§ 328. Definitions. When used in this article:

1. "Licensing examination" means any test or examination that is given in New York and used to determine whether an applicant will be licensed, certified, admitted, or otherwise permitted to practice any profession, business, trade, activity, or pursuit.

2. "Test subject" means an individual to whom a test or examination is administered.

3. "Day of religious observance" means any day or portion thereof on which a religious observance imposes a substantial burden on any test subject's ability to participate in a licensing examination, or any particular day or days or any portion thereof which any individual observes as a sabbath or other holy day or days in accordance with the requirements of his or her religion.

4. "Affected test subject" means a test subject for whom a day of religious observance falls on the day or portion thereof that a licensing exam is administered.