



BARBARA J. FIALA
Commissioner

STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

"P" 21 (2013)

"M" 14 (2013)

Albany, New York

September 19, 2013

TO: All Enforcement Agencies and Magistrates

SUBJECT: Chapter 248 of the Laws of 2013 – Avoiding Collision with a Parked, Stopped or Standing Emergency Vehicle

Effective July 31, 2013, Chapter 248 of the Laws of 2013 amends Vehicle and Traffic Law (VTL) Section 1144-a to require motorists to exercise due care to avoid colliding with an authorized emergency vehicle displaying any combination of blue, red, or white lights. When approaching such an emergency vehicle, the motorist must move from a lane which contains or is immediately adjacent to the shoulder where the emergency vehicle is stopped. Prior to July 31, section 1144-a only applied to authorized emergency vehicles displaying red or white lights.

An "authorized emergency vehicle" is defined in Vehicle and Traffic Law Section 101 as: "Every ambulance, police vehicle or bicycle, correction vehicle, fire vehicle, civil defense emergency vehicle, emergency ambulance service vehicle, blood delivery vehicle, county emergency medical services vehicle, environmental emergency response vehicle, sanitation patrol vehicle, hazardous materials emergency vehicle and ordnance disposal vehicle of the armed forces of the United States."

A person who is convicted of a violation of Vehicle and Traffic Law Section 1144-a is subject to the following fines [see VTL Section 1800(b)(1)]:

- First offense – no more than \$150
- Second offense (both of which are committed within 18 months) – no more than \$300
- Third or subsequent offense (all of which are committed within 18 months) – no more than \$450

The Department of Motor Vehicles assigns two points for this violation.

A copy of Chapter 248 is attached for your reference. Please share this information with appropriate staff, including all road patrol enforcement officers. Thank you.

Barbara J. Fiala
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Attachment

STATE OF NEW YORK

2318--B
Cal. No. 826

2013-2014 Regular Sessions

IN SENATE

January 15, 2013

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, in relation to the operation of vehicles when approaching a parked, stopped or standing authorized emergency vehicle

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

1 Section 1. Subdivision (a) of section 1144-a of the vehicle and traf-
2 fic law, as amended by chapter 458 of the laws of 2011, is amended to
3 read as follows:
4 (a) Every operator of a motor vehicle shall exercise due care to avoid
5 colliding with an authorized emergency vehicle which is parked, stopped
6 or standing on the shoulder or any portion of such highway and such
7 authorized emergency vehicle is displaying one or more red or combina-
8 tion red and white lights pursuant to the provisions of paragraph two of
9 subdivision forty-one of section three hundred seventy-five of this
10 chapter **or is displaying one or more blue, combination blue and red or**
11 **combination blue, red and white lights pursuant to the provisions of**
12 **subparagraph b of paragraph four of subdivision forty-one of section**
13 **three hundred seventy-five of this chapter.** For operators of motor
14 vehicles on parkways or controlled access highways, such due care shall

15 include, but not be limited to, moving from a lane which contains or is
16 immediately adjacent to the shoulder where such authorized emergency
17 vehicle displaying one or more red, **blue or white** or **any** combination **of**
18 red and white lights **or blue or combination blue and red or combination**

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

LBD04029-05-3

S. 2318--B

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1 **blue, red and white lights** pursuant to the provisions of paragraph two
2 **or subparagraph b of paragraph four, as applicable** of subdivision
3 forty-one of section three hundred seventy-five of this chapter is
4 parked, stopped or standing to another lane, provided that such movement
5 otherwise complies with the requirements of this chapter including, but
6 not limited to, the provisions of sections eleven hundred ten of this
7 title and eleven hundred twenty-eight of this title.
8 § 2. This act shall take effect immediately.