

"P" 7 (2022)

Albany, New York

April 29, 2022

TO: All Enforcement Agencies

SUBJECT: Commercial Driver License (CDL) Class A for Young Adults

Effective May 14, 2022, Chapter 618 of the Laws of 2021 allows the Department of Motor Vehicles to issue a Class A CDL to a person who is eighteen, nineteen or twenty years old. Class A drivers that are under the age of 21 cannot operate commercial motor vehicles in interstate commerce, transport hazardous materials, or operate a school bus.

A Class A Under 21 license will share the same vertical format as other Under 21 licenses.

A copy of this Chapter is attached for your reference.

Please share this information with the appropriate staff. Thank you.

Mark J.F. Schroeder
Commissioner

LAWS OF NEW YORK, 2021

CHAPTER 618

AN ACT to amend the vehicle and traffic law and the transportation law, in relation to establishing a commercial driver's license (CDL) class A young adult training program

Became a law November 15, 2021, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

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

Section 1. Paragraphs (a) and (b) of subdivision 2 of section 502 of the vehicle and traffic law, as amended by chapter 520 of the laws of 1991, are amended to read as follows:

(a) An applicant for a [~~class A license or for a~~] commercial driver's license which contains an H or an X endorsement or which is valid for operation in interstate commerce shall be at least twenty-one years of age.

(b) Except as provided in paragraph (a) of this subdivision an applicant for a class A, B, C or E license shall be at least eighteen years of age.

§ 2. Subdivision 5 of section 502 of the vehicle and traffic law is amended by adding a new paragraph (d) to read as follows:

(d) The commissioner shall not issue a class A commercial driver's license to a person who is eighteen, nineteen or twenty years old unless, in addition to meeting the requirements of this chapter with respect to the issuance of commercial driver's licenses, such person submits acceptable proof of successful completion of the commercial driver's license (CDL) class A young adult training program established by the commissioner of transportation pursuant to subdivision thirty-six of section fourteen of the transportation law, and proof of completion of the minimum hours of supervised driving required by such subdivision. The commissioner shall place an "intrastate only" restriction on any class A commercial driver's license issued to a person who is eighteen, nineteen or twenty years old and such restriction shall remain until such person turns twenty-one years of age.

§ 3. Section 14 of the transportation law is amended by adding a new subdivision 36 to read as follows:

36. (a) To promulgate, in consultation with the commissioner of motor vehicles, rules and regulations to establish and implement a commercial driver's license (CDL) class A young adult training program for class A commercial driver's license applicants who are eighteen, nineteen or twenty years old.

(b) Such rules and regulations shall be no less protective of public safety than the rules and regulations promulgated by the federal motor carrier safety administration with respect to the training of entry-level commercial motor vehicle operators. Such rules and regulations shall:

(i) set forth the requirements of, and criteria to be included in, the

training program which shall be no less than the entry-level driver training requirements prescribed by the federal motor carrier safety

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

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administration under Appendices A, C, D and E of part 380 of title 49 of the Code of Federal Regulations, as may be amended from time to time; and

(ii) include no less than three hundred hours of behind-the-wheel training under the immediate supervision and control of an experienced driver.

(c) For purposes of this subdivision, the following terms shall have the following meanings:

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

(ii) "Experienced driver" shall mean an individual who:

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

(B) holds a valid class A commercial driver's license which is not suspended, revoked or cancelled pursuant to the provisions of this chapter, the vehicle and traffic law, or rules and regulations promulgated thereunder and has held such commercial driver's license for at least two years;

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

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

(iii) "Serious traffic violation" shall have the same meaning as such term is defined in subdivision four of section five hundred ten-a of the vehicle and traffic law.

§ 4. This act shall be deemed repealed if any federal agency determines in writing that this act would render New York state ineligible for the receipt of federal funds or any court of competent jurisdiction finally determines that this act would render New York state out of compliance with federal law or regulation.

§ 5. Severability. If any clause, sentence, subdivision, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 6. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided that the commissioner of transportation shall notify the legislative bill drafting commission upon the occurrence of the repeal of this act provided for in section four of this act in order that the commission may maintain an accurate and time-

ly effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

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The Legislature of the STATE OF NEW YORK **ss:**

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

ANDREA STEWART-COUSINS
Temporary President of the Senate

CARL E. HEASTIE
Speaker of the Assembly
