§ 509-c. Disqualification of bus drivers generally. (1) Other than persons requiring qualification under section five hundred nine-cc of this chapter, a person employed as a bus driver on September fifteenth, nineteen hundred eighty-five and who was subject to the provisions of this article as it existed immediately prior to September fifteen, nineteen hundred eighty-five, shall be disqualified from operating a bus as follows:

(a) permanently, if that person has been convicted of or forfeited bond or collateral which forfeiture order has not been vacated or the subject of an order of remission upon a violation of section 130.30, 130.35, 130.45, 130.50, 130.60, or 130.65 of the penal law, or an offense committed under a former section of the penal law which would constitute a violation of the aforesaid sections of the penal law or any offense committed outside of this state which would constitute a violation of the aforesaid sections of the penal law, provided, however, the provisions of this paragraph shall not apply to convictions, suspensions or revocations or forfeitures of bonds for collateral upon any of the charges listed in this paragraph for violations which occurred prior to September first, nineteen hundred seventy-four committed by a person employed as a bus driver on September first, nineteen hundred seventy-four. However, such disqualification may be waived provided that five years have expired since the applicant was discharged or released from a sentence of imprisonment imposed pursuant to conviction of an offense that requires disqualification under this paragraph and that the applicant shall have been granted a certificate of relief from disabilities or a certificate of good conduct pursuant to article twenty-three of the correction law.

(b) for a period of five years from the date of last conviction specified herein, if that person

(i) has been convicted of any violation of any subdivision of section eleven hundred ninety-two of this chapter or an offense committed outside this state which would constitute a violation of section eleven hundred ninety-two of this chapter, and the offense was committed while the driver was driving a bus in the employ of a motor carrier or in the furtherance of a commercial enterprise in interstate, intrastate or foreign commerce;

(ii) has been twice convicted of a violation of any subdivision of

section eleven hundred ninety-two of this chapter or offenses committed outside this state which would constitute a violation of section eleven hundred ninety-two of this chapter, committed within the preceding five year period;

(iii) has been twice convicted of a violation of any subdivision of section eleven hundred ninety-two of this chapter, or an offense committed outside of this state which would constitute a violation of any subdivision of section eleven hundred ninety-two of this chapter, committed within any ten year period after September fifteenth, nineteen hundred eighty-five; or

(iv) has been convicted of leaving the scene of an accident which resulted in personal injury or death under subdivision two of section six hundred of this chapter or an offense committed outside of this state which would constitute a violation of subdivision two of section six hundred of this chapter. Such disqualification shall be for a period of three years if such conviction occurred prior to September fifteenth, nineteen hundred eighty-five; or

(v) has been convicted of a violation of section 120.04, 120.04-a, 125.13, 125.14 or 235.07 of the penal law.

(c) for a period of five years from the date of last conviction, if that person has been convicted of a violation of subdivision three of section five hundred eleven of this chapter on or after September fifteenth, nineteen hundred eighty-five;

(d) for a period of one year, if that person has accumulated nine or more points on his or her driving record for acts that occurred during an eighteen month period on or after September fifteenth, nineteen hundred eighty-five, provided, however, that the disqualification shall terminate if the person has reduced the points to less than nine through the successful completion of a motor vehicle accident prevention course.

(e) for a period of one year, if that person was the operator of a motor vehicle involved in two or more accidents of a nature and type set forth in section five hundred nine-a of this article, where such accidents occurred within an eighteen-month period following a reexamination conducted pursuant to section five hundred nine-bb of this article, provided that accidents in which the driver was completely without fault shall not be included in determining whether such disqualification is required;

(f) for a period of one year, if that person fails to pass a road test administered pursuant to section five hundred nine-bb of this article; provided, however, that such person shall be given the opportunity to complete a motor vehicle accident prevention course approved by the commissioner and to then undergo a second road test administered pursuant to section five hundred nine-bb of this article, and such disqualification shall cease if such person passes such second road test.

(g) for the period that such person's license is revoked or suspended for violating section eleven hundred ninety-two of this chapter or an offense committed outside of this state which would constitute a violation of section eleven hundred ninety-two of this chapter. Such disqualification shall be for not less than six months.

(2) All other bus drivers who are not subject to subdivision one of this section shall be disqualified from operating a bus as follows:

(a) permanently, if that person has been convicted of or forfeited bond or collateral which forfeiture order has not been vacated or the subject of an order of remission upon a violation committed prior to September fifteenth, nineteen hundred eighty-five, of section 130.30, 130.35, 130.45, 130.50, 130.60, or 130.65 of the penal law, or an offense committed under a former section of the penal law which would constitute a violation of the aforesaid sections of the penal law or any offense committed outside of this state which would constitute a violation of the aforesaid sections of the penal law. However, such disqualification may be waived provided that five years have expired since the applicant was discharged or released from a sentence of imprisonment imposed pursuant to conviction of an offense that requires disqualification under this paragraph and that the applicant shall have been granted a certificate of relief from disabilities or a certificate of good conduct pursuant to article twenty-three of the correction law.

(b) for a period of five years from the date of last conviction specified herein, if the person

(i) has been convicted of a violation of any subdivision of section eleven hundred ninety-two of this chapter or an offense committed outside this state which would constitute a violation of section eleven hundred ninety-two of this chapter, and the offense was committed while the driver was driving a bus in the employ of a motor carrier or in the

furtherance of a commercial enterprise in interstate, intrastate or foreign commerce;

(ii) has been twice convicted of a violation of any subdivision of section eleven hundred ninety-two of this chapter or an offense committed outside of this state within any ten year period on or after September fifteenth, nineteen hundred eighty-five, which would constitute a violation of section eleven hundred ninety-two of this chapter; or

(iii) has been convicted of leaving the scene of an accident which resulted in personal injury or death under subdivision two of section six hundred of this chapter or an offense committed outside of this state which would constitute a violation of subdivision two of section six hundred of this chapter; or

(iv) has been convicted of a violation of section 120.04, 120.04-a, 125.13 or 235.07 of the penal law.

(c) for a period of five years from the date of last conviction, if that person has been convicted of any violation of subdivision three of section five hundred eleven of this chapter on or after September fifteenth, nineteen hundred eighty-five;

(d) for a period of one year, if that person accumulates nine or more points on his or her driving record for acts occurring during an eighteen month period, provided, however, that the disqualification shall terminate if the person has reduced the points to less than nine through the successful completion of a motor vehicle accident prevention course.

(e) for a period of one year, if that person was the operator of a motor vehicle involved in two or more accidents of a nature and type set forth in section five hundred nine-a of this article, where such accidents occurred within an eighteen-month period following a reexamination conducted pursuant to section five hundred nine-bb of this article, provided that accidents in which the driver was completely without fault shall not be included in determining whether such disqualification is required;

(f) for a period of one year, if that person fails to pass a road test administered pursuant to section five hundred nine-bb of this article; provided, however, that such person shall be given the opportunity to complete a motor vehicle accident prevention course approved by the

commissioner and to then undergo a second road test administered pursuant to section five hundred nine-bb of this article, and such disqualification shall cease if such person passes such second road test.

(g) for the period that such person's license is revoked or suspended for violating section eleven hundred ninety-two of this chapter or an offense committed outside of this state which would constitute a violation of section eleven hundred ninety-two of this chapter. Such disqualification shall be for not less than six months.

(3) A person shall be disqualified from operating a bus if that person has had any license, permit, or privilege to operate a motor vehicle suspended, revoked, withdrawn or denied and such license, permit or privilege has not been reinstated by the authority which took such action. Provided, however, that the provisions of this subdivision shall not apply to a person whose (i) license, permit or privilege to operate a motor vehicle cannot be reinstated because of non-residency in the state in which the license was suspended, revoked, withdrawn or denied or (ii) a person holds a conditional driver's license or a restricted use license issued by the commissioner pursuant to the provisions of article twenty-one or twenty-one-A of this chapter, and is not disqualified under any other provision of this article.