

STATE OF NEW YORK

1485

2019-2020 Regular Sessions

IN SENATE

January 15, 2019

Introduced by Sens. HOYLMAN, KRUEGER -- 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 requiring certain vehicles to be equipped with side under-ride guards; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Section 375 of the vehicle and traffic law is amended
by
2 adding a new subdivision 10-f to read as follows:
3 10-f. Every truck, tractor, and tractor-trailer or semitrailer
combi-
4 nation registered in this state having a gross vehicle weight rating
of
5 twenty-six thousand pounds or more, and a conventional cab
configuration
6 in which more than half of the engine length is forward of the
foremost
7 point of the windshield base and the steering wheel hub is in
the
8 forward quarter of the vehicle length, whenever operated within a
city
9 having a population of one million or more on highways other than
cont-
10 rolled-access highways, shall be equipped with side under-ride
guards
11 affixed to the sides of such vehicles in a manner consistent with
rules
12 and regulations that shall be promulgated by the commissioner,
in

13 consultation with the commissioner of transportation.
14 § 2. This act shall be deemed repealed if any federal agency or
any
15 court of competent jurisdiction finally determines that this act
would
16 render New York state ineligible for the receipt of federal funds.
17 § 3. Severability. If any clause, sentence, subdivision,
paragraph,
18 section or part of this act be adjudged by any court of competent
juris-
19 diction to be invalid, such judgment shall not affect, impair or
invali-
20 date the remainder thereof, but shall be confined in its operation
to
21 the clause, sentence, subdivision, paragraph, section or part
thereof
22 directly involved in the controversy in which such judgment shall
have
23 been rendered.

EXPLANATION--Matter in italics (underscored) is new; matter in
brackets

[-] is old law to be omitted.

LBD07333-

01-9

S. 1485

2

1 § 4. This act shall take effect on the one hundred eightieth day
after
2 it shall have become a law; provided that the commissioner of
the
3 department of transportation shall notify the legislative bill
drafting
4 commission upon the occurrence of the provisions of section two of
this
5 act in order that the commission may maintain an accurate data base
of
6 the official text of the laws of the state of New York in furtherance
of
7 effecting the provisions of section 44 of the legislative law
and
8 section 70-b of the public officers law; and effective immediately,
the
9 addition, amendment and/or repeal of any rule or regulation
necessary
10 for the implementation of this act on its effective date is
authorized
11 to be made and completed on or before such effective date.