

STATE OF NEW YORK

5219

2023-2024 Regular Sessions

IN SENATE

February 27, 2023

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.

LBD07579-01-3

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.