

DRAFT LBDC

A BUDGET BILL submitted by the Governor
in accordance with Article VII of the Constitution

AN ACT to amend the vehicle and traffic law, in relation to
establishing the commercial driver's license (CDL) class A
young adult training program; and to repeal subdivision 36
of section 14 of the transportation law relating thereto
(Part);

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

1 PART __

2 Section 1. Paragraph (d) of subdivision 5 of section 502 of the vehi-
3 cle and traffic law, as added by chapter 618 of the laws of 2021, is
4 amended read as follows:

5 (d) (i) The commissioner shall not issue a class A commercial driver's
6 license to a person who is eighteen, nineteen or twenty years old
7 unless, in addition to meeting the requirements of this chapter with
8 respect to the issuance of commercial driver's licenses, such person
9 submits [acceptable] proof in a form prescribed by the commissioner of
10 successful completion of the commercial driver's license (CDL) class A
11 young adult training program established [by the commissioner of trans-
12 portation pursuant to subdivision thirty-six of section fourteen of the
13 transportation law, and proof of completion of the minimum hours of
14 supervised driving required by such subdivision] pursuant to subpara-
15 graph (ii) of this paragraph. The commissioner shall place an "intra-
16 state only" restriction on any class A commercial driver's license
17 issued to a person who is eighteen, nineteen or twenty years old and

1 such restriction shall remain until such person turns twenty-one years
2 of age.

3 (ii) The commissioner shall establish a class A young adult training
4 program which shall consist of the entry-level driver training require-
5 ments prescribed by the federal motor carrier safety administration
6 under appendices A, C, D and E of part 380 of title 49 of the code of
7 federal regulations, as may be amended from time to time and include no
8 less than three hundred hours of behind-the-wheel training under the
9 immediate supervision and control of an experienced driver. For
10 purposes of this paragraph, the following terms shall have the following
11 meanings:

12 (A) "Young adult" shall mean an individual who is eighteen, nineteen
13 or twenty years old.

14 (B) "Experienced driver" shall mean an individual who:

15 (1) is not less than twenty-one years of age;

16 (2) holds a valid class A commercial driver's license which is not
17 suspended, revoked or cancelled pursuant to the provisions of this chap-
18 ter or rules and regulations promulgated thereunder and has held such
19 commercial driver's license for at least two years;

20 (3) has not, for at least a one-year period: been the operator of a
21 motor vehicle involved in an accident reportable to the federal motor
22 carrier safety administration, or been the operator of a commercial
23 motor vehicle involved in an accident reportable to the commissioner, or
24 been convicted of a serious traffic violation, or been convicted of any
25 violation of title VII of this chapter for which the commissioner
26 assesses points, or been disqualified from operating a commercial motor
27 vehicle pursuant to this chapter or rules and regulations promulgated
28 thereunder; and

1 (4) has a minimum of one year of experience driving, in commerce, a
2 commercial motor vehicle which can only be operated with a class A
3 commercial driver's license.

4 (C) "Serious traffic violation" shall have the same meaning as such
5 term is defined in subdivision four of section five hundred ten-a of
6 this chapter.

7 § 2. Subdivision 36 of section 14 of the transportation law, as added
8 by chapter 618 of the laws of 2021, is REPEALED.

9 § 3. This act shall be deemed repealed if any federal agency deter-
10 mines in writing that this act would render New York state ineligible
11 for the receipt of federal funds or any court of competent jurisdiction
12 finally determines that this act would render New York state out of
13 compliance with federal law or regulation.

14 § 4. Severability. If any clause, sentence, subdivision, paragraph,
15 section or part of this act be adjudged by any court of competent juris-
16 diction to be invalid, such judgment shall not affect, impair or invali-
17 date the remainder thereof, but shall be confined in its operation to
18 the clause, sentence, subdivision, paragraph, section or part thereof
19 directly involved in the controversy in which such judgment shall have
20 been rendered.

21 § 5. This act shall take effect on the same date and in the same
22 manner as chapter 618 of the laws of 2021; provided that the commission-
23 er of motor vehicles shall notify the legislative bill drafting commis-
24 sion upon the occurrence of the repeal of this act provided for in
25 section three of this act in order that the commission may maintain an
26 accurate and timely effective data base of the official text of the laws
27 of the state of New York in furtherance of effectuating the provisions

1 of section 44 of the legislative law and section 70-b of the public
2 officers law.