

“P” 15 (2016)

“M” 12 (2016)

Albany, New York

October 14, 2016

TO: All Enforcement Agencies and Magistrates

SUBJECT: Chapter 293 of the Laws of 2016 – Hazard Vehicles

Effective November 1, 2016, Chapter 293 of the Laws of 2016 amends the Vehicle and Traffic Law as follows:

- Section 117-a is amended to include sani-vans and waste collection vehicles in the definition of a “hazard vehicle”.
- Section 141-a (Sani-vans) is renumbered as Section 141-b and amends the definition of a sani-van as a motor vehicle with a rear compaction unit that is intended for, and used in, the collection of refuse and/or recyclable materials.
- A new Section 159-a is added to define a “waste collection vehicle” as a motor vehicle that is typically classified as a “garbage truck” designed for and used in the collection of refuse and/or recyclable materials.
- Section 1180(e) is amended to require drivers to drive at an appropriate reduced speed when approaching a hazard vehicle that is displaying one or more amber lights and is parked, stopped or standing on the shoulder or on any portion of a highway.

A copy of Chapter 293 is attached for your reference. Please share this information with appropriate staff. Thank you.

Theresa L. Egan
Executive Deputy Commissioner

Attachment

STATE OF NEW YORK

426--B

2015-2016 Regular Sessions

IN SENATE

(Prefiled)

January 7, 2015

Introduced by Sens. MARCELLINO, AKSHAR -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to including sani-vans and waste collection vehicles in the definition of "hazard vehicle" and to including hazard vehicles within certain speed restrictions

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

1 Section 1. Section 117-a of the vehicle and traffic law, as amended by
2 chapter 154 of the laws of 1992, is amended to read as follows:

3 § 117-a. Hazard vehicle. Every vehicle owned and operated or leased
4 by a utility, whether public or private, used in the construction, main-
5 tenance and repair of its facilities, every vehicle specially equipped
6 or designed for the towing or pushing of disabled vehicles, every vehi-
7 cle engaged in highway maintenance, or in ice and snow removal where
8 such operation involves the use of a public highway [**and**], vehicles
9 driven by rural letter carriers while in the performance of their offi-
10 cial duties, **and every sani-van and waste collection vehicle while**
11 **engaged in the collection of refuse and/or recyclable materials on a**
12 **public highway.**

13 § 2. Section 141-a of the vehicle and traffic law, as added by chapter
14 758 of the laws of 1987, is renumbered section 141-b and amended to read
15 as follows:

16 § 141-b. Sani-vans. Any motor vehicle which is so designed that it
17 contains a rear compaction unit and is intended for use in the

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

LBD02493-06-6

S. 426--B

2

1 collection of refuse. **For the purpose of section one hundred seventeen-a**
2 **of this chapter, the term "sani-van" shall mean any motor vehicle which**
3 **is so designed that it contains a rear compaction unit and is intended**

4 for and is used in the collection of refuse and/or recyclable materials.

5 § 3. The vehicle and traffic law is amended by adding a new section
6 159-a to read as follows:

7 § 159-a. Waste collection vehicle. Any motor vehicle which is commonly
8 classified as a garbage truck that is designed for and is used in the
9 collection of refuse and/or recyclable materials.

10 § 4. Subdivision (e) of section 1180 of the vehicle and traffic law,
11 as amended by chapter 465 of the laws of 2010, is amended to read as
12 follows:

13 (e) The driver of every vehicle shall, consistent with the require-
14 ments of subdivision (a) of this section, drive at an appropriate
15 reduced speed when approaching and crossing an intersection or railway
16 grade crossing, when approaching and going around a curve, when
17 approaching a hill crest, when approaching and passing by an emergency
18 situation involving any authorized emergency vehicle which is parked,
19 stopped or standing on a highway and which is displaying one or more red
20 or combination red, white, and/or blue lights pursuant to the provisions
21 of paragraph two and subparagraph b of paragraph four of subdivision
22 forty-one of section three hundred seventy-five of this chapter, when
23 traveling upon any narrow or winding roadway, and when any special
24 hazard exists with respect to pedestrians, or other traffic by reason of
25 weather or highway conditions, including, but not limited to a highway
26 construction or maintenance work area, or when approaching a hazard
27 vehicle which is parked, stopped or standing on the shoulder or on any
28 portion of such highway and such hazard vehicle is displaying one or
29 more amber lights pursuant to the provisions of paragraph three of
30 subdivision forty-one of section three hundred seventy-five of this
31 chapter.

32 § 5. This act shall take effect on the first of November next succeed-
33 ing the date on which it shall have become a law.