



DAVID J. SWARTS
Commissioner

STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

"P" 17 (2010)

"M" 6 (2010)

Albany, New York

September 3, 2010

TO: All Enforcement Agencies and Magistrates

SUBJECT: Chapter 215 of the Laws of 2010 - Changes to the Graduated Licensing Law

Effective September 1, 2010, Chapter 215 of the Laws of 2010, which amends Chapter 403 of the Laws of 2009, amends the Vehicle and Traffic Law that affects graduated driver licenses as follows:

- Paragraph (b) of subdivision 2 of section 501-b is amended to provide that all DJ/MJ permit and DJ/MJ license holders be allowed only one non-family passenger under the age of 21, regardless of whether or not the DJ/MJ permit or DJ/MJ license was issued prior to February 22, 2010.

Effective August 14, 2010, Chapter 215 of the Laws of 2010 amends the Vehicle and Traffic Law as follows:

- Section 502 (2)(c) is amended to require applicants for a Class D or M license who are 17 years of age and have completed a state-certified driver education course to submit proof of having completed 50 hours of supervised driving, 15 of which are to be performed after sunset, if they enrolled in driver education on or after the effective date or the fall 2010 semester.

A copy of Chapter 215 is attached for your reference. Please share this information with appropriate staff. Thank you.

David J. Swarts
Commissioner

Attachment

STATE OF NEW YORK

Ch. 215, L of 2010
App. July 15, 2010
Eff. August 14, 2010

7439

IN SENATE

April 9, 2010

Introduced by Sens. DILAN, FUSCHILLO -- (at request of the Department of Motor Vehicles) -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the requirements for licensing and to amend chapter 403 of the laws of 2009 amending the vehicle and traffic law relating to the graduated licensing program, in relation to the effective date thereof

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

- 1 Section 1. Paragraph (c) of subdivision 2 of section 502 of the vehicle and traffic law, as added by chapter 173 of the laws of 1990, is
2 amended to read as follows:
3
4 (c) An applicant for a class D or M license shall be at least eighteen
5 years of age, except that an application shall be accepted if the applicant is at least seventeen years of age and submits acceptable proof of
6 successful completion of a driver education course, approved by the
7 state education department and the commissioner, **and proof of completion**
8 **of the minimum hours of supervised driving as required in paragraph (d)**
9 **of this subdivision.**
10
11 § 2. Subdivision 1 of section 507 of the vehicle and traffic law, as
12 amended by chapter 173 of the laws of 1990, is amended to read as
13 follows:
14 1. Driver education. Notwithstanding any other provisions of this
15 article, a class D or class M license, whichever is appropriate, may be
16 issued to a minor seventeen years of age who has successfully completed
17 a driver education course approved by the state education department and
18 the commissioner in a high school or college **and who has submitted proof**
19 **of completion of the minimum hours of supervised driving as required in**
20 **paragraph (d) of subdivision two of section five hundred two of this**
21 **article.** No such driver education course may be approved unless classroom training is provided by a person approved by the state education

23 department and the commissioner. However, a school district may contract
24 with one or more licensed drivers' schools to provide behind the wheel
25 training, pursuant to regulations promulgated by the commissioner. The

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

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1 commissioner shall prescribe the requirements for licensing of such
2 minors. A student enrolled in such an approved driver education course
3 may operate a motor vehicle without holding a driver's license or a
4 learner's permit while under the immediate supervision of an instructor
5 in such course or a driver's school instructor providing behind the
6 wheel training in such a course, provided such operation is in accord-
7 ance with the rules established by the commissioner. Every student who
8 successfully completes such course in a day, evening or summer school
9 program offered by a public or private school shall receive certif-
10 ication of such completion on a certificate prescribed by the commis-
11 sioner.

12 § 3. Section 14 of chapter 403 of the laws of 2009 amending the vehi-
13 cle and traffic law relating to the graduated licensing program is
14 amended to read as follows:

15 § 14. This act shall take effect immediately; provided, however, that:

16 (a) sections one, [~~two, three,~~] five, six, eight, nine and ten **and the**
17 **amendments to paragraph (d) of subdivision 1 of section 501-b of the**
18 **vehicle and traffic law made by section two** of this act shall take
19 effect on the one hundred eightieth day after it shall have become a law
20 and shall apply to licenses issued on or after such effective date. Any
21 license issued pursuant to section 503-a of the vehicle and traffic law
22 prior to such effective date shall remain in effect until the expiration
23 date of such license;

24 (b) sections four and twelve of this act shall take effect November 1,
25 2009; [~~and~~]

26 (c) section eleven of this act shall expire and be deemed repealed
27 November 1, 2009; **and**

28 **(d) section three and the amendments to paragraph (c) of subdivision 1**
29 **of section 501-b of the vehicle and traffic law made by section two of**
30 **this act shall take effect September 1, 2010.**

31 § 4. This act shall take effect immediately; provided, however, that
32 sections one and two of this act shall take effect thirty days after it
33 shall have become a law and shall apply to all persons enrolling in
34 approved driver education courses on or after such date.
