§ 115-b. Flagperson. The term "flagperson," when used in this chapter means and includes:

1. Any person employed by or on behalf of the state, a county, city, town or village, a public authority, a local authority, or a public utility company, or the agent or contractor of any such entity, who has been assigned to control or direct traffic on public highways in connection with any construction, survey, and/or maintenance work being performed.

2. Any person employed by or on behalf of a railroad corporation who has been assigned to control or direct traffic at a railroad grade crossing.

3. Any person holding a certificate issued by the commissioner, which authorizes such person to operate an escort vehicle, and who has been assigned to control, warn, or direct traffic in connection with the movement of an escort vehicle on a public highway.