

STATE OF NEW YORK

5259

2025-2026 Regular Sessions

IN ASSEMBLY

February 12, 2025

Introduced by M. of A. TAGUE -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the operation of vehicles when approaching a parked, stopped or standing authorized emergency vehicle or hazard vehicle or vehicle displaying a blue or green light

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

1 Section 1. Section 1144-a of the vehicle and traffic law, as amended
2 by chapter 517 of the laws of 2023, is amended to read as follows:
3 § 1144-a. Operation of vehicles when approaching a parked, stopped or
4 standing authorized emergency vehicle, hazard vehicle, vehicle display-
5 ing a blue or green light or certain other motor vehicles. (a) 1. Every
6 operator of a motor vehicle shall exercise due care to avoid colliding
7 with an authorized emergency vehicle which is parked, stopped or stand-
8 ing on the shoulder or any portion of such highway and such authorized
9 emergency vehicle is displaying one or more red or combination red and
10 white lights pursuant to the provisions of paragraph two of subdivision
11 forty-one of section three hundred seventy-five of this chapter or is
12 displaying one or more blue, combination blue and red or combination
13 blue, red and white lights pursuant to the provisions of subparagraph b
14 of paragraph four of subdivision forty-one of section three hundred
15 seventy-five of this chapter. For operators of motor vehicles on park-
16 ways or controlled access highways, such due care shall include, but not
17 be limited to, moving from a lane which contains or is immediately adja-
18 cent to the shoulder where such authorized emergency vehicle displaying
19 one or more red, blue or white or any combination of red and white
20 lights or blue or combination blue and red or combination blue, red and
21 white lights pursuant to the provisions of paragraph two or subparagraph
22 b of paragraph four, as applicable of subdivision forty-one of section
23 three hundred seventy-five of this chapter is parked, stopped or stand-

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

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1 ing to another lane, provided that such movement otherwise complies with
2 the requirements of this chapter including, but not limited to, the
3 provisions of sections eleven hundred ten of this title and eleven
4 hundred twenty-eight of this title.

5 [~~(b)~~] 2. Every operator of a motor vehicle shall exercise due care to
6 avoid colliding with a hazard vehicle which is parked, stopped or stand-
7 ing on the shoulder or on any portion of such highway and such hazard
8 vehicle is displaying one or more amber lights pursuant to the
9 provisions of paragraph three of subdivision forty-one of section three
10 hundred seventy-five of this chapter or, if such hazard vehicle is
11 designed for the towing or pushing of disabled vehicles such hazard
12 vehicle is displaying one or more amber lights or one or more blue or
13 combination blue and amber lights pursuant to the provisions of para-
14 graph three or subparagraph b-1 of paragraph four, as applicable, of
15 subdivision forty-one of section three hundred seventy-five of this
16 chapter or, if such hazard vehicle owned and operated by the state or by
17 a county, city, town or village is designed for the removal of ice and
18 snow such hazard vehicle is displaying one or more amber lights or one
19 or more green or combination green and amber lights pursuant to the
20 provisions of paragraph three or subparagraph (c) of paragraph five, as
21 applicable, of subdivision forty-one of section three hundred seventy-
22 five of this chapter. For operators of motor vehicles on parkways or
23 controlled access highways, such due care shall include, but not be
24 limited to, moving from a lane which contains or is immediately adjacent
25 to the shoulder where (i) such hazard vehicle displaying one or more
26 amber lights pursuant to the provisions of paragraph three of subdivi-
27 sion forty-one of section three hundred seventy-five of this chapter or
28 (ii) such hazard vehicle designed for the towing or pushing of disabled
29 vehicles displaying one or more amber lights or one or more blue or
30 combination blue and amber lights pursuant to the provisions of para-
31 graph three or subparagraph b-1 of paragraph four, as applicable, of
32 subdivision forty-one of section three hundred seventy-five of this
33 chapter or (iii) such hazard vehicle owned and operated by the state or
34 by a county, city, town or village is displaying one or more amber
35 lights or one or more green or combination green and amber lights pursu-
36 ant to the provisions of paragraph three or subparagraph (c) of para-
37 graph five, as applicable, of subdivision forty-one of section three
38 hundred seventy-five of this chapter, is parked, stopped or standing to
39 another lane, provided that such movement otherwise complies with the
40 requirements of this chapter including, but not limited to, the
41 provisions of sections eleven hundred ten and eleven hundred twenty-
42 eight of this title.

43 [~~(e)~~] 3. Every operator of a motor vehicle shall exercise due care to
44 avoid colliding with a vehicle displaying a blue light pursuant to the
45 provisions of paragraph four or a green light pursuant to the provisions
46 of paragraph five of subdivision forty-one of section three hundred
47 seventy-five of this chapter which is parked, stopped or standing on the
48 shoulder or any portion of such highway. For operators of motor vehicles
49 on parkways or controlled access highways, such due care shall include,
50 but not be limited to, moving from a lane which contains or is imme-
51 diately adjacent to the shoulder where such vehicle displaying a blue
52 light pursuant to the provisions of paragraph four or a green light
53 pursuant to the provisions of paragraph five of subdivision forty-one of
54 section three hundred seventy-five of this chapter is parked, stopped or
55 standing to another lane, provided that such movement otherwise complies
56 with the requirements of this chapter including, but not limited to, the

1 provisions of sections eleven hundred ten and eleven hundred twenty-
2 eight of this title.

3 [~~(d)~~] 4. Every operator of a motor vehicle on a parkway and on a cont-
4 rolled-access highway shall exercise due care to avoid colliding with a
5 motor vehicle which is parked, stopped or standing on the shoulder or
6 any portion of such parkway or controlled-access highway. For the
7 purposes of this subdivision, such due care shall include, but not be
8 limited to, moving from a lane which contains or is immediately adjacent
9 to the shoulder where such motor vehicle is parked, stopped or standing
10 to another lane, provided that such movement otherwise complies with the
11 requirements of this chapter including, but not limited to, the
12 provisions of sections eleven hundred ten and eleven hundred twenty-
13 eight of this title.

14 (b) 1. An operator of a motor vehicle who causes physical injury as
15 defined under article ten of the penal law as a result of recklessly
16 failing to exercise due care in violation of subdivision (a) of this
17 section shall be guilty of a class A misdemeanor punishable by a fine of
18 not less than two hundred fifty dollars nor more than five hundred
19 dollars in addition to any other penalties provided by law. A conviction
20 for a second or any subsequent violation, any of which were committed
21 within a period of eighteen months, shall constitute a class E felony,
22 punishable by a fine of not less than one thousand nor more than two
23 thousand five hundred dollars in addition to any other penalties
24 provided by law.

25 2. An operator of a motor vehicle (i) who causes serious physical
26 injury as defined under article ten of the penal law as a result of
27 recklessly failing to exercise due care in violation of subdivision (a)
28 of this section shall be guilty of a class D felony punishable by a fine
29 of not less than one thousand dollars nor more than five thousand
30 dollars in addition to any other penalty provided by law, or (ii) who
31 causes death as a result of recklessly failing to exercise due care in
32 violation of subdivision (a) of this section shall be guilty of a class
33 C felony punishable by a fine of not less than two thousand nor more
34 than five thousand dollars in addition to any other penalties provided
35 by law, and by suspension of a license or registration pursuant to
36 subparagraph (xviii) of paragraph b of subdivision two of section five
37 hundred ten of this chapter.

38 (c) For the purposes of this section, the term "recklessly" shall have
39 the same meaning as defined in section 15.05 of the penal law.

40 § 2. Paragraph b of subdivision 2 of section 510 of the vehicle and
41 traffic law is amended by adding a new subparagraph (xviii) to read as
42 follows:

43 (xviii) for a period of six months where the holder is convicted of a
44 violation of paragraph two of subdivision (b) of section eleven hundred
45 forty-four-a of this chapter and the commission of such violation caused
46 serious physical injury to or death of another person.

47 § 3. The division of criminal justice services shall establish a
48 public information campaign to instruct the public that operating a
49 motor vehicle when approaching a parked, stopped or standing authorized
50 emergency vehicle or hazard vehicle or vehicle displaying a blue or
51 green light that results in physical injury, serious physical injury or
52 death as a result of the operator recklessly failing to exercise due
53 care to avoid a collision can result in serious criminal penalties.

54 § 4. This act shall take effect immediately.