended to read as follows:

3. Restrictions on use of class DJ and class MJ licenses. A class DJ or class MJ license shall permit the holder to operate a vehicle in accordance with the following restrictions:

(a) in the counties of Nassau and Suffolk:

(i) for the purpose of driving to and from a state-approved cooperative work-study educational program, or to or from an approved program for credit in a post-secondary institution, or to or from a state-approved registered evening high school or while engaged in farm employment, or to or from an approved driver education course; [~~or~~]

(ii) from five o'clock in the morning to nine o'clock in the evening, to and from a place of business where the holder is regularly employed, or when accompanied by a duly licensed parent, guardian, person in a position of loco parentis, driver education teacher, or driving school instructor[~~.~~]**; or**

(iii) for a license holder who has completed six hours of in car instruction from a licensed drivers' school as defined in section three

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

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hundred ninety-four of this chapter, from five o'clock in the morning to nine o'clock in the evening, to and from school where the license holder is enrolled, or when accompanied by a duly licensed parent, guardian, person in a position of loco parentis, driver education teacher, or driving school instructor.

(b) in all other areas of the state, except for the city of New York:

(i) from five o'clock in the morning to nine o'clock in the evening; or

(ii) from nine o'clock in the evening to five o'clock in the morning when going to or from school, or to or from a place of business where the holder is employed on a regularly scheduled basis, or when accompanied by a duly licensed parent, guardian or one in a position of loco parentis to the licensee.

(c) in the city of New York, driving shall be prohibited.

(d) for the purpose of this subdivision, the term "school" shall mean instruction, education or training licensed or approved by a department or agency of the state or training conducted by the armed forces of the United States except it shall not include extra-curricular activities or social events for which scholastic credits are not given.

(e) any person operating a motor vehicle to or from school or to or from a place of business as authorized by this subdivision must possess documentation signed by such person's instructor or employer. The commissioner shall, by regulation, prescribe the form and content of such documentation.

§ 2. This act shall take effect immediately.