

## Chapter 1 Driver Licenses

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**Note:** Practice quizzes are available only for those sections of the manual covering rules of the road (Chapters 4 through 11 and Road Signs).

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You must have a valid driver license to drive legally in New York State. If you reside in and hold another license from another state or nation, you probably can drive legally in New York State. However, even if you are licensed elsewhere, you may not drive in New York State if you are under age 16.

If you have moved here, you must turn in your out-of-state driver license and obtain a New York State license within 30 days after you become a permanent resident. With few exceptions, it is illegal to hold both a New York State driver license and a license from another state. It is also a violation of Federal law to hold more than one commercial driver license (CDL).

**It is a crime to alter or forge any motor vehicle document, including a driver license.** This may result in suspension or revocation of the driver license and criminal prosecution leading to a fine or imprisonment.

### TYPES OF LICENSES

New York State issues six types of non-commercial licenses. The information in this chapter applies primarily to passenger car and motorcycle licenses. To drive most other types of vehicles, you need a commercial driver license (CDL). For information about commercial driver licenses, refer to the *Commercial Driver's Manual* (CDL-10) available from the DMV Internet Office, by request from a DMV Call Center, or at any motor vehicle office. You must have a CDL if you drive any vehicle that:

- Has a manufacturer's gross vehicle weight rating (GVWR) of more than 26,000 lbs. (11,794 kg); **or**,

- Pulls a trailer that has a GVWR of more than 10,000 lbs. (4,536 kg) and the GCWR of the hauling vehicle plus the trailer is more than 26,000 lbs. (11,794 kg); **or**,
- Is designed or used to carry 15 or more persons, not counting the driver; **or**,
- Regardless of seating capacity, is defined as a bus by Article 19-A of the Vehicle and Traffic Law (including vehicles carrying school children or disabled people); **or**,
- Carries hazardous materials required by federal law to be placarded.

**The non-commercial licenses reviewed in this manual are:**

**Operator, Class D** - Minimum age is 18, or age 17 with driver education (see [Driver Education](#)). Allows you to drive a vehicle with a manufacturer's gross vehicle weight rating (GVWR) of 26,000 lbs. (11,794 kg) or less. A Class D driver can drive a vehicle that tows another vehicle (for example a trailer) that has a maximum gross weight of 10,000 lbs. (4,536 kg) or less. A Class D driver can tow a vehicle with a GVWR of more than 10,000 lbs. (4,536 kg) only if the combined weight rating of the two vehicles is 26,000 lbs. (11,794 kg) or less. You may also operate Class B and C mopeds with this license. See the important information about [changes for Class D drivers that result from a law that eliminates the Non-CDL Class C license](#).

**Junior Operator, Class DJ** - Minimum age is 16. A Class DJ license allows you to drive passenger cars and trucks with an unladen weight or a gross vehicle weight rating (GVWR) of 10,000 lbs. or less. A class DJ driver can drive a vehicle that tows another vehicle (for example a trailer) with a GVWR of 3,000 lbs. or less. See [Junior Operator Restrictions](#).

**Non-CDL Class C** - See the important information about [changes for Class D drivers that result from a law that eliminates the Non-CDL Class C license](#).

**Taxi/Livery, Class E** - Minimum age is 18. Allows you to drive the same vehicles as a Class D license, plus transport passengers for hire in a vehicle designed or used to carry 14 or fewer passengers. However, if the vehicle is defined as a bus under Article 19-A of the Vehicle and Traffic Law (e.g., a school car or a van used to transport physically or mentally disabled people), regardless of seating capacity, you must have a CDL.

**Motorcycle, Class M** - Minimum age is 18, or age 17 with driver education (see Driver Education). Allows you to drive motorcycles and mopeds.

**Limited Junior Motorcycle/Junior Motorcycle, Class MJ** - Minimum age is 16. Allows you to drive the same vehicles as a Class M license with certain restrictions (see [Junior Operator Restrictions](#)).

**Note:** If you have a motorcycle license and another type of license, both classes will be listed on one document (e.g., "Class DM").

**Driver Education (To Change Your Class DJ or MJ License to Class D or M)** - You may apply to change your junior license to a full license at age 17 if you have received a Student Certificate of Completion (MV-285) from an approved driver education course. Apply at any motor vehicle office. Otherwise, your junior license

will automatically become a full license when you become 18 years old and you do not need to apply for a license change.

**Recreational Vehicle or "R" endorsement** - Recreational vehicles, with or without air brakes, are not defined as commercial vehicles. You may apply for an "R" endorsement for your Class D or Class E driver license to allow you to operate a recreational vehicle (RV) with a Gross Vehicle Weight Rating of over 26,001 lbs. (11,794 kg) or more.

To obtain an "R" endorsement, you must: submit a completed Application for Driver License or ID Card (MV-44), indicating a license amendment, to any state or county motor vehicle office; pay a permit fee, which is valid for up to two road tests; and pass a road test in the size and type of vehicle you will be driving. No written test is required. To take the road test, you must be accompanied by a licensed driver at least 21 years old who has a license valid for the type of vehicle you will be driving during the test (e.g., a driver license with an "R" endorsement or the appropriate Commercial Driver License). The road test will be about 15 minutes in length and will include turns, intersections and backing the vehicle to the curb. Upon passing the road test, you must go to a motor vehicle office and pay the required fee to complete the license amendment process.

## APPLYING FOR YOUR FIRST LICENSE

All information and required application forms you need to apply for a driver license are available at any state or county motor vehicle office by request from a DMV Call Center, and from the DMV Internet Office ([www.nysdmv.com](http://www.nysdmv.com)). To apply for a learner permit, driver license or non-driver identification card, you must complete an *Application For Driver License or ID Card (MV-44)*. You also must pass a vision and written test, and pay application and license fees. Most drivers also must complete an approved 5-hour classroom training course and pass a road test. For more information about how to apply for and receive a license to drive a motorcycle or a commercial vehicle that requires a CDL, refer to the *Motorcycle Operator's Manual (MV-21MC)* or the *Commercial Driver's Manual (CDL-10)*.

You must bring your completed application to any motor vehicle office, show the required proof of name and date of birth, and pay the appropriate fee. The addresses of motor vehicle offices are available in the manual. The most recent listing of motor vehicle addresses may be obtained from the DMV Internet Office or by request from a DMV Call Center.

Your first New York State driver license will expire in about 4½ to 5 years, on your month and day of birth. Your fee for a learner permit and license in Class D, DJ, M or MJ will be based on your age and date of birth.

### Proof of Identity and Age

For your own protection, we must be sure who you are. As part of the application, **you must provide your social security card**. You must present documents that prove your name and age. All proofs must be in English or accompanied by a certified English translation. If you do not have the proofs on the instruction list, a supervisor may have the authorization to examine and approve other documents.

**The most recent listing of acceptable documents and assigned point values, described below, is available on the publications *License/Permit/ID Instructions (MV-44.1)* and *Proofs of Identity (ID-44)*. Each publication is available from the DMV Internet Office or from a DMV Call Center.**

#### **Proof of Name**

Documents that prove your name are assigned a point value. You must present proofs that total six points or more. At least one of the proofs must have your signature. A few examples of common proofs and their point values are listed below.

#### **Each document below has a value of 6 points:**

- New York State Photo Driver License/Permit/Non-Driver ID Card

#### **The document below has a value of 4 points:**

- If Under Age 21 — statement of Identity by Parent/Guardian (MV-45) (see special instructions and requirements on DMV form). Proof of date of birth and an original social security card are required for the applicant.
- U.S. Passport that is valid and is not expired.

#### **Each document below has a value of 3 points:**

- Foreign passport - in English and with a U.S. Visa and valid I-94 or unexpired I-155 stamp attached. If not in English, a certified translation by the embassy or consulate of the issuing country is required. For details, see the publication *Proofs of Identity (ID-44)*.
- Valid U.S. Re-entry Permit (I-327)\*
- Valid U.S. Refugee Travel Document (I-571)\*
- Certificate of Citizenship or Certificate of Naturalization (N-550, N-560, N-561, N-570, N-578 or N-645)
- Permanent Resident Identification Card (INS I-551, with photo)\*
- Valid U.S. Employment Authorization Card (INS I-688B or I-766, with photo)\*
- U.S. Military Photo Identification Card (issued to military personnel only)
- N.Y.S. Medicaid/Benefit/Food Stamp Card, with photo (or, 2 points without photo)

**\*NOTE: Most documents issued by the U.S. Citizenship and Immigration Services (USCIS) must be issued for at least one year and valid for at least 6 more months. The USCIS was formerly known as the Immigration and Naturalization Service (INS). See the publication *Proofs of Identity (ID-44)* for additional information.**

#### **Each documents below has a value of 2 points:**

- Photo Driver License issued by another U.S. State, jurisdiction, territory or possession, or, a Canadian province or territory (must be in effect at least 6 months and not expired for more than 12 months)
- U.S. Military Dependent ID card
- N.Y.S. DMV Non-Photo Interim License or Computer Generated Learner Permit
- N.Y.S. Title of Vehicle Certificate
- N.Y.S. Vehicle or Boat Registration Receipt
- U.S. Social Security Card (must have your signature)
- U.S. High School ID with Report Card
- U.S. College ID With Photo and Transcript
- U.S. Marriage or Divorce Record, or Court-Issued Name Change Document
- N.Y.S. Professional License
- N.Y.S. or New York City Pistol Permit
- St. Regis Mohawk Tribe identification card

**Each document below has a value of 1 point:**

- Valid U.S. Major Credit Card, or U.S. Cash (ATM) Card (with pre-printed name and signature), or U.S. Canceled Check (with your pre-printed name), or U.S. Bank/Financial Institution Statement/Record
- U.S. Employee Identification Card
- U.S. Computerized Pay Stub (must include your name)
- U.S. Supermarket Check Cashing Card (must have your pre-printed name and signature)
- U.S. Insurance Policy (in effect at least two years)
- U.S. Health Insurance Card/Prescription Card
- U.S. Utility Bill (must have your name and address)
- U.S. High School Diploma or General Equivalency Diploma (GED)
- W-2 Form (must include Social Security Number)
- U.S. Union Card
- Veteran's Universal Access Photo Identification Card

## **Proof of Age**

You also must prove your date of birth. Your document must be the original or a certified photocopy from the issuing agency. DMV will accept ANY ONE of these documents:

- Birth Certificate issued and certified by a Board of Health or Bureau of Vital Statistics in the U.S., its territories or possessions. *Foreign birth certificates are not acceptable.*
- Certificate of Birth Registration issued by the Department of Health of New York State or New York City
- St. Regis Mohawk Tribe identification card and a birth certificate issued by Canada.
- U.S. Military Photo Identification Card
- U.S. Passport
- Foreign Passport (with INS documentation) or Immigration Documents - See the publication *Proofs of Identity* (ID-44) for details.
- Certification of Citizenship or Certificate of Naturalization

## **Vision & Written Tests**

To pass the vision test, you must have 20/40 vision in at least one eye with or without corrective lenses. If you cannot pass this test or if you wear telescopic lenses, contact a DMV Call Center for further guidance.

The written test for a Class D, M, DJ, MJ or E license examines your knowledge of the rules of the road, safe driving techniques, road signs and their meanings, and the laws about the use of alcohol and drugs while driving. To pass the written test, you must correctly answer at least 14 of the 20 questions asked. All the information you need to pass the written test is contained in this Driver's Manual. You can practice for the written test by answering the questions included in the manual and by taking practice quizzes on-line at the DMV Internet Office ([www.nysdmv.com](http://www.nysdmv.com)).

If you want a motorcycle license, study the *Motorcycle Operator's Manual* (MV-21MC). There is a separate commercial driver license written test for a CDL Class A, B, or C. If you are applying for a commercial driver's license, study the *Commercial Driver's Manual* (CDL-10).

## **The Learner Permit**

When you pass the vision and written tests and pay your fees, your learner permit will be issued and you may begin learning to drive. Every time you practice driving, you must be accompanied by a licensed driver at least 21 years old who has a license valid for the type of vehicle you are driving.

There are special restrictions for a learner under 18 years old (see publication, *Learner Permits & Junior Licenses* (C-41), available from the DMV Internet Office, or at any motor vehicle office. Depending on your age when you apply, your permit will

be valid for three to five years. When you pass the road test, your new license will expire on the same date as your permit would have expired.

However, if you have an existing license or permit and are applying for a permit for a different class of license, the new permit will be valid for one year only. In this case, when you submit your permit application, be sure to ask about special procedures you must follow.

### **Preparing for the Road Test**

Safe drivers, confident in today's traffic situations, often find their amount of practice driving before the road test had made a positive difference when they took the road test. Before you take the test, it is very important that you have had at least 30 hours of driving practice, with **at least 10 hours in moderately heavy traffic**. Road tests are given on city streets, but you also should practice driving on expressways and other types of highways. We suggest you take a high school or college driver education course, or lessons from a DMV-licensed driving school. If you cannot take a course or lessons, have the person who teaches you "brush up" by reading Parts Two and Three of this manual.

**You may not practice driving in a DMV road test area** or on any restricted roads. In New York City, these include any street within a park and all bridges and tunnels under the jurisdiction of the Triborough Bridge and Tunnel Authority. In Westchester County, the streets and roadways you are prohibited from practice driving on include these parkways: Cross County, Hutchinson River, Saw Mill River, and Taconic State.

### **Safe Driving Course Requirement**

Before you can make a road test appointment, you must first complete an approved pre-licensing safe driving course. This requirement is automatically fulfilled as part of every high school or college driver education course. All other drivers must complete this requirement by taking a special five-hour course available at most professional driving schools. To locate where this course is offered, look in the yellow pages of your local telephone directory under "Driving Instruction." After you take the course, you will receive a certificate to present when you make your road test appointment. The certificate is valid for one year.

**Note:** A defensive driving course taught through the DMV-certified Point/Insurance Reduction Program does NOT qualify as the required 5-hour classroom pre-licensing course.

### **The Road Test**

In most areas of the state, you must make your road test appointment by telephone at: 1-(518)-402-2100. You must have your *Pre-licensing Course Completion Certificate* (MV-278) or driver education course *Student Certificate Of Completion* (MV-285) **before you schedule your appointment**. During your call, you will be informed whether or not your local motor vehicle office participates in the road test telephone-appointment program. A non-participating office may schedule your appointment in person or by postal mail. In that case, bring or mail your permit and course completion certificate to your local motor vehicle office. You also may schedule your road test through the DMV Internet Office at: [www.nysdmv.com](http://www.nysdmv.com).

If you cannot be at the road test site at the appointed time for a non-commercial driver license, you may request to reschedule your road test appointment. You **MUST** make this request at least 24 hours before the scheduled test date - call the road test appointment telephone number, 1-(518)-402-2100, visit the DMV Internet Office or contact the local non-participating office, wherever you made the original appointment. A road test for a commercial driver license (CDL) will be rescheduled at your request only if you notify the office **at least** three business days before the test date.

The DMV may cancel road tests due to bad weather. You may call the road test appointment telephone number or contact your local motor vehicle office where you made your original appointment, for announcements of road test cancellations.

### **For Junior Drivers With Permits Issued On or After 9/01/03**

A DMV motor vehicle license examiner will conduct the road test. You must give the license examiner your photo learner permit, your five-hour pre-licensing course completion certificate (MV-278) or your *Student Certificate of Completion* (MV-285), and a completed *Certification of 20 Hours of Supervised Driving* (MV-262).

The *Certification of 20 Hours of Supervised Driving* (MV-262) is available from the DMV Internet Office, by request from a DMV Call Center, and at any motor vehicle office. With this statement, your parent or guardian certifies that you have completed at least 20 hours of practice driving with an appropriate supervising driver (See chart "Regional Restrictions For a Junior Permit"). This certification is not required if you are age 17 and present a valid *Student Certificate of Completion* (MV-285) issued to you for passing a certified driver education course.

You must bring a vehicle to drive during the road test. The vehicle must be properly registered, inspected, insured and equipped, and in good working order, including doors and seatbelts. The passenger side seat belt must be readily available and clean for the examiner's use. You must also bring an accompanying driver who is at least 21 years old and holds a license valid for operating the vehicle you will drive during the road test. Motorcycle applicants must bring a car or truck and an accompanying licensed driver to transport the license examiner during the test.

If you pass your road test during your first six months of valid permit status, you will be issued a limited junior license (Limited Class DJ or MJ). This limited license is subject to the regional restrictions shown in the chart "Regional Restrictions For a Limited Junior License." When your learner permit and limited license, combined, are valid for six months, the DMV will automatically send you a full junior license (Class DJ or MJ) by mail.

If you pass your road test after six months of valid permit status, you will be issued a full junior license. (See the chart "Regional Restrictions For a Junior License")

### **For Drivers With Permits Issued Before 9/01/03**

When you take your road test, you must give the license examiner your photo learner permit, your five-hour pre-licensing course completion certificate (MV-278) or your *Student Certificate of Completion* (MV-285). As described for "Junior Drivers With Permits Issued On or After 9/01/03," you must also provide a vehicle to drive during the road test and an appropriately licensed driver.



When you qualify for a non-commercial license Class C, D, DJ, E, M, or MJ, the examiner will issue you a printed receipt - this receipt plus your photo learner permit together will serve as a **temporary license valid for 90 days**. Your new photo-license will arrive in the postal mail within three to five weeks.

**NOTE TO MOTORCYCLISTS:** If you already have another class of driver license and a motorcycle operator's learner permit, the DMV will waive your motorcycle road test if you complete the Motorcycle Safety Foundation Motorcycle RiderCourse®: Riding and Street Skills. To qualify for the waiver, the course must be given by a provider who is certified by the Motorcycle Association of New York State, Inc. (MANYS). For information about the nearest course, call MANYS at 1-888-4NY-RIDE. If you are adding an M or MJ endorsement to an existing license previously issued by New York State, you must go, in person, to any state or county motor vehicle office and amend your previous license. Wait until at least five business days **after** passing the road test before you make the amendment. If you did not have a previous NYS driver license, your new Class M or MJ license will arrive in the postal mail within three to five weeks.

Your Class D or DJ permit, or other permit for a non-commercial license, is valid for up to two road tests. If you do not pass your second road test, you may continue to practice driving until the date the permit expires. Be sure your accompanying driver is at least 21 years old. Before you schedule another road test, you must return to a motor vehicle office and pay a fee for two additional road tests.

**Until September 1, 2006**, when you qualify for a Commercial Driver License (CDL Class A, B, or C) or a Non-CDL C, the examiner will validate your Road Test Evaluation Form (CDL-200) - this validated evaluation form will be a **temporary license valid for 10 days**. To activate your permanent license, you must amend your original license, in person, at any state or county motor vehicle office. Wait until at least five business days after passing the road test before you make the amendment. If you did not pass your CDL road test, you may continue to practice driving until the date the permit expires. There is a fee for scheduling each additional road test.

**On or after September 1, 2006**, the NYSDMV **cannot** issue a 10-day temporary CDL when you pass a CDL skills (road) test.

Federal regulations require the NYSDMV to check both the National Driver Register and the Commercial Driver License Information System before the NYSDMV can issue a CDL.

If you pass your CDL skills test on or after **September 1, 2006**, you must **wait at least seven days** after the skills test, **then go to a DMV office** to amend your driver license to a CDL. Until your CDL is issued, you continue to hold **only a CDL permit**, and must comply with all restrictions and limitations of the permit.

After you qualify for a license, remember that you are still learning to drive. You must continue to show caution, concentration and obedience to the rules of the road to become a truly experienced, capable driver. For additional training, many motorists enroll in a DMV-certified Point & Insurance Reduction Program (PIRP). The PIRP is available through private companies or corporations throughout New York State. This program reviews time-tested safe driving tips and provides an overview of today's vehicle and traffic laws. If you are eligible for point reduction, as many as four (4) points may be reduced from your driving record. You may complete this

course every 18 months for the purpose of point reduction. All participants who complete the program will receive a minimum 10% reduction in the base rate of their automobile and motorcycle liability and collision insurance premiums each year for three years. For more information, see our publication *Point & Insurance Reduction Program (C-32A)*, available from the DMV Internet Office, by request from a DMV Call Center, or at any motor vehicle office.

## Non-Resident and New Resident Drivers

If you are a resident of another state or country and hold a valid driver license there, you may legally drive in New York State. You **should not** apply for a New York license. Apply for a New York license **only** after you become a resident of this state. Then, to remain legally licensed, you must apply for a New York State driver license within 30 days after establishing residency.

If you are a new resident with a valid license issued by a U.S. state, territory or possession, or a Canadian province or territory, you must turn in your out-of-state license to get a New York license. You must show additional proof of name worth four points (see [ID proofs](#)), and provide your social security card and birth certificate. You also must pass the vision test. If your out-of-state license has been valid for less than six months or had expired more than one year ago, you must also pass the written and road tests and complete the safe driving course.

If you are a new resident licensed in a country other than Canada, you must pass the vision, written and road tests, complete the safe driving course, and turn in your foreign license. When you pass the road test, you must give your foreign license to the DMV motor vehicle license examiner who conducted the test. If you are from Canada, you must only surrender your license at time of application for the New York State license. Your foreign driver license will be destroyed unless you provide the examiner a written request to hold your foreign license on file at a New York State office of the Department of Motor Vehicles. The license examiner will tell you which DMV District Office will hold your foreign license. Your foreign license will be returned at your request, but only after you surrender your New York State license.

## License Renewal

You are responsible for knowing when your driver license expires and for making sure you renew it on time. In most cases, if the DMV has your current address, you should receive a renewal notice and instructions in the mail about 45 days before your license is due to expire. If you do not receive the notice, you may apply for renewal at any motor vehicle office. You also may renew your license up to one year before its printed expiration date.

Most driver licenses can be renewed through the mail or through the DMV Internet Office. For either renewal process, you must prove you have passed a visual acuity (eye) test **within six months, or within one year as determined by a licensed vision health care professional**, before the date you renew your license. To renew by mail, you must return to the DMV your renewal application and a completed

*Visual Acuity Report* (MV-619), from a licensed eye-care provider, which documents that you passed the vision test. If you renew on-line through the DMV Internet Office, you will also need information from a Visual Acuity Report that has been completed by your licensed eye-care provider. A Visual Acuity Report form is available from the DMV Internet Office, by request from a DMV Call Center, or at any motor vehicle office. You also may bring the license renewal form and the Visual Acuity Report to any motor vehicle office and renew in person. If you apply for a renewal in person, you will be allowed to take the vision test at the motor vehicle office.

When renewing in person, you must present your current license or six points of identification and, if needed, your social security card (see "*Proof of Name*," page 11). You may renew your license up to one year before your current license expires. Be sure to renew early if your license will expire while you are out of state. If you cannot renew early or a serious illness prevents you from renewing, contact a DMV Call Center.

If you enter military service, your license can be automatically extended throughout your active service and for six months after discharge. You must notify the department within 60 days of the entry date into service. You must submit the form, *Notification of Military Service* (MV-75), available from the DMV Internet Office, by request from a DMV Call Center, or at any motor vehicle office.

## **Change of Address**

If you change your address you must notify DMV within ten days by letter or on a *Change-of-Address Form* (MV-232). You also must write the new address in the space provided on the back of your photo license.

## **Learner Permit and Junior Operator Restrictions**

Learner permits, limited junior driver licenses (Limited Class DJ or MJ), and full junior driver licenses (Class DJ or MJ) allow limited driving privileges for people learning to drive. The laws and regulations described in this publication became effective on September 1, 2003, for all drivers, even if you obtained your permit or junior license before that date. They restrict where, and under which circumstances, you may drive. If you are under age 18, these restrictions depend on where you drive in New York State and the time of day. These restrictions also apply to drivers under 18 years old who are licensed outside New York State.

The restrictions on drivers holding junior learner permits and licenses are also presented in the publication *Learner Permits & Junior Licenses* (C-41), available from the DMV Internet Office, by request from a DMV Call Center, and from any motor vehicle office. The definitions and restrictions for junior drivers are summarized below.

### **Definitions**

**"PROPERLY LICENSED"** means the supervising driver has a license valid for driving the type of vehicle being driven by the learner or junior driver.

**"GUARDIAN"** means a person who has, on a regular and extended basis, assumed the character of a parent and is discharging parental duties as the result of the death, disability or absence of the natural parent.

**"IN LOCO PARENTIS"** means a person who has, on a regular and extended basis, assumed the character of a parent and is discharging parental duties as the result of the death, disability or absence of the natural parent.

**"SCHOOL COURSE"** means instruction, education or training that is licensed or approved by a state agency or department, or training conducted by the U.S. armed forces. The term "school course" **does not include** extra-curricular activities, sports or social events for which no scholastic credits are given.

**"EMPLOYMENT"** means a place of business at which you are paid to work regularly scheduled basis. You may NOT drive during work or as part of your work duties, such as for deliveries.

**"WORK STUDY PROGRAM"** means a state-approved cooperative work-study program. For example, a Board of Cooperative Educational Services (BOCES) course for which academic credit is granted for work experience.

**"MEDICAL APPOINTMENT"** means medical treatment that is necessary for you or a member of your household.

**"DAYCARE"** applies to travel to and from a child's daycare if the child's attendance is necessary for a family member to maintain employment and/or attend a school course.

### **General Rules for All Drivers with Learner Permits**

No matter what age you are, if you hold a learner permit, you may not drive:

- Unless you are accompanied by a supervising driver at least age 21 who has a license valid for operating the vehicle you are driving. For example, only a person with a motorcycle license may supervise a motorcycle learner.
- In a DMV road test area.
- On any street within a park in New York City, or any bridge or tunnel under the jurisdiction of the Triborough Bridge and Tunnel Authority.
- On the Cross County, Hutchinson River, Saw Mill River, or Taconic State parkways in Westchester County.

### **Drivers from Outside New York State**

If you are under age 18 and hold a learner permit, junior permit or junior driver license from outside New York State, you must obey the restrictions described in this publication, in addition to those from your home state. Make sure your permit or license is valid for driving outside your home state before driving in New York.

If you are under age 16, you may not drive in New York State even if you are licensed outside the state.

### **NYS Drivers Visiting Other States**

You may drive outside New York State with your learner permit, junior learner permit or junior license if it is allowed by the laws of the other state. You also must obey that state's permit, junior permit and license restrictions that may apply. Check with the police or motor vehicle authorities in the state you are visiting.

### **Motorcyclists and Moped Operators**

The restrictions in this publication also apply to operating a motorcycle or moped. Your learner permit or limited junior license (Class M or MJ, or Limited Class MJ) does not allow you to carry any passenger except your accompanying supervising driver. In addition, your accompanying driver must have a driver license valid for operating the same class motorcycle or moped you are driving, and must exercise general supervision and control of your driving by remaining within one-quarter mile. It is strongly recommended that your accompanying driver keep you in sight at all times.

### **Driving with a Junior Learner Permit or Junior License**

- You may not drive with more than two passengers under age 21 unless they are members of your immediate family, or if your accompanying driver is your licensed parent, guardian, person "in loco parentis," driver education teacher or driving school instructor.
- You and each passenger must wear a seat belt: one per person. Every passenger under age four must be in a properly installed child restraint seat.
- If you hold a junior permit or a limited junior license, the only passenger allowed in the front seat is your accompanying driver.
- Also see "Special Rules for Drivers with Junior Permits and Licenses," Chapter 2.

### **Driving Alone with a Junior License or Limited Junior License**

Important information if you hold a Junior License in the counties of Nassau or Suffolk, or a Limited Junior License in the upstate counties (except Westchester, Rockland and Putnam):

You may drive alone between home and your employment, including farm work, if you carry the appropriate proof of employment. Your employer should complete a Certificate of Employment (MV-58A), available from the DMV Internet Office, by request from a DMV Call Center, and at local motor vehicle offices. In the upstate counties only, instead of an employment certificate, you may carry a letter from your employer. The letter must be dated and signed by your employer, and must show the business name, address, and telephone number where you work. It also must list your name, date of birth, license identification number, job description, and days, hours and location of employment. The address and telephone number at which the employer may be contacted must be included for verification by a magistrate or police officer.

<b>REGIONAL RESTRICTIONS FOR A JUNIOR PERMIT</b>		
<b>New York City (5 Boroughs)</b>	<b>Long Island (Nassau &amp; Suffolk)</b>	<b>Upstate (All Other Counties)</b>
<b>5 AM - 9 PM</b>	<b>5 AM - 9 PM</b>	<b>5 AM - 9 PM</b>
<p>You must drive only under the immediate supervision of your:</p> <ol style="list-style-type: none"> <li>1. Parent</li> <li>2. Guardian</li> <li>3. Person "in loco parentis"</li> <li>4. Driver Education Teacher</li> <li>5. Driving School Instructor</li> </ol> <p>The person above must be at least age 21 and have a license valid for the vehicle being driven.</p> <p>Vehicle must have dual controls (dual brakes).</p>	<p>You must drive only under the immediate supervision of:</p> <ol style="list-style-type: none"> <li>1. Your Parent</li> <li>2. Your Guardian</li> <li>3. Your Person "in loco parentis"</li> <li>4. Your Driver Education Teacher</li> <li>5. Your Driving School Instructor</li> <li>6. Anyone who has been designated in writing by the parent, guardian or person "in loco parentis"</li> </ol> <p>The person above must be at least age 21 and have a license valid for the vehicle being driven.</p>	<p>You must drive only under the immediate supervision of:</p> <p>A person who is at least age 21 or older and has a license valid for the vehicle being driven.</p>
<b>9 PM - 5 AM</b>	<b>9 PM - 5 AM</b>	<b>9 PM - 5 AM</b>
<p>You must NOT drive alone.</p>	<p>You must NOT drive.</p>	<p>You must drive only under the immediate supervision of your:</p> <ol style="list-style-type: none"> <li>1. Parent</li> <li>2. Guardian</li> <li>3. Person "in loco parentis"</li> <li>4. Driver Education Teacher</li> <li>5. Driving School Instructor</li> </ol> <p>The person above must be at least age 21 and have a license valid for the vehicle being driven.</p>

When driving alone between your home and a qualifying school course or approved work-study program, you must carry proof of enrollment. This must be a letter, dated and signed by an appropriate school or program official, on the school or program letterhead, and show the address and telephone number of the official for

verification by a magistrate or police officer. The letter also must include the date(s), hour(s) and location(s) of the school course or program activity, your name, date of birth, and license identification number.

In the upstate counties only (except Westchester, Rockland and Putnam), if you have a Limited Junior License (Limited Class DJ or MJ), you may drive alone between your home and a medical examination or treatment for yourself or a member of your immediate family or household, if you carry a written statement to that effect from a licensed medical practitioner. You may also drive without adult supervision to transport your child, or a child of an immediate family member, to and from regularly-scheduled daycare.

<b>REGIONAL RESTRICTIONS FOR A LIMITED JUNIOR LICENSE *</b>		
<b>New York City (5 Boroughs)</b>	<b>Long Island (Nassau &amp; Suffolk) &amp; Westchester, Rockland &amp; Putnam</b>	<b>Upstate (All Other Counties)**</b>
<b>5 AM - 9 PM</b>	<b>5 AM - 9 PM</b>	<b>5 AM - 9 PM</b>
<p>NO Driving Alone</p> <p>You may drive under the immediate supervision of your parent, guardian, person "in loco parentis," driver education teacher or driving school instructor who is at least age 21 and has a license valid for the vehicle being driven.</p> <p>Vehicle must have dual controls (dual brakes).</p>	<p>NO Driving Alone</p> <p>You may drive under the immediate supervision of your parent, guardian, person "in loco parentis," driver education teacher or driving school instructor who is at least age 21 and has a license valid for the vehicle being driven.</p>	<p>You may drive alone for:</p> <ol style="list-style-type: none"> <li>1. School course or activity</li> <li>2. Employment</li> <li>3. Medical appointment</li> <li>4. Regularly-scheduled daycare for your child or a child of immediate family member</li> </ol> <p>All other driving must be under the immediate supervision of a person who is at least age 21 and has a license valid for the vehicle being driven.</p>
<b>9 PM - 5 AM</b>	<b>9 PM - 5 AM</b>	<b>9 PM - 5 AM</b>
<p>You must NOT drive alone.</p> <p>You may drive only under the immediate supervision of your parent, guardian, person "in loco parentis," who is at least age 21 and has a license valid for the vehicle being driven.</p> <p>Vehicle must have dual controls (dual brakes).</p>	<p>You must NOT drive alone.</p> <p>You may drive only under the immediate supervision of your parent, guardian, person "in loco parentis," who is at least age 21 and has a license valid for the vehicle being driven.</p>	<p>You may drive alone for:</p> <ol style="list-style-type: none"> <li>1. School course</li> <li>2. Employment</li> <li>3. Medical appointment</li> </ol> <p>All other driving must be under the immediate supervision of your parent, guardian, person "in loco parentis," who is at least age 21 and has a license valid for the vehicle being driven.</p>

\* For junior drivers who receive a permit on or after 09/01/03 and who pass a road test within the FIRST six months of valid permit status.  
 \*\* See "Driving Alone with a Junior License or Limited Junior License".

## Driver Education

If you are age 17, you are eligible for a senior driver license (Class D or M) if you have a junior driver license or limited junior driver license and have completed a state-approved high school or college driver education course. To convert your junior license to a senior license, bring your junior license and the Student Certificate of Completion (MV-285) that you received from your instructor to any motor vehicle office. You must surrender your certificate and junior license to receive the senior license. If you do not convert your junior license to a senior license, you are subject to the restrictions for junior drivers until you are age 18, even if you carry the completion certificate with you. You may also give your certificate with your junior permit to the license examiner at your road test. You will automatically receive a senior license when you are eligible.

If you completed driver education in a high school or college in another state and you wish to obtain a senior license in New York, you may apply for reciprocity to:

NYS Education Department  
 Driver Safety Education Unit  
 Room 681-EBA  
 Albany, NY 12234  
 Phone: (518) 474-5922  
 Internet: [www.emsc.nysed.gov/ciaj](http://www.emsc.nysed.gov/ciaj)

<b>REGIONAL RESTRICTIONS FOR A JUNIOR LICENSE *</b>		
<b>New York City (5 Boroughs)</b>	<b>Long Island (Nassau &amp; Suffolk)</b>	<b>Upstate (All Other Counties)</b>
<b>5 AM - 9 PM</b>	<b>5 AM - 9 PM</b>	<b>5 AM - 9 PM</b>
You must NOT drive alone.	<p>You may drive alone only directly between your home and employment, a work-study program, a course at a college, university, or registered evening high school, a driver education course, or while engaged in farm employment.</p> <p>You may drive when accompanied by your licensed parent, guardian, person "in loco</p>	You may drive without being accompanied.



	parentis," driver education teacher or driving school instructor.	
<b>9 PM - 5 AM</b>	<b>9 PM - 5 AM</b>	<b>9 PM - 5 AM</b>
You must NOT drive.	You may drive alone only directly between your home a work-study program, a course at a college, university, or registered evening high school, a driver education course, or while engaged in farm employment.	You may drive alone only directly between your home and employment or a school course.  All other driving must be accompanied by your licensed parent, guardian, or person "in loco parentis."

## Chapter 2 Keeping Your License

### Topics:

- [Special Rules for Drivers with Junior Permits and Licenses](#)
- [Probation Period for All Other New Licensed Drivers](#)
- [If You Receive a Ticket](#)
- [Traffic Tickets Received Out of State](#)
- [Mandatory Suspension or Revocation](#)
- [The Point System](#)
- [Traffic Crashes](#)
- [Fees and Civil Penalties](#)
- [Driver Responsibility Assessments](#)
- [Driving While Suspended or Revoked](#)

**Note:** Practice quizzes are available only for those sections of the manual covering rules of the road (Chapters 4 through 11 and Road Signs).

If you commit a serious traffic violation or several violations that are less serious, you may lose your driving privilege through license suspension or revocation.

**"Suspension"** means your license is taken away from you for a certain period of time and then returned.

**"Revocation"** means your license is canceled completely. The Department of Motor Vehicles then determines when you are eligible to apply for a new license. The law provides minimum revocation periods. A poor driving record or failure to comply with the DMV's requirements may result in a longer revocation period.

**"Driving privilege"** means the courtesy extended to out-of-state drivers which allows them to drive a motor vehicle in New York State. It also refers to permission from New York State for an unlicensed person to obtain a New York State license. A driving privilege can be suspended or revoked for the same reasons as are New York State driver licenses. Driving with a suspended or revoked privilege carries the same penalties as driving with a suspended or revoked license.

## **SPECIAL RULES FOR DRIVERS WITH JUNIOR PERMITS AND LICENSES**

Every driver with a limited or full junior permit or license is subject to certain sanctions and other penalties. For example, for the entire duration that you hold a junior permit or license, your permit, license, or privileges will be suspended for 60 days if you are convicted of a serious traffic violation (generally three points or more), or two other violations.

In addition, your junior permit, license, or privileges will be revoked for 60 days if you are convicted of a serious violation (generally three points or more), or two other violations, within the first six months after you receive your license or privileges back following suspension or revocation.

A limited junior license will automatically turn into a full junior license upon passage of six months of combined learner permit and limited license time, excluding any time under suspension or revocation.

## **PROBATION PERIOD FOR ALL OTHER NEW LICENSED DRIVERS**

If you are age 18 or older when you pass your road test for a driver license, or obtain a license following revocation, you will be on probation for six months.

If you are convicted of speeding, reckless driving, following too closely, participating in a speed contest, or two other traffic violations while on probation, your license will be suspended for 60 days. If you are found guilty of committing one of the above violations, or two other moving violations during this second probation period, your license will be revoked for at least six months. When the revocation or suspension ends, you will be on probation for another six months.

Your license will be suspended for 90 days if you are convicted of driving while ability impaired (DWAI) by alcohol or drugs during probation, or revoked for at least six months for driving while intoxicated (DWI). Even if you complete an approved Drinking Driver Program in fewer days, your license suspension or revocation will continue until the end of the scheduled period of suspension or revocation.

## **IF YOU RECEIVE A TICKET**

If you receive a traffic ticket, do not delay - follow the instructions on the ticket for the pleas you wish to make. Your driver license will be suspended indefinitely if you do not answer the ticket in the time allowed, or pay a fine (other than parking tickets and fines), surcharge, crime victim assistance fee, or suspension-termination fee. If you do not respond to receiving the ticket, you could be found guilty by default conviction. If you are convicted by default, your license will then be suspended for not paying the fine and a judgment will be entered against you.

The New York State Department of Motor Vehicle Traffic Violations Bureau (TVB) processes the tickets for non-criminal moving traffic violations issued in the five boroughs of New York City, Buffalo, Rochester, and the Suffolk County towns of Babylon, Brookhaven, Huntington, Islip and Smithtown. By processing these traffic tickets, the TVB system allows the other courts in these areas to concentrate on criminal cases, including driving offenses such as Driving While Intoxicated (DWI) and driving while suspended or revoked. Elsewhere in New York State, traffic violations are processed in the criminal and traffic court of the city, county, town or village where the alleged offense took place. Whichever court system is involved, every motorist who receives a traffic ticket may present a defense and be represented by an attorney.

## TRAFFIC TICKETS RECEIVED OUT OF STATE

The New York State Department of Motor Vehicles does **not record convictions of moving traffic violations by NYS non-commercial licensed drivers in other jurisdictions, except traffic offenses committed in the provinces of Ontario and Quebec, in Canada.** Therefore, except for traffic convictions in Ontario and Quebec, out-of-state traffic convictions are not added to your New York State "violation point" driving record.

However, your New York State license will be suspended **if you fail to answer a ticket** for a moving violation in any state except Alaska, California, Michigan, Montana, Oregon or Wisconsin. Your license will remain suspended until you answer the ticket. Likewise, drivers from any state, except those from the six states listed above, will have their driver licenses suspended in their own state for failure to answer a moving violation summons in New York State.

**If you are over 21 years old, and are convicted of an alcohol-related driving violation (e.g., DUI) in any other state or the provinces of Ontario and Quebec, in Canada, your New York State driver license will be revoked for at least 90 days. If you are convicted of a drug-related driving violation in any of these jurisdictions, your New York State license will be revoked for at least six months.** Out-of-state drivers ticketed in New York State should contact the motor vehicle department of their own state or province about the effect of a conviction.

**If you are under 21 years old and convicted of any alcohol or drug-related violation that occurred out of state on or after November 1, 2000, your New York State driver license will be revoked for at least one year.** If you have any prior alcohol conviction, even if the violation occurred before November 1, 2000, your license will be revoked for at least one year or until the age of 21, whichever is longer.

The New York State Department of Motor Vehicles records the conviction of any New York driver for criminal negligence, homicide, or assault that arises out of the operation of a motor vehicle and which results in death. In addition, the driver's license or privilege to drive and all vehicle registrations will be revoked, whether the conviction occurred in this state or elsewhere.

## MANDATORY SUSPENSION OR REVOCATION

Your driver license or driving privilege can be suspended or revoked for many reasons. The following suspensions and revocations are *required by law*:

### Alcohol and Drug Violations

- Driving while ability impaired by alcohol (DWA1): *90-day suspension*.
- Driving while ability impaired by drugs (DWA1-drug): *minimum six-month suspension*.
- Driving while intoxicated (DWI), with .08 of one percent blood alcohol content (.08 BAC): *minimum six-month revocation*.
- Driving under the influence of alcohol or drugs out-of-state (DUI): *minimum 90-day revocation*.
- DWA1 violation within five years of any prior alcohol or drug-related violation: *minimum six-month revocation*.
- DWI, .08 BAC, or DWA1-drug violation committed within ten years of any prior DWI, .08 BAC, or DWA1-drug violation: *minimum one-year revocation*.

### Chemical Test Refusals (Also see [Chapter 9](#))

- Chemical test refusal, drivers over age 21: *minimum one-year revocation (18 months for a commercial driver)*.
- Chemical test refusal, drivers over age 21, within five years of a prior refusal revocation or any alcohol or drug-related violation: *minimum 18-month revocation (permanent for a commercial driver)*.
- Chemical test refusal, drivers under age 21, first time: *minimum one-year revocation*.
- Chemical test refusal, drivers under age 21, second time: *minimum revocation until age 21 or one year, whichever is longer*.
- Zero Tolerance test refusal: *minimum one-year revocation*.

### Younger Drivers

If you are under 21 when arrested, conviction for any of the alcohol or drug related violations listed above will result in a minimum one-year revocation. A second

violation while under 21 requires a revocation for one year or until you reach age 21, whichever is longer. These penalties apply even if you are adjudicated as a youthful offender, or if you were arrested or convicted out of state (see [Traffic Tickets Received Out Of State](#)).

Under the state's "Zero Tolerance Law," a driver under 21 will have his or her license suspended for six months if found to have a BAC from .02 to .07. A .02 BAC could occur with as little as one drink. For a second Zero Tolerance violation, the driver's license will be revoked for one year or until the driver turns 21, whichever is longer.

**NOTE:** Motorboat and snowmobile operators under 21 years old who drink alcohol are subject to similar penalties and sanctions against their privileges to operate a motorboat or snowmobile.

### **Speeding and Other Violations**

Your license will be **revoked for at least six months** if you are found guilty of:

- Three speeding and/or misdemeanor traffic violations within 18 months (based on date of violation, not date of conviction).
- Three "passing a stopped school bus" violations within three years.
- One violation of "leaving the scene of a personal injury or fatal accident."
- One "participating in a speed contest" violation. Conviction of a second speed contest violation within 12 months results in a revocation of at least one year.

### **No Insurance**

Your license will be revoked for at least one year if you operate or allow another person to operate your uninsured vehicle, or if the DMV receives evidence that you were involved in a traffic crash without being insured. If your vehicle has a lapse in insurance coverage, you must turn in the license plates and registration to a motor vehicle office. Even if the vehicle is taken off the road and not being driven, you must surrender the plates or you may face civil penalties, registration suspension and/or license suspension.

### **Indefinite Suspensions/Revocations**

Your license will also be suspended indefinitely if you fail to file an accident report, submit a bad check for DMV fees, fail to pay child support, or fail to satisfy a court judgment that results from a traffic accident. This suspension will be in effect until you correct the condition that led to the suspension.

### **Commercial Drivers**

Because of their extra responsibility to traffic safety, drivers of tractor-trailers, heavy trucks and vehicles carrying hazardous materials face stiffer penalties than non-commercial drivers if convicted of certain violations. For information about the commercial driver penalties, read Section 1 of the *Commercial Driver's Manual* (CDL-10).

It is a felony to drive a school bus carrying one or more students while you are impaired or intoxicated. If you are found guilty of an alcohol or drug-related violation while driving a school bus, taxi, or livery vehicle while carrying a passenger, your license will be revoked for at least one year. If found guilty of a second violation within ten years, you could be *permanently prohibited* from holding a Class CDL license.

NOTE: See [Chapter 9](#) for more information about alcohol and drug-related violations.

## THE POINT SYSTEM

The DMV point system identifies "persistent violators"; that is, drivers who commit a series of violations in a relatively short time period. The table in this chapter lists the point values assigned to various moving traffic violations. Please note that traffic laws that must be obeyed on public highways, roads, and streets, also apply to parking lots open to the public.

While each violation listed, by itself, may not be serious enough to require license suspension or revocation, the accumulation of several violations on your driving record may indicate that action should be taken.

The point values charged against your record are based on the date you commit the violation, not the date you are convicted in court. If you acquire 11 or more points within 18 months, you will be notified by mail that your license will be suspended. You may request a DMV hearing only to show that the convictions in question were not yours. You may not re-argue the convictions or request the suspension be waived based upon special or mitigating circumstances.

Violation	Points	Violation	Points
Speeding MPH not specified	3	Following too closely (tailgating)	4
Speeding MPH over posted limit: 1 to 10	3	Improper passing, unsafe lane change, drove left of center, or drove wrong direction	3
Speeding MPH over posted limit: 11 to 20	4	Violation involving a traffic signal, stop sign or yield sign	3
Speeding MPH over posted limit: 21 to 30	6	Failing to yield right-of-way	3
Speeding MPH over posted limit: 31 to 40	8	Railroad crossing violation	3
More than 40	11	Leaving scene of incident involving property damage or injury to domestic animal	3
Reckless driving	5	Safety restraint violation involving person under 16	3
Failing to stop for school bus	5	Inadequate brakes (while driving)	2

		employer's vehicle	
Inadequate brakes	4	Any other moving violation	2

You can reduce your point total by up to four points and save up to ten percent on your auto liability insurance premiums by taking a DMV-approved accident prevention course. However, completion of a point reduction course cannot prevent a mandatory suspension or revocation or be applied as a "credit" against future points. For more information, see the publication *Point & Insurance Reduction (C-32A)*, available from the DMV Internet Office, by request from a DMV Call Center, and at any motor vehicle office.

Please note that insurance companies may also have point systems of their own. These have no relationship to, and should not be confused with, the DMV point system.

## TRAFFIC CRASHES

Today, except where required by law, the term "accident" is frequently being replaced by "crash." This is because a "crash" can usually be avoided. If you are involved in a traffic crash in which another person is killed, your license may be suspended or revoked after a DMV hearing even if you were not charged with a violation at the time of the incident.

## FEES AND CIVIL PENALTIES

If your driver license has been suspended for a definite period, such as 30 days, 90 days, etc., your license will not be returned until you pay a non-refundable \$25 suspension termination fee.

In most cases, if your license has been revoked, you may not apply for a new license until you pay a non-refundable \$50 re-application fee. This fee is not required if your license was revoked due to operating without insurance or if you had been issued a conditional or restricted use license.

After the following revocations, you must pay a civil penalty to DMV before your application for a new license can be accepted:

- Operating without insurance or uninsured accident: *\$750 civil penalty.*
- Chemical test refusal: *\$300 civil penalty (\$350 if while operating commercial motor vehicle).*
- Chemical test refusal within five years of a prior alcohol, drug or refusal-related revocation: *\$750 civil penalty.*

- Zero Tolerance Law suspension: *\$125 civil penalty and \$100 suspension termination fee.*

## DRIVER RESPONSIBILITY ASSESSMENTS

In addition to paying any fines, fees, penalties and surcharges authorized by law, you may have to pay a "Driver Responsibility Assessment" for certain violations that occur on or after November 18, 2004, that result in a conviction or administrative finding. Your learner permit, driver license, or driving privileges will be suspended if you do not make these payments.

If you are convicted of Driving While Intoxicated (DWI), Driving While Ability Impaired (DWA) or Driving While Ability Impaired by Drugs, or if you are found to have refused to submit to a chemical test, you will be required to pay a driver responsibility assessment of \$250 each year for the next three years.

If you are convicted of one or more traffic violations resulting in six points in any 18-month period, you will be required to pay \$100 each year for the next three years. For each additional point accumulated during that period, you will be required to pay another \$25 per point every year for three years. For information about how points are assessed, see "The Point System" in this chapter. **Completion of a motor vehicle accident prevention course will not reduce the calculation of points affecting the driver responsibility assessment.**

## DRIVING WHILE SUSPENDED OR REVOKED

It is a criminal violation to drive while your license is suspended or revoked, and there are mandatory fines from \$200 to \$5,000. You also may face mandatory imprisonment or probation, and seizure and possible forfeiture of the vehicle being driven. More severe penalties apply to drivers who are caught driving while intoxicated or impaired by alcohol or drugs while their licenses or privileges are already under suspension or revocation for a previous alcohol or drug-related incident, and to drivers caught driving with 10 or more suspensions for failure to answer traffic tickets or pay fines. In addition, drivers with 20 or more suspensions for failure to answer tickets or pay fines face a criminal charge, even if not driving when caught. The penalties for driving while suspended or revoked are described in detail in the publication *Suppose Your License Were Taken Away* (C-12) available from the DMV Internet Office, by request from a DMV Call Center, and at any motor vehicle office.

## Chapter 3 Owing a Vehicle

### Topics:

- Registration and Title
- Registration Renewal
- Resident and Non-Resident Responsibility



- [Inspection](#)
- [Complaints against Businesses](#)

**Note: Practice quizzes are available only for those sections of the manual covering rules of the road (Chapters 4 through 11 and Road Signs).**

Whether you are a vehicle owner or registrant, or a driver of a vehicle owned or registered by someone else, you are responsible for making sure it is properly registered, insured and inspected before the vehicle is used on a public roadway.

## REGISTRATION AND TITLE

A registration allows a vehicle to be driven on public roads and highways. A title certificate proves who owns the vehicle. In New York, only 1973 and newer model vehicles receive titles. For 1972 and older models, the registration is the proof of ownership.

You must be at least 16 years old to register a vehicle. A new resident of the state must obtain a New York registration within 30 days of establishing residence.

### To Register a Vehicle

To register a vehicle, you must prove you own the vehicle or that the owner authorizes you to register it, that the vehicle is insured, that the state and county sales taxes have been paid, and provide any required mileage and/or damage disclosure statement. If the ownership proofs listed below are not available from the seller, contact any motor vehicle office or a DMV Call Center before you buy the vehicle.

To apply for registration, you must complete a *Vehicle Registration/Title Application* (MV-82). You must also present proof of identity worth six points. For additional information about these requirements, please refer to the information guide *Registering A Vehicle In New York State* (MV-82.1), available from the DMV Internet Office, by request from a DMV Call Center, and at any motor vehicle office. When your vehicle is registered, you will receive license plates, a registration receipt, and a registration sticker for the windshield or license plate. If you bought the vehicle from someone other than a dealership, you will also receive a ten-day inspection extension sticker upon request when you register the vehicle. You must then have the vehicle inspected within 10 days from the date of registration. It should already have a valid inspection sticker if you bought the vehicle from a dealer.

When you buy a new or used vehicle from a dealer registered with the DMV, the dealer may register the vehicle for you and give you a temporary registration and, if you need them, new license plates. The dealer may charge a fee for this service in addition to registration, plate and title fees. If your vehicle is a 1973 or newer model, your title certificate will be mailed to you from Albany several weeks after the vehicle is registered.

## Proof of Ownership

*If you purchase your vehicle from a New York State registered dealer, the proof of ownership for a new vehicle will be a Manufacturer's Certificate of Origin (MCO) and a dealer's *Certificate of Sale* (MV-50). For a used 1973 or newer vehicle, proof of ownership is the previous owner's *Certificate of Title* (MV-999), the appropriate odometer and salvage disclosure statement, and the dealer's *Certificate of Sale* (MV-50). For a used 1972 or older vehicle, proof of ownership is the dealer's *Certificate of Sale* (MV-50) and the previous owner's transferable registration signed over to the dealer.*

If the dealer does not register the vehicle for you, make sure you receive the ownership documents listed above. In any case, examine the ownership documents carefully before closing the deal.

*If you buy a used vehicle from a dealer registered outside New York State — the proof of ownership is the prior owner's title certificate or transferable registration signed over to you, plus the dealer's bill of sale and/or invoice and other proofs from the dealer.*

*For a used vehicle bought from a private seller — the proof of ownership is the "Certificate of Title" (MV-999), or a transferable registration for 1972 or older models, signed over to you. The seller must complete, and you must acknowledge by signing, the appropriate odometer and damage disclosure statements.*

*Before you accept the title certificate from any seller, check the front of the title for the names and addresses of "lien" holders. A lien indicates the current owner owes money on a loan for the vehicle. If a lien is listed on the title, ask the seller to give you proof the lien has been paid — in most cases, it will be an official lien release from the lender. **If proof is not provided and the loan has not be paid, the lien holder could repossess the vehicle from you.***

**A motor vehicle office will not accept a title certificate if the appropriate odometer or damage disclosure statement is not completed, or if any information on the title is altered, erased, or crossed out, including any name or signature.**

## Disclosure Statements —

- If you buy a vehicle eight model years old or newer, **the DMV will NOT register your vehicle or issue you a new title certificate unless the seller has completed, and you have signed, both the odometer and the damage disclosure statements on the reverse of the vehicle's *Certificate of Title* (MV-999) or have attached a completed odometer and damage disclosure on an *Odometer And Damage Disclosure Statement* (MV-103).** This statement indicates whether or not the vehicle's new title certificate should be branded "Rebuilt Salvage." Title branding is explained in detail in the publications *Let The Buyer Be Aware* (C-18) and *Q & A About Your Vehicle Title* (C-19). An *Odometer And Damage Disclosure Statement* (MV-103) is available at any motor vehicle office, by request from a DMV Call Center, or from the DMV Internet Office.
- If you buy a vehicle 10 model years old or newer, **be sure the private seller has completed the odometer statement portion on the back of the**

**vehicle's Certificate of Title (MV-999) or has attached to the title certificate a completed mileage disclosure on an *Odometer And Damage Disclosure Statement (MV-103)*.** The damage disclosure is not required for vehicles nine model years old or older. As buyer, you must confirm the odometer statement as indicated on the title certificate, either by initialing next to the odometer box on the title certificate or by signing the form. You should compare the odometer statement on the title certificate with the actual odometer reading in the vehicle.

**IMPORTANT: THE DMV MUST EXAMINE EVERY VEHICLE IDENTIFIED "REBUILD SALVAGE" FOR STOLEN PARTS BEFORE THE VEHICLE CAN BE REGISTERED OR TITLED. For more information, or if you are going to buy a vehicle registered or titled out-of-state, contact a DMV Call Center.**

### **Proof of Sales Tax Payment**

When you buy a vehicle from a dealer, the dealer collects the sales tax.

If you are buying a vehicle from someone other than a dealer, obtain a *Statement of Transaction - Sale or Gift of Motor Vehicle (DTF-802)*, available at any motor vehicle office, by request from a DMV Call Center, and from the DMV Internet Office. This form certifies the purchase price and determines the sales tax you must pay when registering the vehicle. One side of the form must be completed and signed by the buyer. The other side must be signed by the seller if the selling price is below fair market value, or if the vehicle is being given as a gift from a non-family member. If the form is not filled out by the seller, you will be charged sales tax based on the vehicle's current fair market value. Bring the completed form to a state or county motor vehicle office when you register your vehicle.

### **Proof of Insurance**

When you buy auto liability insurance, the insurance agent or broker gives you two insurance identification cards. The name(s) on these cards must exactly match the name(s) on the registration application. You must present one card when registering your vehicle. Keep the second card with the vehicle.

"No-fault" auto insurance is issued in New York State. For information about no-fault insurance contact the NYS Department of Insurance, Agency Building 1, Empire State Plaza, Albany, NY 12257.

### **Fees**

Registrations for most vehicles under 18,000 pounds (8,165 kg) maximum gross weight are valid for two years, and registration fees are based on vehicle weight. There are also plate and title fees.

*By law, registration fees cannot be refunded if you use the license plates or registration sticker on your vehicle even for only one day.* However, if your license plates and registration sticker are returned **completely unused** within 60 days after registering your vehicle, you may receive a full refund, minus a processing fee. You may receive a refund of the fee for the second year of a two-year registration, minus a one dollar processing fee, if you use the plates and registration only during the first year. Be sure to obtain a DMV Universal Receipt (FS6T) for turning in your plates.

If you transfer a registration from one vehicle to a replacement vehicle, you will receive credit for the remaining portion of your current registration. This credit cannot be applied to other vehicles already registered to you.

### Trading In or Selling Your Old Car

Before you trade in or sell your old vehicle, be sure to remove the license plates and the windshield registration sticker, which shows your plate number. This will help prevent you from being charged with parking tickets that do not belong to you.

## REGISTRATION RENEWAL

Most registrations are renewed every two years. About 45 to 60 days before your registration will expire, you should receive a renewal reminder in the mail. You may not receive a reminder if you have changed your address and did not notify the DMV, or if you have failed to answer three or more parking tickets, or if your registration is suspended or revoked. Allow up to two weeks for processing and delivery. ***Whether or not you receive a reminder, you are responsible for knowing when your registration expires, and for renewing it on time.***

If the expiration date falls on a weekend or legal state holiday, your registration is automatically extended to midnight of the next business day. Be sure you maintain liability insurance on your vehicle during the extension period.

***If you have not received a renewal notice, you may be able to renew your registration —***

**By mail:** Complete a *Vehicle Registration/Title Application (MV-82)*, available at any motor vehicle office, by request from a DMV Call Center, and from the DMV Internet Office. If your registration should be sent to an address other than the mailing address you entered on the application form (MV-82), enclose a separate note requesting the DMV to mail your registration to the other address. Do not put this mailing address on form MV-82 unless you want it to appear on the registration and your DMV registration record. **Reminder - if you indicate a change of address on your registration, it will affect ONLY that registration. Use a *Change of Address Form (MV-232)* to change all your DMV records. This form is available at any motor vehicle office, by request from a DMV Call Center, and from the DMV Internet Office.**

Enclose a check or money order for the appropriate fee, payable to the "Commissioner of Motor Vehicles." If you do not know the exact fee you should pay, you may determine the fee through a work-sheet at the DMV Internet Office or contact a DMV Call Center. Be sure to include your insurance card with your renewal application if your registration has been expired for more than 30 days, or if your insurance company has changed and you have not responded to a DMV Insurance Inquiry Letter.

Mail your completed Vehicle Registration/Title Application and other documents to:

Port Jefferson Office, NYS DMV  
3 Roads Plaza

1055 Route 112  
Port Jefferson Station, NY 11776

Allow two weeks to receive your registration renewal. If you do not receive it after two weeks, contact a DMV Call Center or visit any state or county motor vehicle office. Allow more time for overseas mail.

**If your name has changed and you have not yet notified the DMV**, you must visit a DMV office and show proofs of your identity. For more information, contact a DMV Call Center.

**On-line at the DMV Internet Office:** [www.nysdmv.com](http://www.nysdmv.com). On-line registration renewal requires that you have not changed your address or insurance company, that your registration has not been expired more than 30 days, and that the registration is for a passenger car, small commercial truck, or a motorcycle that has not been taken off the road. Your registration fee, including any other related fees, will be displayed on the computer screen. In just three quick steps, you may renew your registration on-line and use your credit card for fee payment. Your renewal will be automatically processed and mailed to you. Allow two weeks for delivery.

**In person at a state or county motor vehicle office:** You must complete and submit an *Vehicle Registration/Title Application (MV-82)*. Please note: an application brought into an office by a 2nd party (someone other than the registrant) must be accompanied by the original New York State license/permit/non-driver identification card for both the applicant and the 2nd party. This includes spouses (husbands and wives). The application must be signed by the registrant, not the person bringing the form into the office.

### **Insurance**

Your vehicle must be covered by liability insurance as long as it is registered, even if you do not drive it.

Minimum liability coverage is required of \$50,000 against the death of one person and \$100,000 against the death of two or more persons, \$25,000 against injury to one person and \$50,000 against injury to two or more persons, and \$10,000 against property damage. Coverage limits refer to death, injury or damage related to any one incident.

Before your liability insurance lapses or is canceled, turn in your plates at any state or county motor vehicle office. **Be sure to obtain a *DMV Universal Receipt (FS6T)* for turning in your plates.** Otherwise, you may have to pay a civil penalty for each day the vehicle was not insured, or your vehicle registration may be suspended. If your vehicle remains uninsured for 90 days, unless you have already turned in your license plates, your driver license will also be suspended.

*If you receive a letter from DMV inquiring about your auto insurance, read it carefully and respond within seven days.*

Motorcycles must be insured, but you are not required to turn in the plate when your insurance for a motorcycle is canceled or lapses.

## RESIDENT AND NON-RESIDENT RESPONSIBILITY

Anyone who drives or permits his or her vehicle to be driven in New York State, even a non-resident, must be able to prove the vehicle has adequate liability insurance. (See "[Insurance](#)," above, for minimum coverage required.) If you are convicted of operating an uninsured vehicle or permitting another person to operate your uninsured vehicle, your license or privilege to drive in New York State will be revoked for at least one year. The same penalty applies if the DMV receives evidence that you were involved in an a traffic crash without being insured.

## INSPECTION

A motor vehicle dealership is required to have each vehicle pass inspection within 30 days before the vehicle is delivered to a customer. If you buy a vehicle from someone other than a dealer, you must register it and have it inspected within ten days.

After your vehicle's first inspection, it must be inspected at an official state-licensed inspection station at least once every 12 months and whenever ownership changes. These stations are identified by yellow and black "Official Motor Vehicle Inspection Station" signs. Heavy trucks, buses, tractors and semi-trailers must be inspected at special "Heavy Vehicle" inspection stations, and motorcycles at special motorcycle inspection stations.

When you sign a registration renewal form, you are certifying under penalty of law that the vehicle was inspected as required by law. Keep track of when your yearly inspection is due. Schedule a new inspection early, so you will have time to repair your vehicle if it does not pass.

After inspection, the vehicle inspector will issue a sticker for the vehicle to prove it has passed inspection. If your vehicle did not pass, the inspector will give you a rejection notice. Then, your vehicle must be repaired to meet inspection standards and be re-inspected. In certain areas of the state, your gasoline-powered vehicle (except a motorcycle) must also be inspected for exhaust emissions at the time of the safety inspection. More information about safety inspections and emissions inspections is detailed in the publications *Vehicle Inspection Program, Facts for Consumers* (MV-50) and *What You Should Know About The New York State Emissions Test* (C-61), available from the DMV Internet Office, by request from a DMV Call Center, or at any motor vehicle office.

## COMPLAINTS AGAINST BUSINESSES

The DMV regulates dealers, inspection stations and auto repair shops. These businesses should be identified by outdoor signs and registration or license certificates. Make sure you are dealing with a registered or licensed business.

If you have a complaint against one of these businesses, first try to resolve it with the management. If that fails, call (518) 474-8943 between 9 a.m. and 3 p.m. weekdays. You may also write to Vehicle Safety Services, DMV, 6 Empire State Plaza, Albany, NY 12228. Please note that, by law, the DMV can handle complaints only made within 90 days or 3,000 miles (1,864 km) of the repairs, whichever comes first.

For more information about your rights in dealing with auto repair shops and car dealers, ask for our publications *Know Your Rights in Auto Repairs (C-17)* and *Let the Buyer Be Aware (C-18)*, available from the DMV Internet Office, by request from a DMV Call Center, or at any motor vehicle office.

## Chapter 4 Traffic Control

### Topics:

- [Signs](#)
- [Traffic Signals](#)
- [Pavement Markings](#)
- [Traffic Officers](#)

## SIGNS

Traffic signs tell you about traffic rules, special hazards, where you are, how to get where you are going and where services are available.

The shape and color of traffic signs give clues to the type of information they provide:

**REGULATION SIGNS** usually are white rectangles with black lettering or symbols, but some are different shapes, and some may use red letters or symbols.

**WARNING SIGNS** usually are yellow and diamond-shaped, with black lettering or symbols.

**DESTINATION SIGNS** are green with white letters and symbols.

**SERVICE SIGNS** are blue with white letters and symbols.

Know the signs shown below and what they mean. You will be asked about them on your written test.

Here are descriptions of the most common traffic signs and what they mean:

**STOP Sign**

**COLOR:** Red, with white letters.

**MEANING:** Come to a full stop, yield the right-of-way to vehicles and pedestrians in or approaching the intersection. Go when it is safe. You must come to a stop before the stop line, if there is one. If not, you must stop before entering the crosswalk. (See "Stop and Crosswalk Lines" under the "Pavement Markings" section of this chapter.) If there is no stop line or crosswalk, you must stop before entering the intersection, at the point nearest the intersection that gives you a view of traffic on the intersecting roadway.



### YIELD Sign

**COLOR:** Red and white, with red letters.

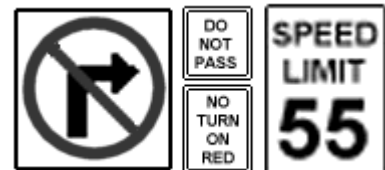
**MEANING:** Slow down as you approach the intersection. Prepare to stop and yield the right-of-way to vehicles and pedestrians in or approaching the intersection. You must come to a full stop at a YIELD sign if traffic conditions require it. When you approach a YIELD sign, check carefully for traffic, and be prepared to stop.



### REGULATION Signs

**COLOR:** White, with black and/or red letters or symbols.

**MEANING:** These signs give information about rules for traffic direction, lane use, turning, speed, parking, and other special requirements.



Some regulation signs have a red circle with a slash over a symbol indicating that an action, such as a right turn, is not allowed, or that certain vehicles are restricted from the road. Rectangular white signs with black or red letters or symbols are clues to be alert for special rules.

### WARNING Signs

**COLOR:** Yellow, with black letters or symbols.

**MEANING:** You are approaching an especially hazardous location or a place where there is a special rule, as shown in the sample signs. Sometimes a warning sign is combined with a rectangular yellow and black "recommended speed" sign. This means reduced speed is advised in that area.





## RAILROAD CROSSING WARNING Sign

**COLOR:** Yellow with black letters "RR" and "X" symbol.

**MEANING:** There is a railroad crossing ahead. Use caution, and be prepared to stop. If you are following a bus or truck toward a railroad crossing, be careful. Most buses and some trucks must stop at railroad crossings. (See "[Railroad Crossing Signals](#)" later in this chapter.)



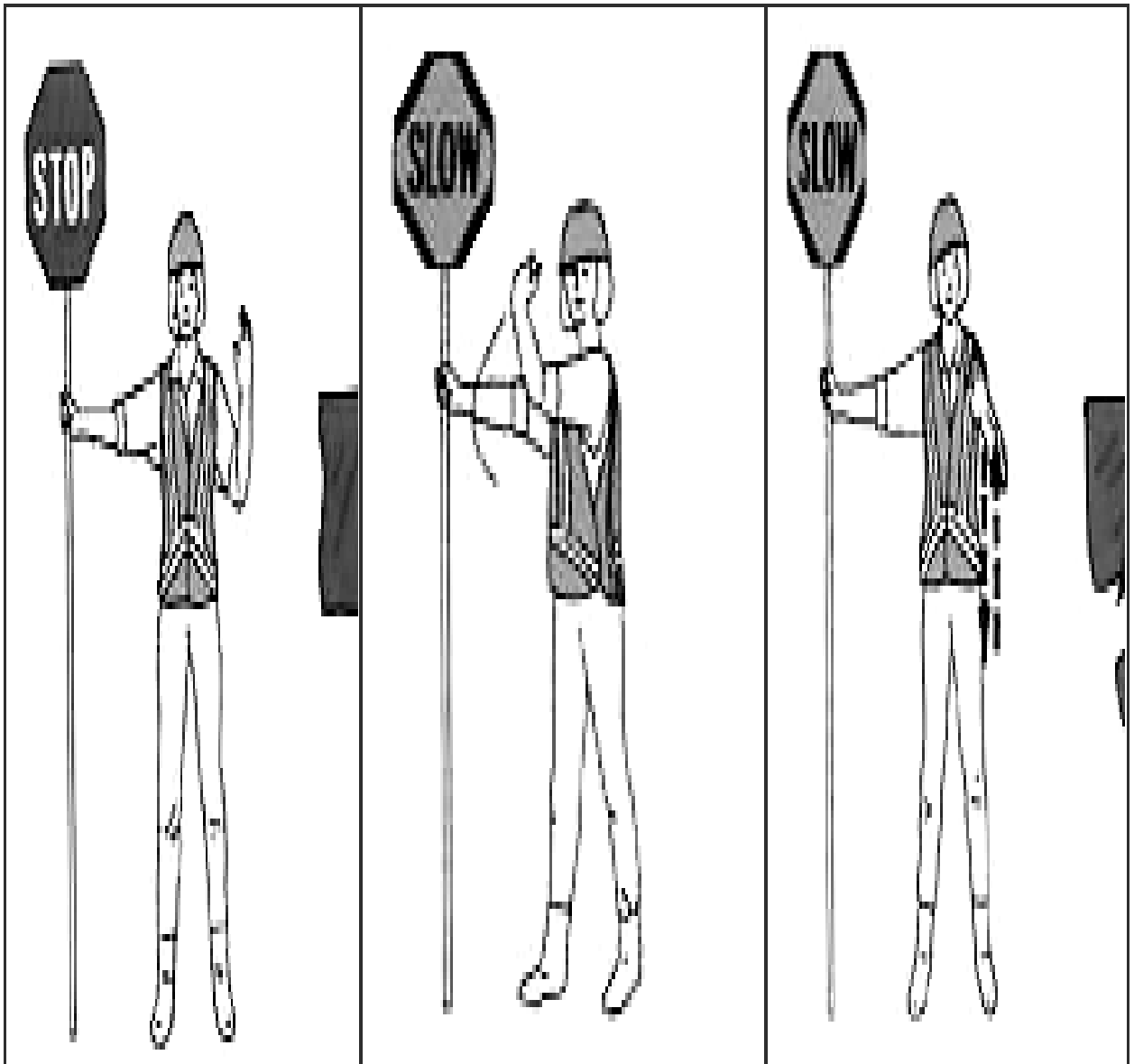
## WORK AREA Signs

**COLOR:** Orange, with black letters or symbols.

**MEANING:** People are working on or near the roadway, and traffic may be controlled by a flag person. A work area speed limit as low as 25 MPH (40 km/h) may be posted. Even if no speed limit is posted, you must drive at a reduced speed through the work zone, and you must always obey flag persons. These illustrations show some of the signals a flag person will use. Know and obey them.



STOP	PROCEED	SLOW
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**DESTINATION Signs**

**COLOR:** Green, with white lettering.

**MEANING:** Show direction and distance to various locations.



**ROUTE Signs**

**COLOR:** Varied.

**MEANING:** Indicate interstate, U.S., state or county routes. The shape tells you what type of route you are on. The sample signs, left to right, are for state, U.S.,



and interstate routes. When planning a trip, use a highway map to decide which routes to take. During the trip, watch for destination signs so you will not get lost, or have to turn or stop suddenly.

### SERVICE Signs

**COLOR:** Blue, with white letters or symbols.



**MEANING:** Show the location of services, such as rest areas, gas stations, hospitals and campgrounds.

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## TRAFFIC SIGNALS

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### Traffic Lights

Traffic lights are usually red, yellow and green from top to bottom, or left to right. At some intersections, there are single red, yellow or green lights. Some traffic lights are steady, others flash. Some are circular, and some are arrows.



State law requires that if the traffic lights or controls are out of service or malfunctioning when you approach an intersection, you must come to a stop as you would for a stop sign. You must then proceed according to the rules of right of way, unless you are directed to proceed by a traffic officer.

#### Here is what various traffic lights mean:

**STEADY RED:** Stop. Do not go until the light is green. If a green arrow is shown with the red light, you may go only in the direction of the arrow and only if the way is clear.

You may make a right turn at a steady red light after coming to a full stop and yielding the right-of-way to oncoming traffic and pedestrians. You may make a left turn at a steady red light when turning from a one-way road into another one-way road after coming to a full stop and yielding the right-of-way to oncoming traffic and pedestrians.

You may not make a turn at a red light if there is a NO TURN ON RED sign posted, or another sign, signal or pavement marking prohibits the turn. Also, turning on a red light is not allowed in New York City unless a sign is posted permitting it.

The driver of a school bus carrying pupils may not turn right on any red light.

**FLASHING RED:** Means the same as a STOP sign: Stop, yield the right-of-way, and go when it is safe.



**RED ARROW:** Do not go in the direction of the arrow until the red arrow light goes out and a green light or arrow light goes on. A right or left turn on red is not permitted at a red arrow.

**STEADY YELLOW:** The light is changing from green to red. Be ready to stop for the red light.



**FLASHING YELLOW:** Drive with caution.

**YELLOW ARROW:** The protection of a green arrow is ending. If you intend to turn in the direction of the arrow, be prepared to stop.



**STEADY GREEN:** Go, but yield the right-of-way to other traffic at the intersection as required by law (see [Chapter 5](#)).

**GREEN ARROW:** You may go in the direction of the arrow, but you must yield the right-of-way to other traffic at the intersection as required by law (see [Chapter 5](#).)



### Lane Use Control Lights

Special overhead lights are sometimes used to indicate which lanes of a highway may be used at certain times:

**STEADY RED "X":** Do not drive in this lane.

**STEADY YELLOW "X":** Move out of this lane.

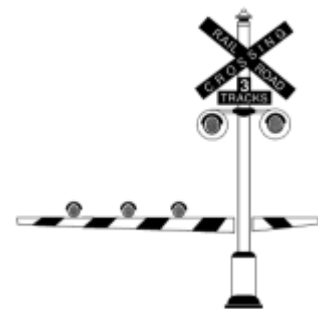
**FLASHING YELLOW "X":** This lane may only be used for a left turn.

**GREEN ARROW:** You may use this lane.

### Railroad Crossing Signals

Flashing red lights, lowered crossing gates and/or a ringing bell at a railroad crossing mean that you must stop, at least 15 feet (5 m) from the tracks. Do not cross the tracks until the lights and bell have stopped and the crossing gates are all the way up. Do not drive around or under a gate that is being lowered or raised.

Look and listen for trains before crossing any railroad tracks. If an approaching train is near enough or going fast enough to be a danger, you may not cross the tracks, even if there are no signals or the signals are not working.



You may not cross any railroad tracks unless there is room for your vehicle on the other side. If other traffic prevents you from crossing all the way, wait, and cross only when there is room.

School buses with or without passengers, other buses while carrying passengers, and vehicles carrying explosives or flammable cargo must stop at all railroad crossings. Keep this in mind if you are following one of these vehicles.

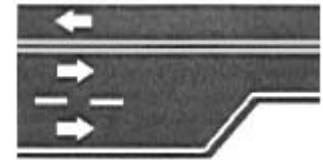
## PAVEMENT MARKINGS

Lines and symbols on the roadway divide lanes and tell you when you may pass other vehicles or change lanes, which lanes to use for turns, and where you must stop for signs or traffic signals. The arrows on these illustrations show the direction of traffic.

### Edge and Lane Lines

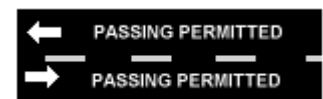
Solid lines along the side of the road tell you where its edge is - where the travel lane ends and the road's shoulder begins. It is illegal to drive across the edge line, except when directed to do so by a police officer or other authorized official. An edge line which slants toward the center of the road shows that the road is narrower ahead.

Lines separating lanes of traffic moving in the same direction are white. Lines separating traffic moving in opposite directions are yellow. There may be two lines between lanes, and lines may be solid or broken. Read [Chapter 6](#) for the rules on passing other vehicles.



Here are what some lane lines mean:

**Single broken line:** You may pass other vehicles or change lanes if you can do so safely and not interfere with traffic.



**Solid line with broken line:** If you're on the side with the solid line, you may not pass other vehicles or cross the line except to make a left turn into a driveway. If you're on the side with the broken line, you may pass if it is safe to do so and your driving will not interfere with traffic.



**Double solid lines:** You may not pass, or change lanes. You may not cross the lines except when turning left to enter or leave the highway (e.g., to or

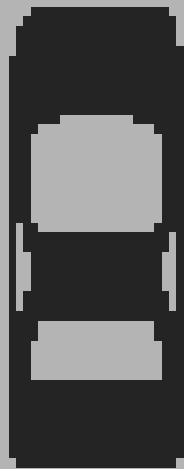
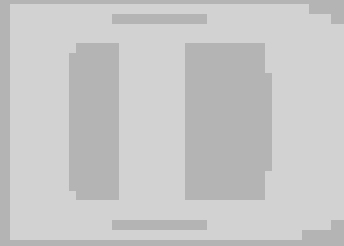


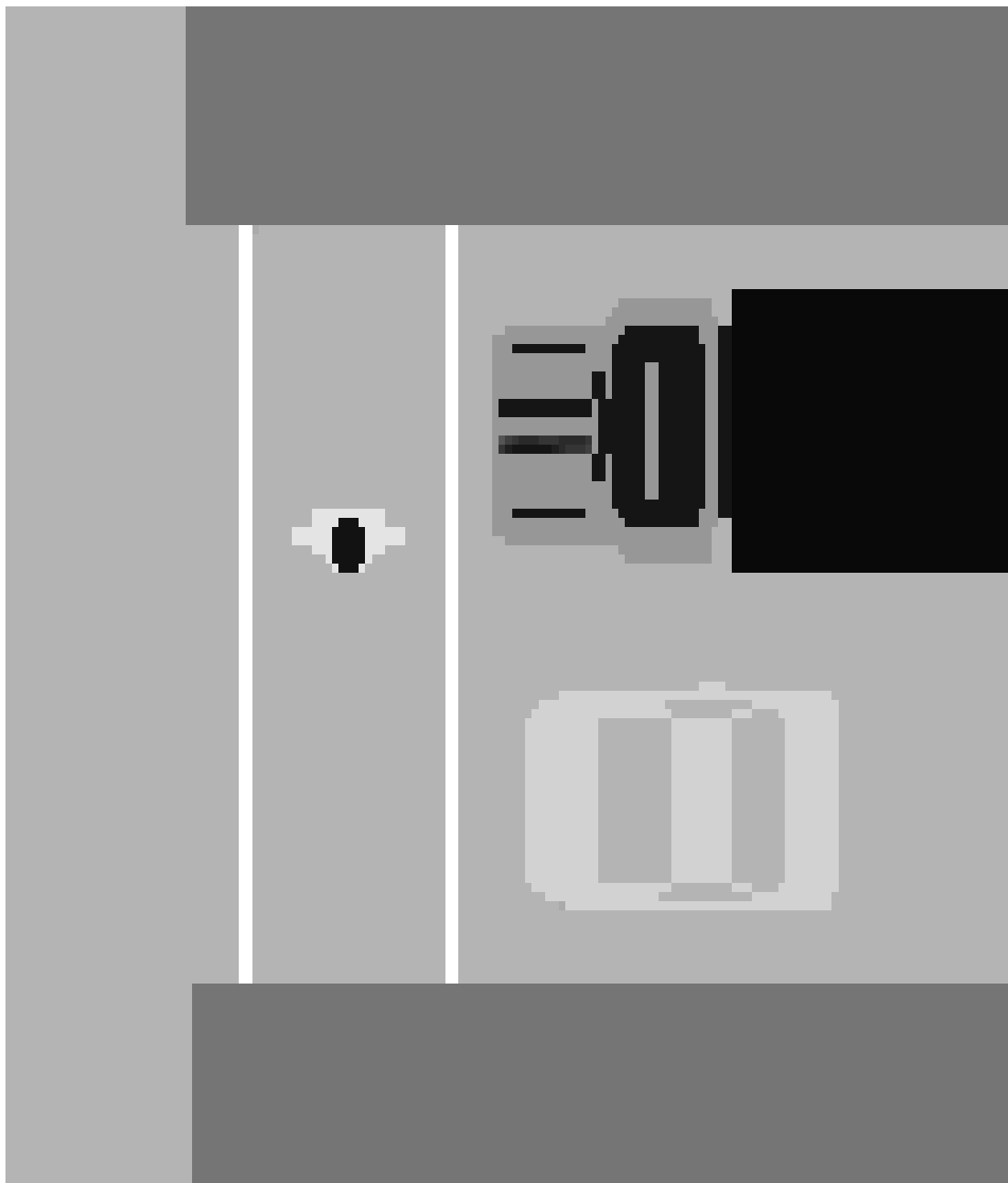
from a driveway or to perform a U-turn see [Chapter 5](#)).

**Single solid line:** You may pass other vehicles or change lanes, but you should do so only if obstructions in the road make it necessary or traffic conditions require it.



**Stop and Crosswalk Lines:** At an intersection controlled by a STOP sign, YIELD sign or traffic light, there may be a white stop line painted across the lane, and/or two parallel lines painted across the road, forming a crosswalk. When required to stop because of a sign or light, you must stop before reaching the stop line, if there is one, or the crosswalk. You need only stop at a stop line or crosswalk if required to do so by a light, sign or traffic officer, but be careful to look out for pedestrians at any crosswalk. (See "[Pedestrians](#)" in Chapter 11).





**Arrows:** Arrows show which lanes you must use. In this illustration, for example, you may turn right only from the right lane. If you are going straight, you must use the left lane. You should be in the proper lane before reaching the solid line which separates the lanes.



**Diamond Symbol:** This symbol is used to designate reserved lanes for buses, HOV's (High Occupancy Vehicles) such as car-pools and van-pools, bicycles, or other special vehicles. You may not enter and use these lanes unless your vehicle complies with the occupancy





or other requirements of the accompanying regulatory signs for the times the special conditions are in effect. When used to designate reserved lanes on city streets, sections of the solid white line separating the diamond lanes from the regular lanes may be replaced by dashed white lines. In these locations, non-HOV's may enter the HOV lane if they make a right turn at the next intersection. Bus lanes and HOV lanes are used to promote the most efficient use of limited street and highway capacity by assuring that vehicles with the highest priority move the fastest.

## **TRAFFIC OFFICERS**

Directions given by traffic officers take precedence over signs, signals or pavement markings. If a traffic officer signals you to stop at a green light, for example, you must stop. If an officer signals you to drive through a red light or stop sign, you must do so.

Among those authorized to direct traffic are police officers, peace officers such as on-duty auxiliary or fire police, highway work area flag persons, and school crossing guards.

## **QUESTIONS**

Before going on to Chapter 5, make sure you can identify the signs in this chapter and know what they mean. Also, make sure you can answer these questions:

- A regulation sign is usually what shape?
- What is the usual color and shape of a warning sign?
- What color and shape is a destination sign?
- What must you do at a STOP sign?
- What color and shape is a railroad crossing warning sign?
- What would you do when facing each of the following: a flashing red light, flashing yellow light, steady yellow light, a red light with a green arrow?
- What does it mean if an edge line slants in toward the center of the road?
- What do each of these types of lines mean: single broken, single solid, double solid, solid and broken together?
- If an intersection has crosswalk lines but no STOP line, where would you stop for a red light at that intersection?
- What type of pavement marking is used to show you which lane you must use for a turn?

- Which of the following must you obey over the other three: steady red light, flashing red light, STOP sign, police officer?

## Chapter 5 Intersections and Turns

### Topics:

- [Right-of-Way](#)
- [Emergency Vehicles](#)
- [Blue, Green and Amber Lights](#)
- [Turns](#)
- [U-Turns](#)
  
- [Practice Quiz](#)

**Note:** Practice quizzes are available only for those sections of the manual covering rules of the road (Chapters 4 through 11 and Road Signs).

Most traffic crashes occur at intersections when a driver is making a turn. Many occur in large parking lots that are open to public use, such as at shopping centers. To avoid such crashes, you must understand the right-of-way rules and how to make proper turns.

### RIGHT-OF-WAY

Traffic signs, signals, and pavement markings do not always resolve traffic conflicts. A green light, for example, does not resolve the conflict between a car turning left at an intersection while an oncoming car is going straight through. The right-of-way rules help resolve these kinds of conflicts. They tell drivers who goes first and who must wait in different situations.

**Here are the right-of-way rules, with examples of how they apply on the road:**

- *A driver approaching an intersection must yield the right-of-way to traffic already lawfully using the intersection.*

**Example:** You are nearing an intersection. The traffic light is green, and you want to drive straight through. Another vehicle is already in the intersection, turning left. You must let that vehicle complete its turn before you enter the intersection.

- *If drivers approaching from opposite directions reach an intersection at about the same time, a driver turning left must yield to approaching traffic going straight or turning right.*

**Example:** You want to turn left at an intersection ahead. A vehicle is approaching from the opposite direction, going straight ahead. You must wait for approaching traffic to go through before you turn. You may enter the intersection, however, to prepare for your left turn if the light is green and no other vehicle ahead of you is preparing for a left turn (see "Turns" later in this chapter). When you enter the intersection, stay to the right of the center line. Keep your wheels straight to avoid being pushed into oncoming traffic should a rear-end collision occur. When approaching traffic clears or stops for a red light, complete your turn.

You must also yield to approaching traffic when turning left into a driveway, alleyway, parking lot or other area, even if the turn is not controlled by signs or signals.

For any left turn, the law requires you to yield to any approaching traffic close enough to be a hazard. Deciding when traffic is too close takes experience and judgment. If you have any doubt, wait for traffic to pass before turning left.

- *At intersections not controlled by signs or signals, or where two or more drivers stop at STOP signs at the same time and they are at right angles to one another, the driver on the left must yield the right-of-way to the driver on the right.*

**Example:** You are stopped at a stop sign, and you are going to go straight through the intersection. A driver on the intersecting road has stopped at a stop sign on your right, and is also going to go straight. You must yield the right-of-way to the other driver.

- *A vehicle entering a roadway from a driveway, alley, private road, or any other place that is not a roadway, must stop and yield the right-of-way to traffic on the roadway, and to pedestrians.*

**Example:** You are driving out of a parking lot and turning right as you enter a street. A vehicle is approaching from your left. You must stop and wait for the vehicle to pass before turning onto the street. If you were turning left, you would have to yield to vehicles approaching from both directions. If a pedestrian were crossing the parking lot exit, you would have to wait for him or her to cross.

- *Drivers must yield to pedestrians legally using marked or unmarked crosswalks.*

**Example:** You are stopped at a red light. A pedestrian steps into the crosswalk, and then the light turns green. You must wait for the pedestrian to cross. You must also yield to pedestrians in crosswalks on your left or right before turning.

- *You may not enter an intersection if traffic is backed up on the other side and you cannot get all the way through the intersection. Wait until traffic ahead clears, so you do not block the intersection.*

- *A driver entering a traffic circle, sometimes called a rotary, must yield the right-of-way to drivers already in the circle.*

## EMERGENCY VEHICLES

You must yield the right-of-way to fire, ambulance, police and other authorized emergency vehicles when they are responding to emergencies. They will display flashing red, or red and white, lights and sound a siren or air-horn. When you hear or see an emergency vehicle approaching your vehicle from any direction, including on your side of an expressway or limited access highway, safely pull over immediately to the right edge of the road and stop. Wait until the emergency vehicle passes before driving on. If you are in an intersection, drive out of it before you pull over.

*You must pull over and stop for an emergency vehicle even if it is coming toward you in the opposite lane of a two-way roadway.*

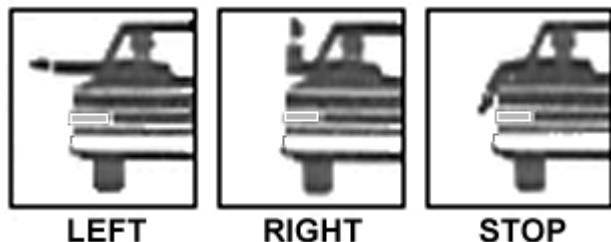
If you hear a siren or air-horn nearby but do not know exactly where the emergency vehicle is, you should pull over and stop until you are sure it is not approaching you. An emergency vehicle using lights and a siren or air-horn may be unpredictable. The driver may legally exceed the speed limit, pass red lights and STOP or YIELD signs, go the wrong way on one-way streets and turn in directions not normally allowed. Although emergency vehicle drivers are required to exercise due care, be very cautious when an emergency vehicle approaches.

## BLUE, GREEN AND AMBER LIGHTS

Personal vehicles driven by volunteer fire fighters responding to alarms are allowed to display blue lights, and those driven by volunteer ambulance or rescue squad members may display green lights. Amber lights on hazard vehicles such as snow plows and tow trucks warn other drivers of possible dangers. Flashing amber lights are also used on rural mail delivery vehicles and school buses to warn approaching traffic of their presence. The vehicles displaying blue, green, or amber lights are not authorized emergency vehicles. Their drivers must obey all traffic laws. While you are not required to yield the right-of-way, you should yield as a courtesy if you can do so safely.

## TURNS

Always signal before you make a turn or change lanes. It is important that other highway users know your intentions. The law requires you to signal a turn or lane change with your directional lights or hand signals at



least 100 feet (30 m) ahead. A good safety tip is to, whenever possible, signal your intention to turn before you actually begin braking to make the turn. The required hand signals are shown.

**Keep these other tips in mind when preparing to turn:**

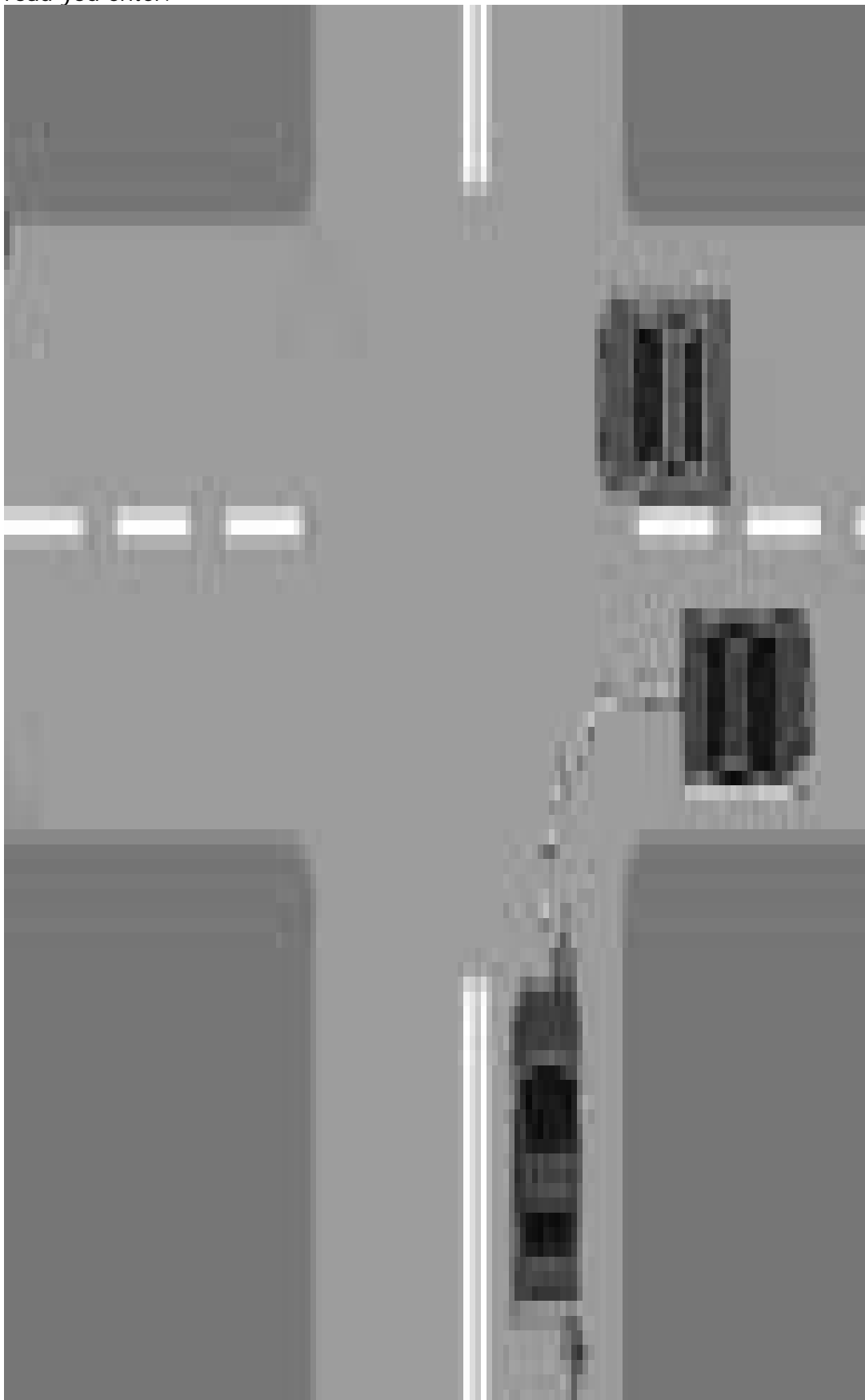
- Reduce your speed.
- Be alert for traffic on all sides. Take special care to check for motorcycles. Most crashes involving motorcycles and other vehicles are caused because the driver of the other vehicle has failed to see the motorcycle.
- Keep in mind that your rear wheels will travel inside the path of the front wheels, closer to the curb (right turn) or opposing traffic (left turn).
- Watch out for pedestrians, bicyclists and moped riders, especially on right turns. They are often difficult to see in traffic.

The following illustrations show the proper position of your vehicle for turns. These positions are based on requirements in the law, not just good advice.

**RIGHT TURN:**

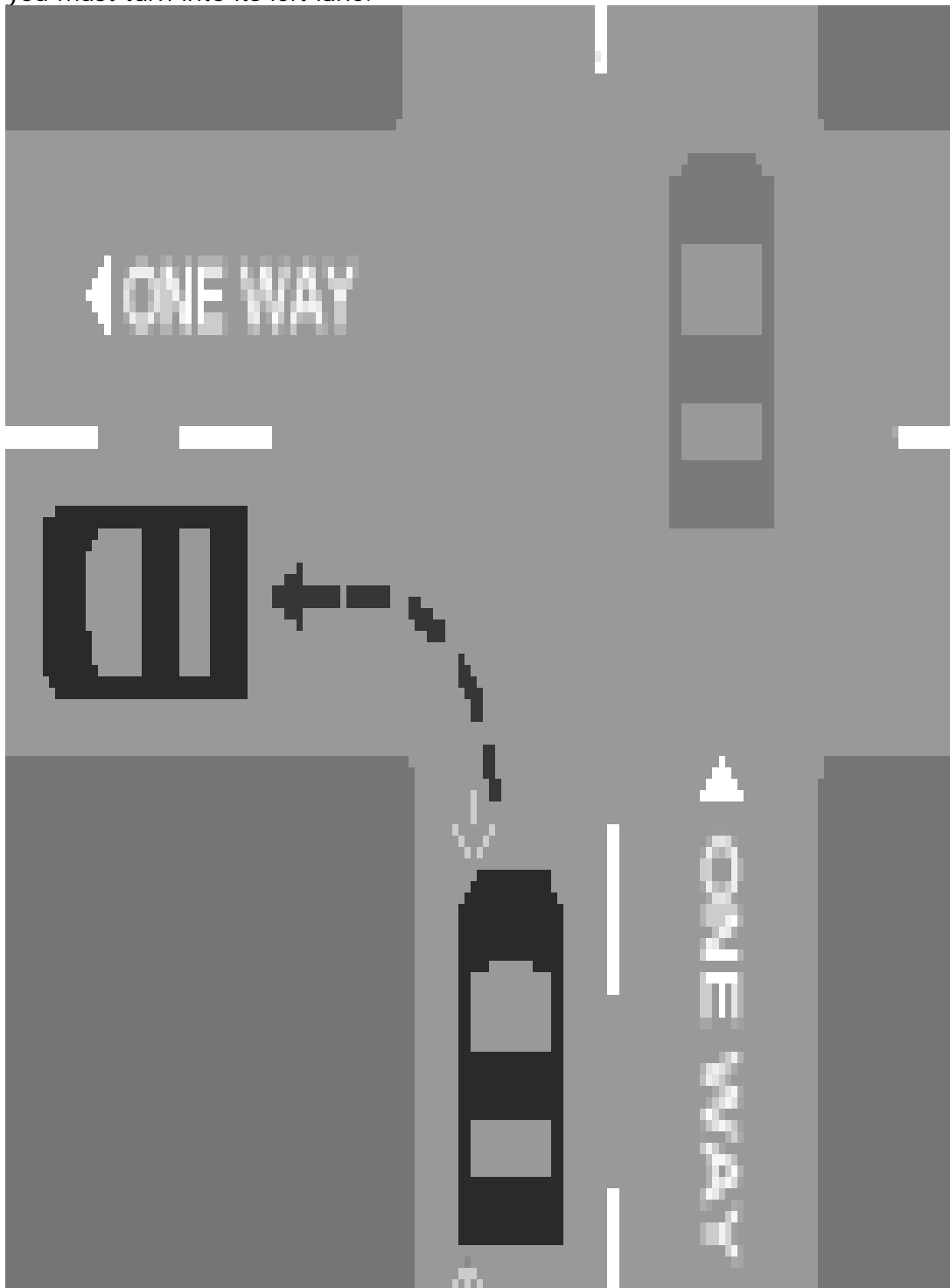
As you prepare to turn, stay as far to the right as possible. Avoid making wide, sweeping turns. Unless signs direct you otherwise, turn into the right lane of the

road you enter.



**LEFT TURN FROM ONE-WAY ROAD INTO ONE-WAY ROAD:**

Prepare to turn by getting into the left lane, or the left side of a single lane, as close as possible to the left curb or edge of the road. If the road you enter has two lanes, you must turn into its left lane.



**LEFT TURN FROM ONE-WAY ROAD INTO TWO-WAY ROAD:**

Approach the turn in the left lane or from the left side of a single lane. As you cross the intersection, enter the two-way road to the right of its center line, but as close as

possible to the center line. Be alert for traffic, especially motorcycles, approaching from the road to the left. Oncoming motorcycles are difficult to see, and it is difficult to judge their speed and distance away.

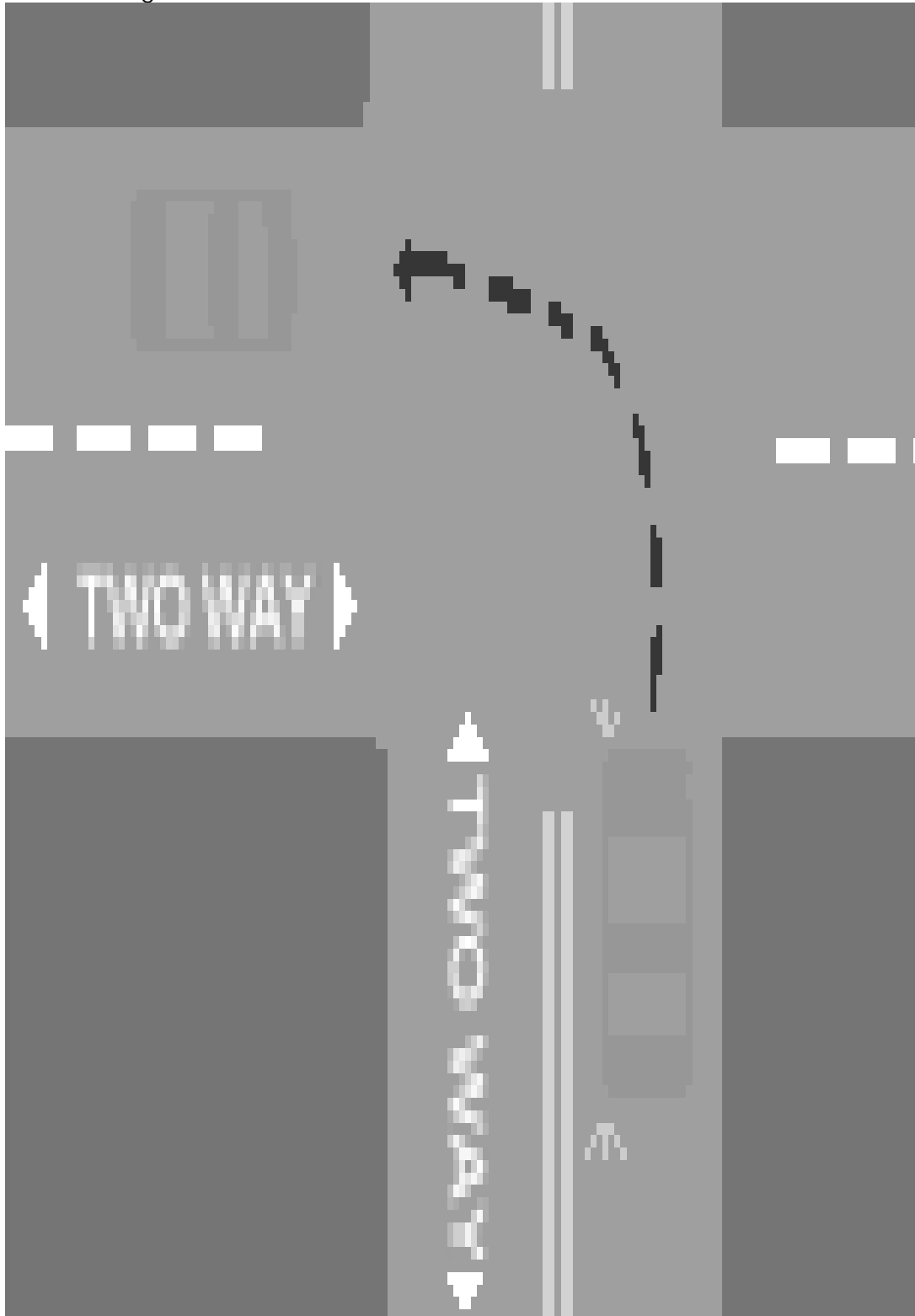


**LEFT TURN FROM TWO-WAY ROAD INTO TWO-WAY ROAD:**

Approach the turn with your left wheels as close as possible to the center line. Try to

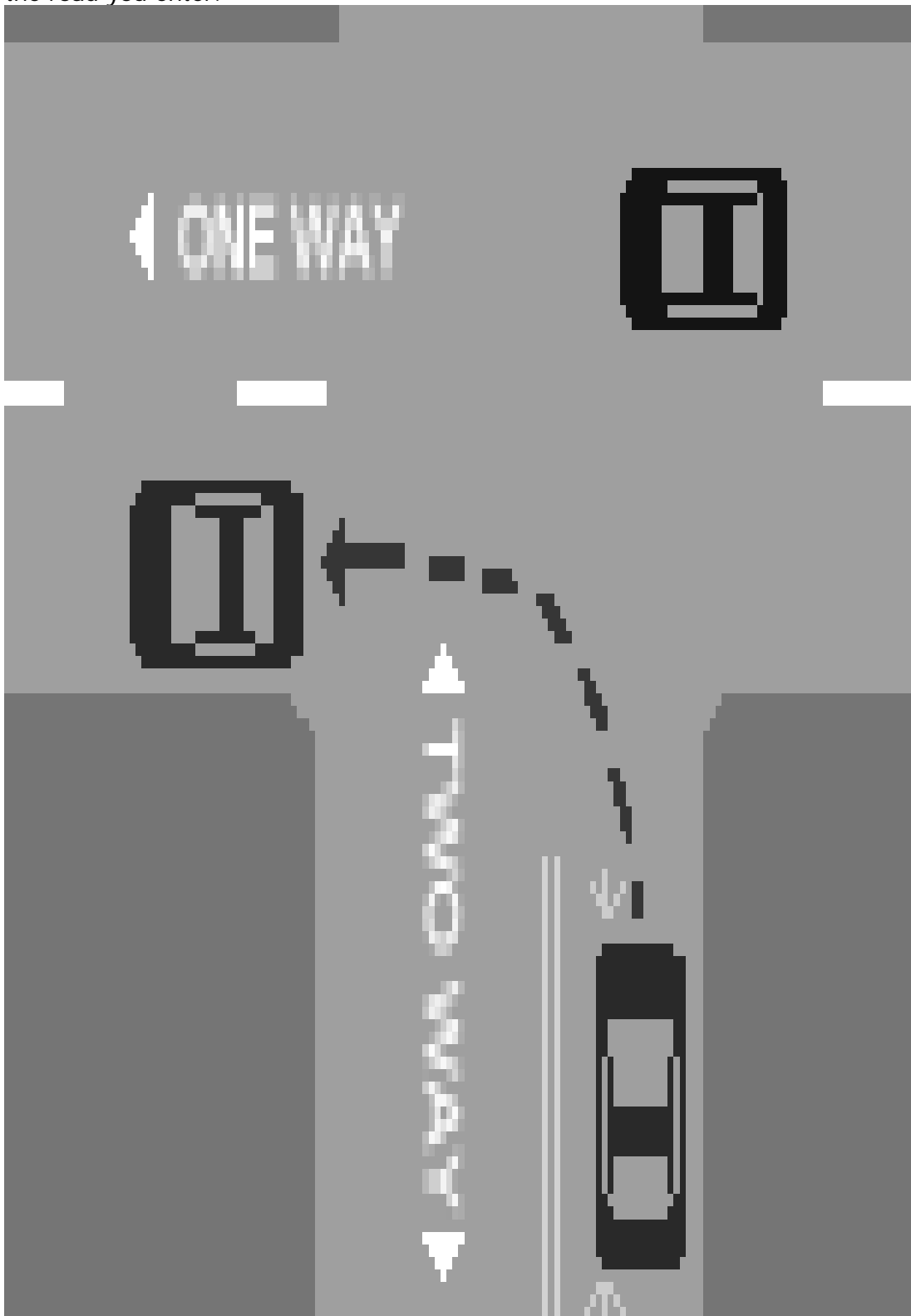


use the left side of the intersection to help ensure that you do not interfere with opposing traffic turning left. Stay to the right of the center line of the road you enter, but as close as possible to the center line. Be alert for traffic, especially motorcycles, approaching from the left and from the oncoming lane you are about to cross. Oncoming motorcycles are difficult to see, and it is difficult to judge their speed and distance away. Drivers often fail to see an oncoming motorcycle and collide with it while making a turn across a traffic lane.



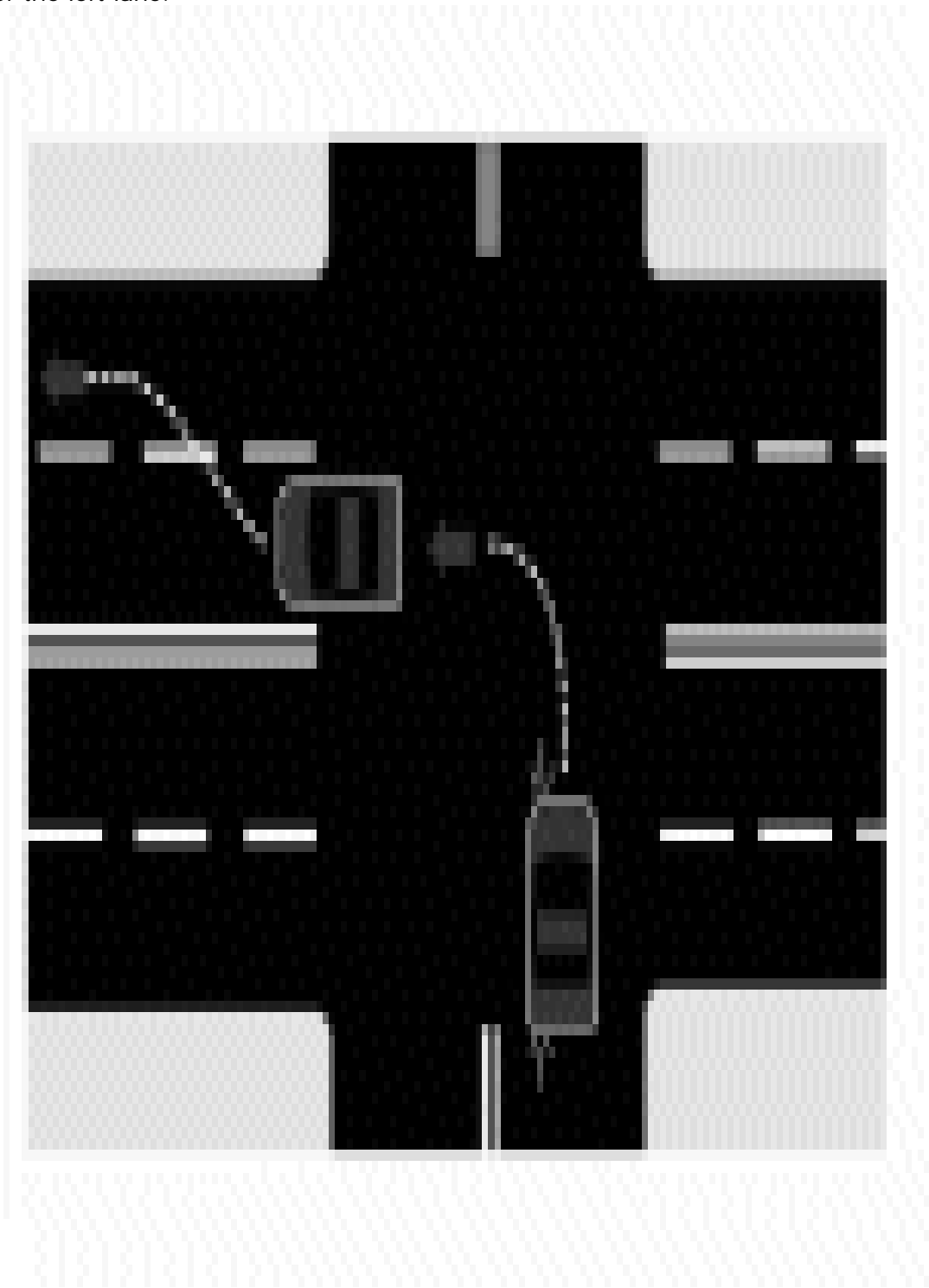
**LEFT TURN FROM TWO-WAY ROAD INTO ONE-WAY ROAD:**

Approach the turn with your left wheels as close as possible to the center line. Make the turn before reaching the center of the intersection, and turn into the left lane of the road you enter.



**LEFT TURN FROM TWO-WAY ROAD INTO FOUR-LANE HIGHWAY:**

Approach the turn with your left wheels as close as possible to the center line. Enter the left lane, to the right of the center line. When traffic permits, you may move out of the left lane.



## U-TURNS

A "U-turn" is any turn "executed so as to proceed in the opposite direction." Do not attempt a U-turn on a highway unless absolutely necessary. If you must turn around, use a parking lot, driveway or other area, and, if possible, re-enter the roadway going forward, not backing up.

You may make a U-turn only from the left portion of the lane closest to the centerline of the roadway, never from the right lane. Unless signs tell you otherwise, you may make a U-turn when you are given the go-ahead by a green arrow left-turn traffic signal, provided it is not prohibited and you yield to other traffic.

You may not make a U-turn near the crest of a hill, a curve or any other place where other drivers cannot see your vehicle from 500 feet (150 m) away in either direction. U-turns are also illegal in business districts of New York City and where NO U-TURN signs are posted. You may never make a U-turn on a limited access expressway, even if paths connect your side of the expressway with the other side.

Unless prohibited, a three-point turn may be used to turn around on a narrow, two-way street. You may be required to make one of these turns on your road test.

### To make a three-point turn:

1. Signal with your right directional, then pull over to the right and stop. Signal with your left directional, then check carefully for approaching traffic.
2. Turn left, cross the road so you come to a stop while facing the left curb or edge of the road.
3. Check again for traffic. Turn your steering wheel as far to the right as possible, then back up to the right curb or edge of the road.
4. Stop, check again for other traffic, then pull away from the curb.



## QUESTIONS

Before going on to Chapter 6, make sure you can answer these questions:

- What is the hand signal for a stop? A right turn?
- If two drivers enter an intersection from opposite directions at the same time, one going straight, the other turning left, which must yield the right-of-way?
- If you enter an intersection to make a left turn, but oncoming traffic prevents you from making the turn right away, what should you do?
- If you reach an uncontrolled intersection at the same time as a driver on your right, and both of you are going to go straight, who has the right-of-way?

- What must you do if you are entering a road from a driveway?
- You are facing a green light, but traffic on the other side of the intersection would keep you from going all the way through the intersection. May you enter the intersection?
- Does a vehicle about to enter a traffic circle or rotary have right-of-way over vehicles already in the circle?
- What should you do if you hear a siren nearby but cannot see where the emergency vehicle is?
- How far before a turn must you signal?
- When preparing for a right turn, should you stay as close to the center of the lane as possible?
- Where should you position your vehicle when preparing to make a left turn from a two-way roadway into a one-way roadway?

## Chapter 6 Passing

- [Passing on the Left](#)
- [Passing on the Right](#)
- [Being Passed](#)
- [School Buses](#)
- [Practice Quiz](#)

**Note:** Practice quizzes are available only for those sections of the manual covering rules of the road (Chapters 4 through 11 and Road Signs).

In general, the law requires that we drive on the right side of the road. When passing is allowed, we usually pass other vehicles on the left. Passing on the right is permitted only in limited circumstances, and should be done only when necessary and safe to do so.

When passing other vehicles or changing lanes to avoid hazards, do so with caution and only when necessary. You must not exceed the speed limit to pass another vehicle.

When passing a motorcycle, remember to give the motorcycle the same full lane width as other vehicles are allowed. **Never** move into the same lane space as a motorcycle, even if the lane is wide and the motorcyclist is riding to one side.

The law requires you to use directional or hand signals at least 100 feet (30 m) before making a lane change. You may **never** pass a vehicle which has stopped at a crosswalk to allow a pedestrian to cross.

## PASSING ON THE LEFT

The left lane is usually used for passing other vehicles. However, you may **not** pass a vehicle on the left if:

- Your lane has a solid yellow center line.
- You cannot safely return to the right lane before reaching a solid yellow center line for the right lane.
- You cannot safely return to the right lane before any approaching vehicle comes within 200 feet (*60 m*) of you.
- You are approaching a curve or the crest of a hill on a two-way road and cannot see around or over it.
- You are within 100 feet (*30 m*) of a railroad crossing on a two-way roadway.
- You are within 100 feet (*30 m*) of a bridge, tunnel or viaduct on a two-way road and your view is obstructed.
- Passing will interfere with oncoming traffic.

If conditions are right for passing, check in your mirrors and signal your lane change. Before pulling into the left lane, glance briefly over your left shoulder, through the rear side window, to make sure no vehicle is passing you or close behind you in the left lane. Never rely on your mirrors alone when preparing to change lanes. Even properly adjusted mirrors will leave "blind spots" behind you on both sides. If a vehicle is in the blind spot, you may not see it in your mirrors. Always glance over your shoulder before changing lanes or passing.

When passing, move completely into the left lane. Before returning to the right lane, signal and look at your interior rearview mirror and make sure you can see the front bumper of the vehicle you just passed. Glance quickly over your right shoulder to double-check that you can see at least several feet of pavement between your vehicle and the one you passed. Then return to the right lane.

## PASSING ON THE RIGHT

You should usually pass other vehicles on the left, but passing on the right is allowed in certain situations. You may pass a vehicle on the right only in the situations listed below, and only if you can do so safely. You may not drive on or across the shoulder or edge line of the road unless a sign permits it. You may pass on the right:

- When a vehicle ahead is making a left turn.
- When you are driving on a one-way road that is marked for two or more lanes or is wide enough for two or more lanes, and passing is not restricted by signs.

If you are going to pass on the right at an intersection, check traffic ahead carefully. Make sure an oncoming vehicle is not turning left into your path, and watch out at the right side of the road for pedestrians, bicyclists, in-line skaters and moped riders.

Before you pass on the right on multilane roads such as expressways, make sure you check your mirrors, use the proper signals for lane change, and look over your right shoulder for other vehicles. After passing, be sure to check over your left shoulder, and to signal, before returning to the left lane.

## BEING PASSED

If another vehicle passes you on the left, slow down slightly and keep to the right. When the vehicle has safely passed and is well ahead of you, resume your normal speed. If you find that many vehicles are passing you on the right, you should move into the right lane and allow them to pass you on the left.

## SCHOOL BUSES

When a stopped school bus flashes its red light(s), traffic approaching from either direction, even in front of the school and in school parking lots, must stop before reaching the bus. You should stop at least 20 feet (6 m) away from the bus. You can identify this bus by a "SCHOOL BUS" sign, the red lights on top, and its unique yellow/orange color.

Before a school bus stops to load or unload passengers, the driver will usually flash yellow warning lights. When you see them, slow down and be prepared to stop.

Once stopped for a school bus, you may not drive again until the red lights stop flashing or when the bus driver or a traffic officer waves you on. **This law applies on all roadways in New York State. You must stop for a school bus even if it is on the opposite side of a divided highway.**

After stopping for a school bus, watch for children along the side of the road. Drive slowly until you have passed them.

Safety Tip: Most school bus-related deaths and injuries occur while children are crossing the street after leaving the bus, not in collisions involving school buses.

Keep in mind that vehicles transporting disabled persons may be equipped as school buses, and you must stop for them just as you would for other school buses.

The fine for passing a stopped school bus ranges from a minimum of \$250 for a first violation to a maximum of \$1,000 for three violations in three years. In addition, if you are convicted of three such violations in three years, your license will be revoked for a minimum of six months.

## QUESTIONS

Before going on to Chapter 7, make sure you can answer these questions:

- In most situations, on which side should you pass another vehicle going in the same direction?
- What should you do before passing another vehicle?
- What should you see in your rearview mirror before attempting to return to the right lane after passing a vehicle on the left?
- In what situations may you pass a vehicle on the right?
- When may you pass a vehicle stopped at a crosswalk to allow a pedestrian to cross?
- What action should you take when another vehicle passes you on the left?
- What do flashing yellow lights on a school bus mean?
- What do flashing red lights on a school bus mean?

## Chapter 7 Parallel Parking

### Topics:

- [How to Park](#)
- [Parking on a Hill](#)
- [Pulling Out From Parallel Parking](#)
- [Parking Regulations](#)
- [Reserved Parking for the Disabled](#)
- [Practice Quiz](#)

**Note:** Practice quizzes are available only for those sections of the manual covering rules of the road (Chapters 4 through 11 and Road Signs).

Parallel parking takes practice and skill, and is part of every road test. You should also know where parking is illegal and what NO PARKING, NO STANDING and NO STOPPING signs mean.



## HOW TO PARK

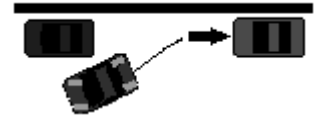
Many motorists consider parallel parking the most difficult part of driving. But practice will teach you how to back up properly and to judge distances and angles. Patience and self confidence will help you master the task.

**The following instructions are basic and general. You must adjust parallel parking procedures to the particular situation. Plenty of practice is the only way to learn properly.**

1. Select a space that is large enough for your vehicle on your side of the road. Check your mirrors before stopping, and signal to alert other drivers. Pull up alongside the vehicle in front of the space, leaving about two feet between the other vehicle and yours.



2. Look behind you over both shoulders to make sure you will not interfere with pedestrians or oncoming traffic. Back up slowly, and begin to turn your steering wheel all the way toward the near curb. Look through the rear window, not the rearview mirrors, as you back up. Check to the side and front occasionally to make sure you are clearing the vehicle ahead.



3. When your front wheels are opposite the rear bumper of the vehicle ahead, turn the steering wheel the other way while continuing to back up. Make sure you clear the vehicle ahead. Look back, and stop to avoid bumping the vehicle behind you.



4. Straighten your wheels, and pull forward. Allow room for the vehicles ahead and behind you to get out. In your final parking position, your wheels must be no more than one foot (30 cm) from the curb.



To get closer to the curb, alternately pull forward and back up, turning the steering wheel first toward the curb and then quickly straight again.

After parking, remember that you may not open the door on the road side if it will interfere with traffic.

## PARKING ON A HILL

After you park on a hill, be sure to set your parking brake. Just in case the parking brake fails, turn the wheels so they will keep your vehicle from rolling into traffic.

If there is a curb, turn your steering wheel all the way away from it if you're facing uphill, or all the way toward it if you're facing downhill. If your vehicle starts to roll, the wheels should stop the vehicle at the curb and prevent it from rolling downhill. This method works best where the curb is relatively high. If there is no curb or a very low one, whether you are facing uphill or down, turn your wheels all the way toward the nearest side of the road. If your vehicle does start to roll, it will probably roll away from the street and traffic.

## PULLING OUT FROM PARALLEL PARKING

To pull out of a parallel parking space, make sure your wheels are straight, back up to the vehicle behind you, and turn your wheels away from the curb.

Six steps to entering more safely into traffic: 1) Turn your head to look over your right shoulder and check through the backseat rear-window for pedestrians, bicyclists, motorcyclists and other vehicles that may become a hazard; 2) use your vehicle's interior rearview mirror to help keep an eye on hazards behind your vehicle; 3) signal your intentions to move from your parking space into traffic; 4) check your vehicle's side view mirrors, especially on the driver's side, for approaching vehicles, pedestrians, bicyclists, in-line skaters, motorcyclists, and other highway users; 5) turn your head to look over your left shoulder out through the backseat rear-window, and begin to slowly drive forward, making sure you can enter traffic without hitting the vehicle parked ahead; 6) again turn your head and look over your left shoulder to re-check through the backseat rear-window, pull out into the traffic lane only when it is safe to do so.

## PARKING REGULATIONS

What people generally understand as "parking" is legally divided into three categories: parking, standing and stopping.

A **NO PARKING** sign means you may stop only *temporarily* to load or unload merchandise or passengers.

A **NO STANDING** sign means you may stop only *temporarily* to load or unload passengers.

A **NO STOPPING** sign means you may stop *only* in order to obey a traffic sign, signal or officer, or to avoid conflicts with other vehicles.

Besides posted parking, standing and stopping rules, there are statewide rules not always indicated by signs:

**Parking, standing or stopping is not allowed:**

- Within 15 feet (*5 m*) of a fire hydrant, unless a licensed driver remains in the vehicle to move it in an emergency.
- On the road side of a parked vehicle ("double parking").
- On a sidewalk or in a crosswalk.
- In an intersection, unless permitted by signs or parking meters.
- On railroad tracks.
- Alongside or opposite road excavations, construction or other obstructions if your vehicle would block traffic.
- Within 30 feet (*10 m*) of a pedestrian safety zone, unless another distance is marked.
- On a bridge or in a tunnel.

**Parking or standing is not allowed:**

- In front of a driveway.
- Within 20 feet (*6 m*) of a crosswalk at an intersection.
- Within 30 feet (*10 m*) of a traffic light, STOP sign or YIELD sign.
- Within 20 feet (*6 m*) of a fire station driveway, or within 75 feet (*23 m*) on the opposite side of the road.
- Along a curb that has been cut down, lowered or constructed for access to the sidewalk.

In addition, you may not park your vehicle within 50 feet (*15 m*) of a railroad crossing.

## **RESERVED PARKING FOR THE DISABLED**

Parking reserved for people with disabilities is not merely a convenience, it is a legal requirement. These special parking spaces for motorists with disabilities ensure safe and equal access to goods and services, access which is taken for granted by most of us. You can help by parking in reserved spaces only if you have a permit or plates for people with disabilities, and only when the person who received the permit or plates is in the vehicle.

It is illegal for any vehicle to park, stop, or stand in a space reserved for the disabled unless it has license plates for the disabled issued by the DMV, a New York State Parking Permit for the Disabled (MV-664) issued by a locality, or a similar plate or permit issued by another state. In addition, the vehicle must actually be in use to transport the disabled person named in the registration or permit. This law applies to spaces reserved and posted by local ordinance on streets and highways, and those

set aside by state law in shopping centers that have five or more stores and 20 or more off-street parking spaces available to the public.

It is a misdemeanor to make a false statement or give false information on an application for license plates. Making a false statement or providing misinformation to obtain a parking permit for a person with a disability is punishable by a fine from \$250 to \$1,000, plus a mandatory surcharge of \$30, and potential civil penalties from \$250 to \$1,000. These penalties apply both to the applicant and to a doctor providing certification.

For more information about reserved parking for the disabled, and how to qualify and apply for a license plate or parking permit, see *Parking for People With Disabilities* (C-34). This publication is available from the DMV Internet Office, by request from a DMV Call Center, and at any motor vehicle office.

Reserved spaces should be marked with signs such as the one shown, and also may be designated with pavement markings. Also, do not park in the diagonally-striped spaces next to reserved parking areas. These spaces are needed to enable access by those with wheelchairs and specially-equipped vehicles.



The fines for on-street parking violations are set by localities. Unless a locality sets higher penalties, the fine for a shopping center violation is \$50 to \$75 for a first offense and \$75 to \$150 for a second offense within two years in the same locality. A mandatory surcharge of \$30 will be added to each penalty.

## QUESTIONS

Before going on to Chapter 8, make sure you can answer these questions:

- After you have parallel parked, how close to the curb must your vehicle be?
- May you open a door on the road side of your vehicle if no traffic is coming?
- Before pulling out of a parking space, what should you do?
- What does a NO STOPPING sign mean?
- Can you stop to load or unload passengers at a NO STANDING or NO PARKING sign?
- May you park on a crosswalk in the middle of a block?

## Topics:

- Be Prepared and Look Ahead
- Aggressive Drivers and Road Rage
- Road Rage
- Speed
- Allowing Yourself Space
- Seat Belts, Child Safety Seats, and Air Bags
- Driving Safely in a Work Zone
- Driving Through a Roundabout
- Drowsy and Fatigued Driving
- Using a Cellular or Mobile Telephone
- Vehicle Condition
  
- **Practice Quiz**

**Note:** Practice quizzes are available only for those sections of the manual covering rules of the road (Chapters 4 through 11 and Road Signs).

Almost all drivers consider themselves good drivers. When you gain experience and confidence, you probably will think of yourself as a good driver, too. But even the best drivers make mistakes now and then. Equipment fails, weather conditions may be bad, and you may encounter drivers who ignore traffic laws or drive unpredictably. To avoid making mistakes yourself, or being involved in a traffic crash because of someone else's mistake, learn to drive defensively. The defensive driving rules are simple:

- Be prepared and look ahead.
- Maintain the proper speed.
- Signal before turning or changing lanes.
- Allow yourself space.
- Wear your seat belt.
- Do not drive if you are very tired, are on medication or have been drinking alcoholic beverages.
- Keep your vehicle in good operating condition.

## **BE PREPARED AND LOOK AHEAD**

You should sit comfortably, but upright, and keep both hands on the steering wheel. Slumping in the driver's seat, or steering with one hand makes it harder to control

your vehicle, and your "relaxed" position can lead to a dangerously relaxed attitude toward driving.

Traffic conditions change constantly. You cannot afford to let your attention wander from what is going on around you. Always scan the road ahead. Do not use the road or even the vehicle directly ahead as your only focal point. Look ahead so you can avoid, or lessen, potential problems.

Keep your eyes moving, notice what's happening at the sides of the road, and check behind you through your mirrors every few seconds.

Anticipate mistakes by other drivers and think about what you will do if a mistake does happen. Do not always assume that a driver approaching a STOP or YIELD sign on a side road is actually going to stop or yield. It is better to assume the other driver may not stop. Be ready to react.

Watch for the rotation and angle of the wheels on a car approaching on a side road. The speed of rotation and angle of the front wheels give you clues to whether the driver is slowing to stop or planning to turn in a certain direction. If the rotation does not seem to be slowing as the driver approaches a required stop, you should pad your brake and prepare to stop, and lightly tap your horn to get the driver's attention. If the angle of the front wheels does not match the direction of the driver's turn signal, be prepared to react to an improper turn, or no turn. The earlier and deeper you look into upcoming cross streets, the more time and space you give yourself to react. *copyright 1991 Lynn S. Fuchs*

## **AGGRESSIVE DRIVERS AND ROAD RAGE**

Aggressive driving includes speeding, which often leads to following too closely, frequent or abrupt lane changes without signaling, passing on the shoulder or unpaved portions of the roadway, or harassing motorists who just happen to not get out of the way. Aggressive drivers also may run stop signs and red lights, pass stopped school buses, fail to keep right, drive while impaired by alcohol or drugs, and drive recklessly. A few threaten, or attempt to cause, physical damage to another driver. And that is how aggressive driving becomes road rage.

To prevent aggressive driving from developing into road rage, it is sometimes better to not make eye contact with another driver, especially where conflict can occur - the other driver may interpret eye contact as a "challenge."

### **When confronted by an aggressive driver:**

- Avoid eye contact.
- Stay calm and relaxed.
- Make every attempt to get out of the way safely. Do not escalate the situation.
- Put your pride in the back seat. Do not challenge an aggressive driver by speeding up or attempting to hold your position in your travel lane.

- Wear a seat belt and encourage your passengers to do the same.
- Ignore harassing gestures and name calling, and do not return them.
- Report aggressive drivers to the appropriate law enforcement authorities by providing a vehicle description, location, license plate number, and direction of travel.
- If you are being followed by an aggressive or threatening driver, do not stop or get out of your vehicle. Drive directly to the nearest police station.
- If an aggressive driver is involved in a crash, stop a safe distance from the crash scene. When the police arrive, report the driving behavior you witnessed.

**To avoid becoming an aggressive driver:**

- Allow enough travel time to reach your destination on schedule.
- Alter your schedule to avoid driving during peak highway congestion periods.
- If you're running late, call ahead so you can relax.
- Do not drive when you are angry, upset or overly tired.
- Make your vehicle comfortable. Listen to relaxing music and avoid situations that raise your anxiety.
- When driving, relax and remain aware of your posture. Sit back in your seat, loosen your grip on the steering wheel and do not clench your teeth.
- Give others the benefit of the doubt; be polite, courteous and forgiving.
- You can control your own reactions to other drivers. If someone else drives aggressively, do not retaliate.

**If you have the right-of-way, do not think of it as an absolute right. Be prepared to give up the right-of-way to avoid a crash or prevent confusion. Waiting a few seconds for another driver is far better than risking a crash. Knowing you were "in the right" will not make up for the expense or pain of a collision.**

## **ROAD RAGE**

What is "road rage"? Road rage is an emotional state of anger or hostility, which escalates into violent criminal acts, or threats or attempts of violent acts, that result from the operation of a motor vehicle. Road rage may include provocative behavior intended to intimidate or harass others or instill fear in them.

Aggressive driving is not road rage. However, aggressive driving can escalate into road rage. Aggressive driving generally involves the violation of a traffic safety law, while road rage generally involves the breaking of a criminal law.

Who can become road raged? It could happen to any of us when our irritation or anger with others leads us to drive, or behave outside, our vehicle in an unsafe or hostile manner. We become a threat to ourselves, and to the safety and lives of others on and near the road or highways. Reckless endangerment, threats of violence, assault, and other violent actions are illegal. They can result in severe penalties that include fines, imprisonment and court-ordered probation, as well as revocation and suspension of driver license.

**Road rage can include:**

- Verbal provocations, such as yelling, cursing, excessive horn honking, rude or obscene gestures and threats.
- Driving actions, such as cutting off another vehicle, extremely close tailgating, blocking another vehicle from using a traffic lane, pursuing or chasing another vehicle, or running it off the road, deliberate ramming or bumping of another vehicle.
- Stopping a vehicle at the side of the road, and getting out of it to threaten, frighten, attack, fight or hurt another motorist or passenger, or a pedestrian, cyclist, or other person.

Recent research indicates that being in a state of rage can affect your blood pressure, and your ability to reason and make decisions. As a driver, you will make more driving errors. You will increase your chances of causing or being involved in a traffic crash.

Aggressive driving and road rage leads to revoked or suspended driver licenses, difficulties between family members and friends, loss of employment, and significant legal problems.

Many drivers do not recognize when their own aggressive driving, and their own road rage, is affecting their ability to drive safely. State law requires every DMV-approved accident prevention course to address the hazards and dangers of road rage, and how to prevent it from occurring. For information about DMV-approved accident prevention courses, see the publication *Point & Insurance Reduction (C-32A)*, available from the DMV Internet Office, by request from a DMV Call Center, and at any motor vehicle office. You may also contact one of the program sponsors presented in the *DMV publication List of Course Sponsors (C-31)*, available at any state or county motor vehicle office.

## **SPEED**

You must obey the posted speed limit, or, if no limit is posted, drive no faster than 55 mph (88 km/h). Often, it is just common sense to keep your actual speed limit well below the posted limit. For example, the legal limit on an icy or foggy expressway might be 55 mph (88 km/h), or even 65 mph (100 km/h) on some highways, but the safe speed to drive would be much lower. Even if you were to drive at 50 mph (80 km/h) on that hazardous highway, a police officer could ticket you for driving at a speed "not reasonable and prudent" for existing conditions. As



with right-of-way, speed limits are not absolutes. You must adjust your speed if conditions require it.

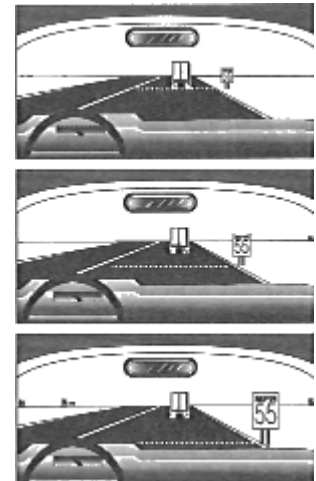
To keep traffic flowing smoothly, some highways also have minimum speed limits. Driving slower than the minimum speed can interrupt the traffic flow and create a dangerous situation. Even if there is no minimum speed limit, those driving much slower than the posted limit can be as dangerous as driving too fast.

**Be aware that some cities have speed limits lower than 55 mph (88 km/h) that may not be posted.** For example, the speed limit is 30 mph (48 km/h) in New York City unless another limit is posted.

## ALLOWING YOURSELF SPACE

Four of every ten crashes involve rear-end collisions, usually because someone is following too closely (tailgating). Leave enough room between your vehicle and the one ahead so you can stop safely if the other vehicle stops suddenly.

For a good "space cushion," use the two-second rule: Choose an object near or above the road ahead, such as a sign, tree or over-pass. As the vehicle ahead passes it, count aloud, slowly, "one thousand one, one thousand two." If you reach the same object before you finish counting, you are following too closely. Slow down and let the other vehicle get further ahead. In bad weather and when following large trucks, including tractor-trailers, increase the count to three at least or four seconds for extra space.



If a driver tailgates behind you, move to another lane if possible, or slow down and pull off the road if necessary, to let the driver go by you. Be sure to signal when you drive off the road and when you return to it. Do not press your brakes to warn the offending driver - this could make a difficult situation become even more dangerous.

Brake early and gently when preparing to stop or turn. It gives drivers behind you plenty of warning that you are slowing down.

Be aware of space on either side of you, too, in case you have to change lanes quickly or pull over to avoid a hazard. If possible, leave yourself some "escape" room to your left and right.

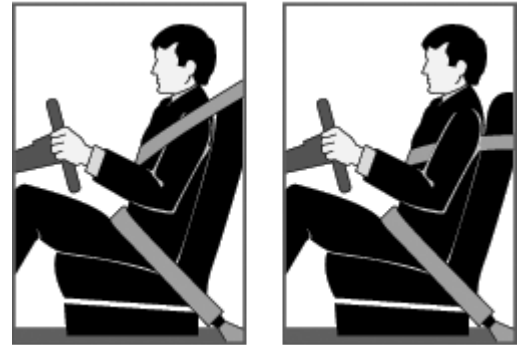
## SEAT BELTS, CHILD SAFETY SEATS, AND AIR BAGS

No matter how carefully you drive, there is always a chance you will be involved in a traffic crash. You cannot predict when it may happen. Your best protection in most

vehicles is a lap belt and shoulder harness in combination with an air bag. Some vehicles also have air bags to protect against side-impact traffic crashes.

A shoulder harness is worn across the shoulder and chest, not under the arm. Wearing the harness the wrong way could cause serious internal injuries in a crash.

*If you are wearing a seat belt, your chances are at least 50 percent less of being killed or seriously injured in a traffic crash than if you are not wearing one.*



All children under age 16 must also wear them, no matter where they ride in the vehicle. All children under age four must ride in federally-approved child safety seats, or if also over 40 pounds in weight use an appropriate child restraint system such as a booster seat. Beginning March 27, 2005, all children under age 7 must use an appropriate child restraint system, unless they are more than four feet nine inches tall. **If your vehicle has side impact air bags, please refer to your owner's manual for additional safety tips.** Persons 16 and older are responsible for buckling themselves up, and can be fined if they do not. If a passenger under 16 is not properly protected, the driver can be fined. The maximum fine for each seat belt violation is \$50. The fine for a violation involving a person under age 16 is at least \$25, and can be up to \$100.

New York is a "primary enforcement" state. A law enforcement officer can stop you and issue a traffic ticket just for failure to wear a seat belt or to make sure child passengers are properly buckled up or in safety seats. The law applies to out-of-state visitors as well as New York State residents.

New York's seat belt law applies to drivers and occupants of all vehicles except authorized emergency vehicles, taxis, liveries, buses (except for bus drivers), and 1964 and older model cars. Rural letter carriers are also exempt while delivering mail. Individuals who qualify for a medical exemption due to a physical disability which prevents seat belt use must carry a letter of exemption. This letter must be written on a physician's letterhead or prescription blank and signed by the physician. The DMV strongly recommends that medically exempted passengers ride in the back seat.

Whenever you drive, you should make sure everyone in your vehicle wears a seat belt. *In the event of a crash, a person without a belt becomes a projectile, and a danger to everyone else in the vehicle.* Make sure every child under age four in your vehicle is properly using an approved safety seat, and that the seat is properly installed.

We all share the financial burden of deaths and injuries due to traffic crashes. As you practice the safe driving techniques in this manual, make buckling up part of your routine - a habit as automatic as turning the key in the ignition or turning on the radio.

**Here are some facts to encourage you to buckle up:**

- If you are thrown out of a vehicle in a crash, your chances of being killed are *25 times greater* than if you stay inside.
- Eight of ten crashes happen at speeds of *less than 40 mph (64 km/h)*, and people have been killed in crashes at speeds *as low as 12 mph (19.2 km/h)*. About 75 percent of crashes occur *within 25 miles (40 km)* of the driver's home. Wear your seat belt even on short trips or when traveling at low speeds.
- Do not worry about being trapped by your seat belt. *Less than one-half of one percent* of all traffic crashes involve a fire or a vehicle going underwater. Even in these rare incidents, a seat belt keeps you from being knocked unconscious or being too badly injured to escape. It only takes a second or two to unfasten the belt so you can get out of the vehicle.
- A seat belt can help you avoid a crash. It helps you stay in position behind the steering wheel and near the brake pedal if your vehicle goes out of control. With a belt on, you may be able to regain control. Without it, you may not even be able to stay in the driver's seat.

For added protection, adjust your vehicle's head rest, lock the doors and keep loose, heavy objects out of the passenger area. Put them in the trunk instead.

Air bags provide an extra degree of protection against injuries when used with seat belts. They are meant to work **WITH** seat belts, not to replace them. An air bag protects a front-seat occupant in a head-on crash by inflating upon impact and cushioning the occupant from colliding with the steering wheel, dashboard or windshield. The combination of a seat belt and an air bag offers maximum protection, partly because they help the driver maintain control of the vehicle and help avoid secondary collisions.

The air bag deploys rapidly from the steering wheel and/or dashboard. Most adults who are properly buckled up are safer in a vehicle with air bags, but the force of an air bag deploying may injure those who sit too close to it. You should sit with **at least 10 inches** between the center of your chest and the cover of your vehicle's air bag. Also, place your hands on the steering wheel at the 3 and 9 o'clock positions to keep them out of the way if the air bag deploys.

**IMPORTANT: NEVER PUT AN INFANT IN A REAR-FACING CHILD SAFETY SEAT IN THE FRONT SEAT OF A VEHICLE THAT HAS A PASSENGER AIR BAG.**

## **DRIVING SAFELY IN WORK ZONE**

Roadwork zones are dangerous to drive in. And to work in. That is why speeding ticket fines are **doubled** in work zones, even when the workers or work vehicles are not there. Expect to encounter a work zone suddenly wherever you drive - you may have to strongly slow down, or even stop. Traffic lanes may shift sideways or be completely closed. Workers and work vehicles may be on or near your driving lane. Make your work zone driving safer by knowing what to do.

Diamond-shaped orange "work zone" warning signs are often posted in advance of road construction projects and other work areas that can affect traffic flow. One sign might read: "flagger ahead." A flagger is a worker who motions for you to stop, proceed with caution, or change lanes. A flagger has the same authority as a regulatory sign, which means you can be ticketed for disobeying his or her directions. Slow down! Be Alert! Obey the signs!

#### **Work Zone Tips:**

- Some signs may suggest a detour that allows you to avoid the work zone entirely. Also, if you already know where a work zone is located ahead, you may be wise to use an alternate route.
- As you enter a work zone, signs with flashing arrow panels or that warn "lane closed ahead" mean you should merge your vehicle into the proper lane as soon as safely practical. Don't zoom to the end of the closed lane and try to force your way into the other lane. If you move to the appropriate lane at first notice, your driving is more likely to be calm, efficient, and safe.
- Slow down when a sign says to do it. If it warns: "Road Work 1,500 feet," that means your car, traveling at 60 miles per hour, will get there in just 17 seconds. Faster than that, and your safety margin is even less.
- The rear-end collision is the most common crash in a work zone. To avoid being involved in one, it helps to keep a braking distance of two seconds, or more, between you and the vehicle in front of you. (See "[Allowing Yourself Space](#)," page 65) Keep a safe distance between your vehicle and traffic barriers, trucks, construction equipment and workers.
- Some work zones are mobile - such as line painting, road patching and mowing. These zones move up or down the roadway as the work is finished. Workers may be nearby even if you do not see them immediately after the warning signs. Obey the signs until you pass the one that states you have left the work zone.

## **DRIVING THROUGH A ROUNDABOUT**

A "roundabout" is a circular intersection with a relatively small diameter that makes drivers slow down, usually to 30 mph or less. Studies show a roundabout can reduce the number and severity of accidents at an intersection, compared to intersections controlled by stop signs or traffic signals. Modern roundabouts are widely used Europe and Australia, and are becoming more common in New York State. More information about driving safely through a roundabout is presented on the NYS Department of Transportation internet site:  
<http://www.dot.state.ny.us/roundabouts/howto.html>.

#### **Tips for driving safely through a roundabout:**

- As you approach the roundabout, look for the street and direction signs you need. This will help you know which exit to take. These signs should be



posted along the roadside before you reach the roundabout.

- When you arrive at the roundabout, yield the right-of-way to any pedestrians and bicyclists that also might be entering. You also must yield to any drivers already in the roundabout. Sometimes your entry point will be controlled by a stop sign or traffic signal. When the traffic level allows enough space and time, you may enter the roundabout.
- While inside the roundabout, stay in your lane until you are ready to exit. Use your vehicle's right turn signal to let the other users know what you want to do, whether you want to move from the "inside path" to the "outside path" before exiting, or already are in position to exit. Start signaling at the exit BEFORE the one you want to take. Do not change lanes or take an exit before checking for vehicles that may be continuing through the roundabout in the lane next to you or behind you. Expect vehicles to be in the "blind spots" you cannot see in your rearview mirrors. (See "[Blind Spots](#)," Chapter 11).

## **DROWSY AND FATIGUED DRIVING**

Sleeping and driving do not mix. When you are behind the wheel of a car, being fatigued is dangerous. Drivers who are tired have slower reaction times, decreased awareness, and impaired judgment. As with drugs and alcohol, drowsiness can contribute to a traffic crash.

**Symptoms of Fatigue** — Researchers have found the following symptoms to be associated with drowsy driving:

- Your eyes close or go out of focus by themselves.
- You have trouble keeping your head up.
- You cannot stop yawning.
- You have wandering disconnected thoughts.
- You do not remember driving the last few miles.
- You drift between lanes, tailgate, or miss traffic signs.
- You keep jerking the car back into the lane.
- You have drifted off the road and hit the rumble strips which produce a loud noise and vibrations.

**Who is Most At Risk? All Drivers who are:**

- Sleep-deprived or fatigued.
- Driving long distances without rest breaks.
- Driving through the night, the early afternoon, or at other times when you are normally asleep.

- Taking medication that increases sleepiness or drinking alcohol.
- Driving alone.
- Driving on long, rural, boring roads.
- Frequent travelers, e.g., business travelers and long-distance commuters.
- **Young People** — Sleep related crashes are most common in young people, who tend to stay up late, sleep too little, and drive at night.
- **Shift Workers** — Studies suggest individuals with non-traditional work schedules have a greater risk of being involved in a fatigue-related driving traffic crash.
- **People With Undiagnosed Sleep Disorders** — The presence of a sleep disorder also increases the risk of crashes. If you find you are regularly tired during the day or experience any of these symptoms on a regular basis, you may have a sleep disorder and should seek medical help.

### Effective Countermeasures

**Prevention** — Before you embark on a trip, you should:

- Get a good night's sleep.
- Plan to drive long trips with a companion.
- Schedule regular stops, every 100 miles or 2 hours.
- Avoid alcohol and medications (over-the-counter and prescribed) that may impair performance. Check with your doctor or pharmacist about any medication you are taking. Alcohol interacts with fatigue; increasing its effects.

**Actions for the Drowsy Driver** — Once driving, you should:

- Recognize that you are in danger of falling asleep and cannot predict when sleep may occur.
- Not count on the radio, open window or other "tricks" to keep you awake.
- Respond to symptoms of fatigue by finding a safe place to stop for a break.
- Pull off into a safe area from traffic and take a brief nap (15 to 45 minutes).
- Drink coffee or another source of caffeine to promote short-term alertness if needed. (It takes about 30 minutes for caffeine to enter the bloodstream.)

You are not at your best if you are ill or very tired. Do not drive for at least 15 minutes after waking from sleep.

**NOTE:** See [Chapter 9](#) for more information about the dangers of driving under the influence of alcohol and other drugs.

## USING A CELLULAR OR MOBILE TELEPHONE

A driver may become distracted from safe driving while using a mobile telephone (such as a cellular telephone) while operating a motor vehicle. In New York State, it is a traffic infraction, punishable by a fine up to \$100, to speak into or listen to a hand-held mobile telephone while driving a motor vehicle. The phone may be hand-held to activate, initiate, or deactivate a call. Exemptions are provided for calls made to certain persons regarding emergency situations, for police and other law enforcement officers, and for fire department personnel and operators of authorized emergency vehicles while in the performance of their official duties. In New York State, a hands-free mobile telephone allows the user to communicate without the use of either hand. A driver may use a hands-free telephone at any time.

### Tips for safer mobile phone use:

- Buckle-up, keep your hands on the wheel and your eyes on the road.
- Keep your phone where it is easy to see. Learn its features while your vehicle is parked.
- Use your phone's speed dial feature for frequently called numbers, and park off the road to dial manually.
- Use voice mail to receive calls when the driving is not safe. NEVER make written notes while driving.

## VEHICLE CONDITION

Vehicles must be inspected at least once a year, but that does not mean it is the only time you should have safety equipment checked. Follow your owner's manual for routine maintenance and have any problems that arise corrected by a qualified mechanic as soon as possible. Do not wait until mechanical problems result in breakdowns or traffic crashes.

Pay special attention to the maintenance and repair of the brakes, steering mechanism, lights, tires and horn. Rely on your owner's manual and a knowledgeable mechanic as your guides to a safe, smooth-running vehicle.

Here are some common problems and some quick equipment checks you can do yourself:

- **BRAKES** - Brakes that pull to one side may be wet, or may need to be adjusted or repaired. If wet, you can dry them by riding lightly on the pedal. If this does not help, have your brakes checked by a mechanic. If you notice any change in the performance of your brakes, have them checked right away.

- **STEERING** - There should not be too much "play" in the steering wheel. If you have power steering, check the fluid level periodically. A whining noise when you make a sharp turn can be a sign of trouble.
- **LIGHTS** - Keep your lights clean and clear of dirt, snow and ice. Broken lenses can cause dangerous glare for other drivers, so have them replaced as soon as possible. Make sure your headlights are adjusted properly to give you the best view of the road and to avoid blinding approaching drivers.
- **TIRES** - The law requires that your vehicle's tires have at least 2/32nds of an inch (.16 cm) of tread. You can check tread depth with a penny. Place it upside down in the tread. If the top of Lincoln's head shows, the tires are too worn and should be replaced. It is also illegal to drive with tires that have cuts down to the cords, knots bumps or bulges. Consult your owner's manual or a tire store about proper tire pressure, and check their pressure often with a reliable gauge.
- **GLASS** - Keep your windows clean and clear all the way around. Replace wiper blades that streak, keep your defroster and rear window defogger in good working condition, and make sure you have enough windshield washing fluid.
- **HORN** - Your vehicle's horn may not seem to be an important safety equipment, but it could easily become your only way to warn other drivers or pedestrians of possible trouble. If the horn is not working, get it repaired as soon as possible. And remember, a horn is used as a warning to others. It should not be used unnecessarily or to express your anger at other drivers or pedestrians.

## QUESTIONS

Before going on to Chapter 9, make sure you can answer these questions:

- Should you always look straight ahead when driving?
- If there is no posted speed limit, what is the fastest you may legally drive in New York State?
- Is it always safe to drive at the posted speed limit?
- What is the purpose of minimum speed limits?
- Who must wear seat belts? Who should wear them?
- How can you prevent fatigue on a long trip?
- What is road rage? How can you avoid becoming involved in road rage?
- How should you drive safely through a work zone? A roundabout?



## Chapter 9 Alcohol and Other Drugs

**Note:** Beginning July 1, 2003, no person may legally operate a vehicle in New York State with a blood alcohol content (BAC) of 0.08% or more. This Driver's Manual version contains that information.

### Topics:

- [What Alcohol Does](#)
- [Other Drugs](#)
- [Alcohol, Drugs and the Law](#)
- [Your BAC](#)
- [Chemical Tests](#)
- [The Consequences](#)
- [A Few Important Reminders](#)
- [Avoiding Trouble](#)
  
- [\*\*Practice Quiz\*\*](#)

**Note:** Practice quizzes are available only for those sections of the manual covering rules of the road (Chapters 4 through 11 and Road Signs).

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You have probably heard the facts before - driving while impaired or intoxicated is a serious traffic safety problem in the United States. In New York State, more than 20 percent of all highway deaths involve the use of alcohol or other drugs. But, the facts and statistics do not tell the whole story. Behind the numbers are thousands of lives cut short, permanent or disabling injuries, and families devastated because someone drove while under the influence of alcohol or other drugs.

After you drink alcohol or take other drugs, safe driving is simply not possible. Not every impaired or intoxicated driver causes a traffic crash, but each one is dangerous, risking his or her life and the lives of those sharing the road.

Young people, who have less experience with both alcohol and driving, are at greatest risk. Drivers under 21 years old represent about 5 percent of the driving population, but 15 percent of the drivers involved in alcohol or drug-related fatalities. This is one reason the license revocation penalties are more severe for young drivers under the influence of alcohol or other drugs.

Because driving "under the influence" is so dangerous, the penalties for alcohol or drug-related violations are very tough and enforcement by police is a priority. Your chances of being caught and convicted are very high, and New York State law does not allow you to plea bargain to an offense not related to alcohol or drugs.

## WHAT ALCOHOL DOES

Alcohol slows your reflexes and reaction time, reduces your ability to see clearly, distorts your judgment of speed and distances, often reduces your inhibitions from taking chances, and makes you less alert. The important physical and mental skills you need to drive safely are weakened.

Because your vision is already restricted at night, driving after drinking is especially dangerous after dark. In addition to its other effects, alcohol reduces your ability to recover from headlight glare. When another vehicle approaches, you can be blinded by its headlights for a dangerously long period of time.

You do not have to look or feel drunk for these things to happen. The effects of alcohol can begin long before you become intoxicated or even legally impaired and begin with the first drink.

As alcohol limits your physical ability to drive, it also makes you less aware of what is happening to your safe driving abilities. It becomes difficult for you to judge your own condition. You may actually feel more confident about driving, when you should not be driving at all.

During each mile you drive, you literally make hundreds of decisions. You turn those decisions into actions that keep your vehicle under control and keep you from getting into traffic crashes. Alcohol makes it hard to make correct decisions and to take the safest actions.

For example: You have just stopped at a STOP sign. You see another vehicle approaching the intersection. You must quickly make a decision whether it is safe to go through the intersection. Under the influence of alcohol, you are more likely to make a wrong decision and "take a chance." Your slower reaction time, coupled with the poor decision, could mean real trouble. It could lead to a crash that should never have happened.

## OTHER DRUGS

Many drugs other than alcohol, and many over-the-counter drugs, can affect your driving ability. They can have effects similar to alcohol or even worse. If you are taking medication, even a non-prescription allergy or cold remedy, check the label for warnings about its effects. If you're not sure, ask your doctor or pharmacist about driving after taking the medication.

Never drink alcohol while you are taking other drugs. It could be dangerous, often multiplying the effects of the alcohol and the other drug. For example, taking one drink when you are also using an allergy or cold remedy could affect you as much as several drinks.

It is a misdemeanor to drive while impaired by illegal drugs such as marijuana, cocaine, LSD, heroin and opium, and by some prescription drugs such as

tranquilizers. Drugs can affect your reflexes, judgment, vision and alertness in ways similar to alcohol, and they may have other dangerous effects.

**Combining alcohol with other drugs severely reduces your driving abilities and can cause serious health problems, including death.**

## **ALCOHOL, DRUGS AND THE LAW**

In New York State, you may be arrested for any of these offenses: driving while intoxicated (DWI), driving with a blood alcohol content of .08 percent or more (.08 BAC), driving while ability impaired by a drug (DWAI-drug), or driving while ability impaired by alcohol (DWAI).

Blood alcohol content (BAC) is the percentage of alcohol in your blood and is usually determined by a chemical test of breath, blood or urine. A BAC of more than .05 percent is legal evidence that you are impaired, and a BAC of .08 percent or higher is evidence of intoxication.

Many people think chemical test evidence is required to prove you were intoxicated or impaired. However, a police officer's testimony about your appearance and behavior when arrested can provide enough evidence alone to convict you, even without a chemical test.

In New York State, an alcohol or drug-related driving arrest cannot be reduced to a different type of violation unless the district attorney determines there is not enough evidence to support the charge of impaired or intoxicated operation. Therefore, an alcohol or drug-related arrest is hardly ever so-called "plea bargained" to a charge such as speeding or reckless driving.

If you are found guilty of any alcohol or drug-related driving violation, the court must revoke or suspend your license at the time you are sentenced. Even if the court allows you a 20-day continuation of driving privilege, your license itself will be taken immediately.

The BAC standards and penalties for commercial drivers are even more strict than those indicated in this chapter. For complete information, see Section 1 of the *Commercial Driver's Manual* (CDL-10).

## **YOUR BAC**

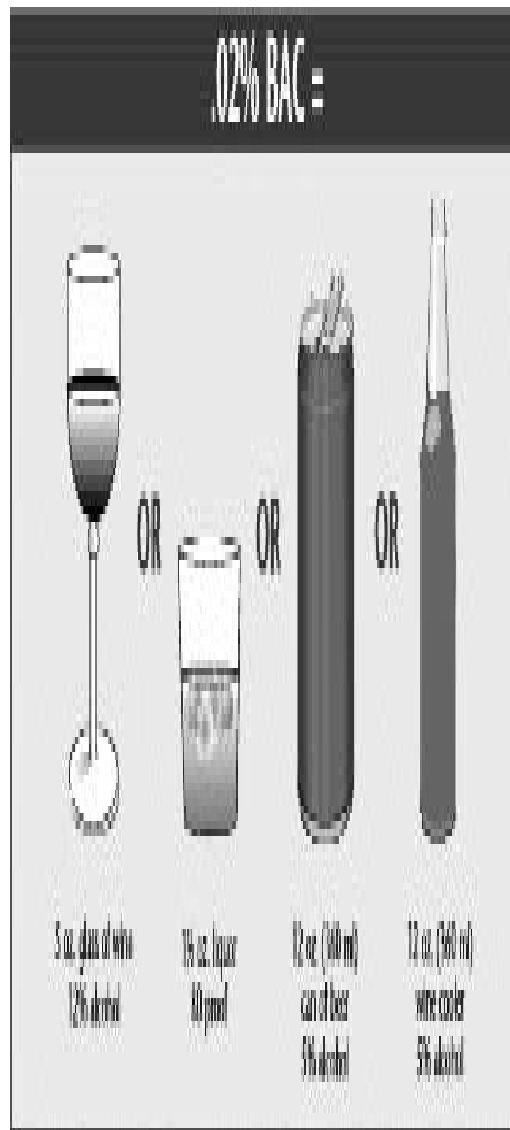
Your blood alcohol content (BAC) primarily depends on:

- How much alcohol you drink.
- How much time passes between drinks.
- Your weight.

Your BAC *does not* depend on what *kind* of alcoholic beverage you drink, how physically fit you are, or how well you can "hold your liquor."

Different types of drinks do not affect you differently. It is the amount of alcohol you consume, not whether it is in beer, wine or wine cooler, or liquor, that raises your BAC and lowers your driving ability. These drinks contain about the same amount of alcohol - 1½ ounces of liquor, 5 ounces of wine, 12 ounces of beer, and 12 ounces of wine cooler. None is "safer to drink" than the others.

For a male weighing 150 pounds, each one of these drinks would contain enough alcohol to increase his BAC by about .02 percent. On average, it takes the human body about one hour to dispose of that much alcohol. However, studies suggest that a woman's body may process and remove alcohol from the blood more slowly than a man's. This may result in a higher BAC over a longer period of time.



Compared to the 150-pound male described above, your own body weight can make some difference in the BAC and the effects of alcohol. But no one is immune to the effects of alcohol. **It is a simple fact: the more you drink in a given period of time, the higher your BAC will be, and the less safe your driving will be.**

It takes only a few drinks to raise your BAC to levels at which it is illegal to drive. And remember, the effects of alcohol on your driving ability actually begin at even lower BAC levels after just one drink.

Eating before or while you drink helps slow down alcohol absorption somewhat, but it cannot prevent you from becoming impaired or intoxicated if you have too many drinks.

Coffee, exercise and cold showers cannot reduce your BAC and the effects of alcohol. They might help you stay awake, but it cannot affect your BAC or make you sober. *The only way to effectively reduce your BAC is to spend time without drinking.* You must allow your body enough time to absorb and dispose of the alcohol.

## CHEMICAL TESTS

Chemical tests, such as the "breathalyzer," measure a person's BAC. If you are arrested for an alcohol or drug-related violation, the police officer will almost surely request that you submit to a chemical test. Under New York's "Implied Consent" law, by driving a car in this state you are considered to have already given your consent to take such a test.

Chemical test refusal is a separate issue from whether or not you were guilty of an alcohol or drug-related violation. If you refuse to take the test after being arrested, your license will be suspended when you are arraigned in court on the alcohol or drug-related charge. Also, the fact that you refused a chemical test may be introduced in court when you are tried on the alcohol or drug-related charge. If a DMV hearing later confirms you did refuse the test, your license will be revoked even if you are found not guilty of the alcohol or drug-related violation. For information on license revocations and civil penalties for chemical test refusals, see [Chapter 2](#).

<b>PENALTIES FOR ALCOHOL / DRUG RELATED VIOLATIONS</b>			
<b>DRIVING WHILE INTOXICATED</b>			
<b>DWI (.08 and higher Blood Alcohol Content [BAC] or other evidence of intoxication)</b>			
<b>CONVICTION</b>	<b>FINE ONLY *</b>	<b>JAIL SENTENCE</b>	<b>LICENSE ACTION ** AND REQUIREMENTS</b>
1st Offense (Misdemeanor)	Minimum \$500 Maximum \$1,000	Up to 1 year	Minimum 6-Month Revocation
2nd Offense Within 5 Years (Class E Felony)	Minimum \$1,000 Maximum \$5,000	Up to 4 years; minimum 5 days jail or 30 days of community service	Minimum 1-Year Revocation, plus ignition interlock and alcohol assessment
3rd Offense or more Within 5 Years (Class D Felony)	Minimum \$2,000 Maximum \$10,000	Up to 7 years; minimum 10 days jail or 60 days of community service	Minimum 1-Year Revocation, plus ignition interlock and alcohol assessment

2nd Offense Within 10 Years (Class E Felony)	Minimum \$1,000 Maximum \$5,000	Up to 4 years	Minimum 1-Year Revocation
3rd Offense or more Within 10 Years (Class D Felony)	Minimum \$2,000 Maximum \$10,000	Up to 7 years	Minimum 1-Year Revocation
<b>DRIVING WHILE ABILITY IMPAIRED DWAI (more than .05 up to .07 Blood Alcohol Content [BAC])</b>			
<b>CONVICTION</b>	<b>FINE ONLY *</b>	<b>JAIL SENTENCE</b>	<b>LICENSE ACTION ** AND REQUIREMENTS</b>
1st Offense (Traffic Infraction)	Minimum \$300 Maximum \$500	Up to 15 days	90-day Suspension
2nd Offense Within 5 years (Traffic Infraction)	Minimum \$500 Maximum \$750	Up to 30 days	Minimum 6-Month Revocation
3rd Offense or more Within 10 years (misdemeanor)	Minimum \$750 Maximum \$1,000	Up to 180 Days	Minimum 6-Month Revocation, if violation occurred within 5 years of prior violation
<b>ZERO TOLERANCE Drivers Under 21 (DMV administrative finding of .02 to .07 Blood Alcohol Content [BAC])</b>			
	<b>CIVIL PENALTY</b>	<b>LICENSE ACTION</b>	<b>ADDED FEE</b>
1st Offense	Minimum \$125	6-Month Suspension	\$100 Suspension Termination Fee
2nd Offense	Minimum \$125	1-Year Revocation or until age 21, whichever is longer	\$100 Re-application Fee

\* Conviction fine only, does not include mandatory surcharge or crime victims assistance fee.

\*\* The Department of Motor Vehicles determines when your license can be returned. Its return or reinstatement based on state law or regulation, is not automatic. You must reapply for your license and may have to pass a test.

## THE CONSEQUENCES

The table "Penalties for Alcohol/Drug Related Violations" summarizes the fines, surcharges, license penalties and possible imprisonment you would face if convicted

of an alcohol or drug-related violation. In addition to these penalties, impaired or intoxicated driving can carry other serious consequences.

### **Zero Tolerance for Drivers Under 21**

The legal purchase and possession age for alcoholic beverages in New York State is 21. Under the state's Zero Tolerance law, it is a violation for a person under age 21 to drive with any measurable BAC (.02 to .07). After a finding of violation is determined at a DMV hearing, the driver's license will be suspended for six months. The driver will then have to pay a \$100 suspension termination fee and a \$125 civil penalty to be re-licensed. For a second Zero Tolerance violation, the driver's license will be revoked for at least one year or until the driver reaches age 21, whichever is longer.

### **Illegal Purchase Of Alcoholic Beverages**

If you illegally purchase alcoholic beverages by using a New York State driver license or Non-Driver ID card as proof of age, state law requires the suspension of your driver license or privilege of apply for a license.

### **Open Container Law**

It is a traffic infraction for a driver or passenger in a motor vehicle on a public highway, street or road, to drink an alcoholic beverage, or to possess an alcoholic beverage with the intent of drinking it. The penalty for a first conviction is two points assess against the driver's license record, a fine up to \$150, a mandatory surcharge, a crime victim assistance fee, and potential imprisonment up to 15 days. Additional offenses within 18-months bring higher penalties. The law exempts passengers in vehicle such as stretch limousines, and other vehicles, that display a commerce certificate or permit issued by the U.S. Department Of Transportation or the NYS Department Of Transportation.

### **The Ignition Interlock Program**

A judge can order an ignition interlock device as a condition of a probation period when a person is sentenced for an alcohol-related conviction. For any repeat offense within five years, a judge is required to order the system to be installed on each vehicle registered to the motorist during both the revocation period and any probation period that follows. The judge also must order an alcohol assessment for the repeat offender. If the assessment indicates the need for alcohol treatment, the judge can order completion of the treatment as a condition of probation.

This device, purchased and installed at the expense of the motorist, is connected to a motor vehicle ignition system and measures the alcohol content of the operator's breath. As a result, the vehicle cannot be started until the driver provides an acceptable sample breath. If a court requires a driver to install and ignition interlock device, this restriction will be reflected on the license document, denoted as "interlock device." While using the interlock device, the motorist may be eligible to hold a conditional license. This license will be revoked if the motorist fails to comply with the court's terms, or for conviction of any traffic offense other than parking, stopping or standing.

## A FEW IMPORTANT REMINDERS

- If you kill or seriously injure another person because of an alcohol or drug-related violation, you can be convicted of vehicular manslaughter or assault, carrying a fine of up to \$5,000 and a jail term of up to seven years.
- If you are convicted of two DWI violations, both resulting in physical injury traffic crashes, your license will be revoked permanently.
- If you drive while your license is suspended or revoked, you face a mandatory fine of \$200 to \$1000, and a mandatory jail term or probation. If impaired or intoxicated at the time of arrest, the maximum mandatory fine is \$5,000, and the vehicle may be seized and forfeited.
- Liability insurance may not cover the cost of injuries and damage from a traffic crash. You could be sued for thousands of dollars. You'd also find it difficult and expensive to buy liability insurance for several years.
- In addition to fines and surcharges, you could also face very expensive legal fees.
- You could have a criminal record, making it more difficult to get a job or advance your career.

The worst consequence, however, is death or injury to yourself or someone else. It may be hard for you to imagine that you could be involved in a fatal or injury traffic crash while driving impaired or intoxicated - but it happens to thousands of drivers every year who also thought it could never happen to them.

Alcohol and drugs give you a false sense of confidence. You are not likely to worry about the consequences while you already are impaired or intoxicated. The time to consider them, and how to avoid them, is before you are under the influence.

## AVOIDING TROUBLE

The only sure way to avoid the consequences of drunken and drugged driving is not to use alcohol or drugs before you drive, and when you are driving. There are several ways to do this:

- If you regularly go to social events with the same group of friends, rotate drivers. Each friend takes a turn being the "designated driver" who does not drink alcohol.
- Arrange to stay overnight or ride home with a friend who does not drink. Make plans ahead of time, before you start drinking.
- Before you begin drinking, give your car keys to a friend who does not drink and who will not let you drive after drinking.



- Call a cab or use public transportation.

With a little thought and planning ahead of time, you can stay out of trouble. You can take other precautions:

- If you drink, choose beverages with lower alcohol content, such as low-alcohol beers and wines.
- Drink slowly. Alternate between drinks with alcohol and drinks without any alcohol.
- Do not make alcohol the centerpiece of your social event. Conversation, games and recreation are the real reasons we get together with friends.
- Eat a good meal before you drink, and have snacks while you drink.
- If you feel you've had too much alcohol to drink, stop drinking several hours before you intend to leave and allow time for your body to lower your BAC.
- Listen to your friends. Accept their help. If they warn you about not driving, take their concern seriously. Do not laugh it off or become angry.

## QUESTIONS

Before going on to Chapter 10, make sure you can answer these questions:

- How does drunken driving rank as a highway safety problem?
- What are the effects of alcohol on the skills you need to drive?
- Which of these drugs could affect your driving ability: marijuana, a cold remedy, a tranquilizer?
- If you are taking a non-prescription drug, what should you do before driving?
- What is a likely effect of taking another drug while drinking alcoholic beverages?
- On what three factors does your blood alcohol content (BAC) depend?
- Which of these contains more alcohol than the other two: 1½ ounces (30 ml) of 80 proof liquor, five ounces (120 ml) wine, 12 ounces (360 ml) of beer, 12 ounces (360 ml) of wine-cooler?
- On average, how long does it take your body to dispose of the alcohol contained in 12 ounces of beer?
- What is the only effective way to reduce your BAC?
- What happens to your driver's license if you refuse a chemical test?

- Other than fines, action against your license and a possible jail term, what are some of the consequences of driving under the influence of alcohol or other drugs?

## Chapter 10 Special Driving Conditions

### Topics:

- Expressway Driving
- Night Driving
- Driving in Rain, Fog, or Snow
- Winter Driving
- Avoiding Collisions with Deer
- Driving Emergencies
- **Practice Quiz**

**Note:** Practice quizzes are available only for those sections of the manual covering rules of the road (Chapters 4 through 11 and Road Signs).

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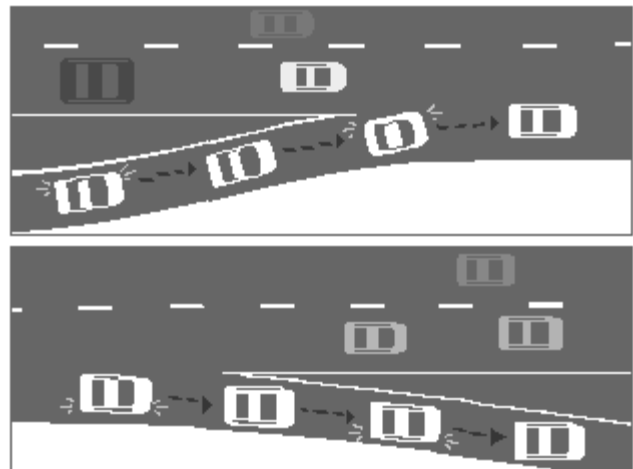
Even under the best conditions, driving demands your full attention and your best judgment. When special situations or hazards arise, attention and judgment become even more important. To be a competent and safe driver, you must learn how to drive on expressways, at night, in poor weather and when an emergency occurs.

### EXPRESSWAY DRIVING

"Expressway" means any divided highway where traffic is going in one direction on two or more lanes. You usually enter or exit the expressway by using ramps (controlled-access). The speed limit is usually 55 mph (*88 km/h*), but may be posted at 65 mph (*100 km/h*) in some rural areas. Examples are the New York State Thruway, major interstate routes, and parkways.

Before traveling an expressway, identify your entrance and exit points on a road map. Know where to get on and off the expressway, and be prepared to get into the proper lanes for your entrance and exit. If you miss an exit, however, never back up to get back on the expressway. Get off at the next exit, and look for signs that tell you how to get back on the expressway going the other way. There will usually be an exit for your destination from that side of the expressway.

Unless there is a STOP or YIELD sign or traffic light on the entrance ramp, use the ramp to accelerate to expressway speed and blend with



traffic. Signal, then look over your shoulder for approaching traffic already on the expressway. If necessary, slow down to safely merge into traffic.

If the entrance lane is too short to allow acceleration to expressway speed, the safest way to enter is to stop and wait for a large gap in traffic. Then enter the expressway and accelerate quickly. To avoid conflicts with other entrance lane traffic, stop only if necessary and merge into expressway traffic as soon as possible.

As you drive on the expressway, be sure to signal all lane changes and check over your shoulder to be sure you will not cut off any vehicles behind you. Make sure your directional signal goes off after you change lanes.

Stay alert for traffic entering ahead. If possible, move out of the right lane as you approach entrances to allow more room for merging traffic.

To avoid a last-minute lane change, check destination and exit signs, and get into the proper lane for your exit well ahead of time. Be sure to signal your exit at least 100 feet (30 m) before you reach the exit ramp. Once you are on the exit ramp, slow down. There is often a lower speed posted for the ramp.

After you leave an expressway, look for speed limit signs and check your speedometer to be sure you're driving within the posted limit. You are probably no longer on a 55 mph (88 km/h) road.

Expressway driving usually combines high speeds with heavy traffic, and you must be alert. The higher speed and traffic volume require you to think faster and handle your vehicle more efficiently than in most other driving situations. On long trips, plan frequent rest stops. On a bright day, sunglasses can reduce glare and eye fatigue.

## **NIGHT DRIVING**

About 90 percent of your driving decisions are based on what you see. At night, you must use extra caution to make up for reduced visibility. You should also be aware that the ability to see well at night generally declines with age.

Night driving is more dangerous because the distance you can see ahead or to the side is reduced. You should drive slower than you would in daylight, especially in unfamiliar areas or on narrow, winding roads. Your headlights cover about 350 feet ahead. It is important that you drive at a speed that allows you to react and stop safely within that distance. This is called "driving within the range" of your headlights.

The law requires you to use your headlights from one-half hour after sunset to one-half hour before sunrise, when visibility is less than 1,000 feet (300 m) and whenever you are using your windshield wipers to clear rain, snow, sleet, etc. Turn your headlights on at dawn and dusk and in fog, too. Even when headlights do not help you see in low light periods, they make it much easier for other drivers and pedestrians to see your vehicle. Do not use parking lights or daytime running lights as a substitute, headlights do a better job. If an approaching driver flashes headlights at you during a period of low visibility, it probably means your vehicle was hard to see, and you should turn on your headlights.

Be considerate in using your high beams. Your headlights must be on low beam when you are within 500 feet (150 m) of an approaching vehicle, or within 200 feet (60 m) of a vehicle ahead of you, even if the vehicle ahead is in a different lane. You should also dim your lights for pedestrians approaching you.

If an approaching driver does not dim his or her lights, flash yours to high beam for a second, then back to low beam. To help avoid the glare of approaching high beams, shift your eyes to the right. Use the road edge as a guide until the approaching vehicle passes by.

To reduce glare from the lights of following vehicles, switch your interior rear view mirror to the "night" position.

Light from inside your vehicle or from street lights makes it harder for you to see the road ahead. Keep the interior dome light off and dim the dashboard lights. Adjust your sun visor to reduce glare from overhead lights.

You cannot see well at night with dirty headlights or windows. A dirty windshield greatly increases glare from approaching headlights. Make sure your lights and glass are clean for night driving.

## **DRIVING IN RAIN, FOG, OR SNOW**

Experienced drivers know that even just a thin coating of rain, snow or ice makes roads slippery. And wet leaves can be especially slippery and hazardous. You can improve your driving safety by slowing down under these conditions and by increasing your following distance (see [Chapter 8](#)). Be extra careful on curves, turns and expressway ramps.

In heavy rain, your vehicle's tires may begin to actually ride on the water lying on top of the road pavement. This "hydroplaning" can cause complete loss of traction and steering control. Hydroplaning usually occurs at higher speeds, but it also can occur if your vehicle's tires are tread worn or improperly inflated. When there is heavy rain, it is almost always wise to drive more slowly. If your vehicle begins losing traction, slow down even more. Good tires with deep tread help prevent hydroplaning.

Rain, fog, or snow makes it harder to see out through your vehicle's windshield, and difficult for other drivers to see you. New York State law requires you to turn on your vehicle's headlights whenever the weather conditions would ordinarily require the use of windshield wipers to clear rain, snow, sleet, and other precipitation. "Daytime running lights" do not qualify as headlights. If your windshield wipers cause streaks or smears, the blades must be replaced.

High headlight beams reflect off rain, fog and falling snow. This makes it even harder for you to see where you are going. For better visibility during these weather conditions, keep your vehicle's headlights on low beam. Reduce your speed. Signal your turns further ahead of time than usual to give other drivers and roadway users increased warning. Brake early when slowing behind another vehicle or coming to an intersection stop.

Some vehicles have front fog lights, or front and rear fog lights, for use when heavy fog or similar hazardous weather conditions seriously restrict the driver's visibility. In New York State, all fog lights must be properly installed and of a type approved by the Commissioner of DMV. Front fog lights may be amber or white in color. Rear fog lights must be red and may be larger than the vehicle's regular taillights - they are intended to give advanced warning of your vehicle's presence to the drivers behind you. When visibility improves, you should switch off your vehicle's rear fog lights to reduce the glare that might affect other drivers.

## WINTER DRIVING

Winter is the most difficult driving season. Not only do you have snow and ice to deal with, but there are fewer hours of daylight as well.

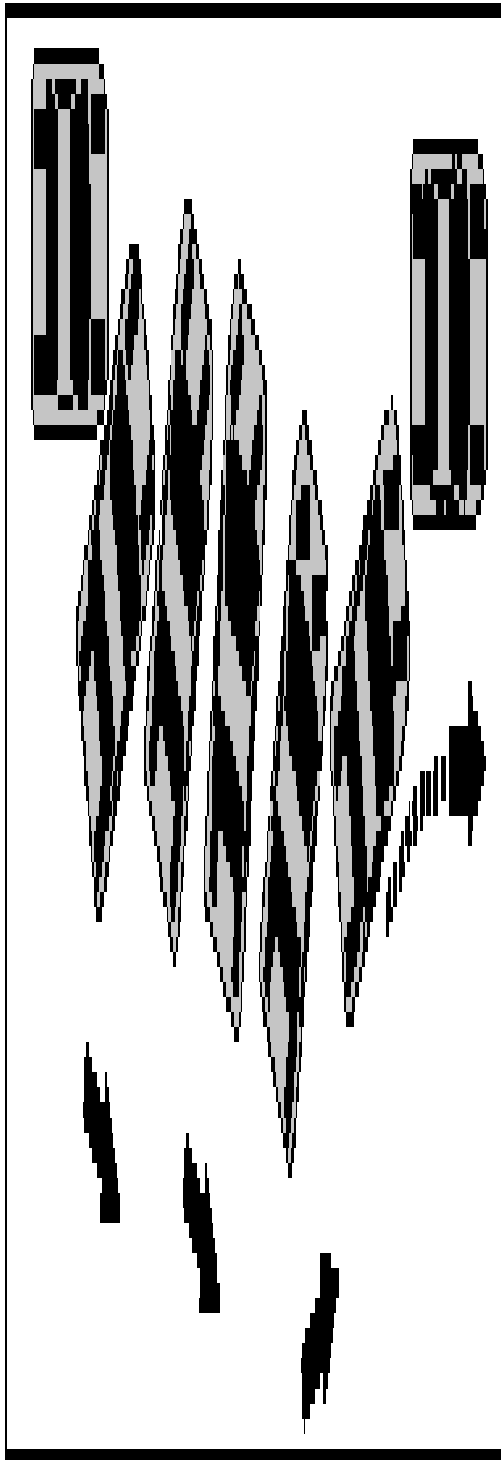
Before winter weather arrives, make sure your vehicle is in good condition. Make sure your vehicle has good snow tires. Put them on the vehicle early, before the first snowfall. Never combine radial and non-radial tires on the same vehicle. On front-wheel drive cars, it is best to put snow tires or "all-season" tires on all four wheels, not just the front. Tires with metal studs may be used in New York State only from October 16 through April 30.

During ice or snowstorms, especially when a traveler's advisory is issued, do not drive unless it is absolutely necessary. If you must drive, first clear the ice and snow from your vehicle, including the headlights and taillights, the windshield wipers and *all* of the windows. Be sure the windshield washer reservoir is adequately filled with a freeze-resistant cleaning solution.

Drive slowly. Even if your vehicle has good traction in ice and snow, other drivers will be traveling cautiously. Do not disrupt the flow of traffic by driving faster than everyone else.

In a rear-wheel drive vehicle, you can usually feel a loss of traction or the beginning of a skid. With a front-wheel drive vehicle, there may be no warning. Though front-wheel drive and four-wheel drive vehicles generally do handle better in ice and snow, they do not have flawless traction; skids can occur unexpectedly. Do not let the better feel and handling of a vehicle with front-wheel drive or four-wheel drive cause you to drive faster than you should.

Despite popular misconception, the best approach to recovering from a skid is the same for both front and rear-wheel drive vehicles. If your *rear wheels* start to skid:



- Turn the steering wheel in the direction you want the front wheels to go. If your rear wheels are sliding left, steer left. If they're sliding right, steer right.

- If your rear wheels start sliding the other way as you recover, ease the steering wheel toward that side. You might have to steer left and right a few times to get your vehicle completely under control.
- If your vehicle has an anti-lock braking system (ABS), keep your foot with even pressure on the brake pedal. If your vehicle does not have ABS, pump the pedal gently, pumping more rapidly only as your car slows down. Braking hard with non-anti-lock brakes will make the skid worse.

If your *front wheels* skid:

- Take your foot off the gas and shift to neutral or push in the clutch, but do not try to immediately steer.
- As the wheels skid sideways, they will slow the vehicle and traction will return. As it does, steer in the direction you want to go. Then put the transmission in "drive" or release the clutch, and accelerate gently.

To avoid skids on snow and ice, brake early, carefully and gently. "Squeeze" your brakes in slow, steady strokes. Allow the wheels to keep rolling. If they begin to lock up, ease off the brake pedal. As your vehicle slows, you also may want to shift into a lower gear.

When sleet, freezing rain or snow start to fall, remember that bridges, ramps, and overpasses are likely to freeze first. Also be aware that slippery spots may still remain after road crews have cleared the highways.

## **AVOIDING COLLISIONS WITH DEER**

Two-thirds of all deer/vehicle collisions happen during the months of October, November and December. This is also breeding season, when deer are most actively traveling about. Daily deer activity peaks at dawn and dusk, which often is peak motor-vehicle commuter traveling times. Deer travel in groups - if you see one, expect more. Highway areas where there have been numerous deer/vehicle collisions often are already marked with deer crossing signs. The New York State Department of Environmental Conservation recommends these precautions motorists can take to reduce their chances of striking a deer:

- Use extreme caution when driving at dawn and dusk; this is when driver visibility is poor and the deer are most active.
- The risk of deer/vehicle collisions is greatest when deer movements peak due to the onset of the breeding season during the months of October, November and December.
- Slow down when approaching deer that are standing near roadsides. Deer may "bolt" or change direction at the last minute.
- If you see a deer cross the road, slow down and use extreme caution. Deer travel in groups, expect other deer to follow.

- Use flashers or a headlight signal to warn other drivers when deer are spotted on or near the road.
- Use caution and be alert when driving on roadways marked with deer crossing signs. These signs are placed in areas that have had a large number of deer/vehicle collisions.

## DRIVING EMERGENCIES

The single most important rule in any emergency is do not panic. You have a better chance of handling the emergency safely if you do not let fear take over. In most emergencies, you will have a second or two to think before you act.

**Here is what to do in various emergency situations:**

**TIRE BLOWOUT** - A thumping sound may be a warning that a blowout is about to occur. If you hear it, get safely off the road and check your tires. If a tire blows out, hold the steering wheel firmly, and ease your foot off the gas pedal. If your vehicle skids, handle it as you would on ice or snow. Do not use your brake until your vehicle is under control. Get off the road as soon as it safe to do so.

**LOSS OF A WHEEL** - Handle this as you would a blow out. A thump or clunk in the wheel may be a warning sound. Pull off the roadway and stop. Then check your vehicle or have it checked.

**STEERING FAILURE** - If your vehicle suddenly stops responding to the steering wheel, ease your foot off the gas pedal, turn on your vehicle's four-way flashers and keep your foot off the brake pedal for as long as it is safe and practical. The vehicle's natural balance should allow it to continue going straight, but a sudden change in speed could spin it out of control. As the vehicle slows down, you may be able to brake very gently to bring it to a stop.

**BRAKE FAILURE** - If your brake pedal suddenly sinks to the floor, try pumping it to build up pressure. If that does not help, use your emergency or parking brake - but use it gently. Shifting to a lower gear will also help your vehicle slow down.

**HEADLIGHT FAILURE** - If your headlights suddenly go out, try your vehicle's four-way flashers, parking lights and directional signals. These may still work and should give you enough light to get safely off the road. If your headlights begin to dim, drive to a nearby service station, or pull off the road and go for help.

**STUCK GAS PEDAL** - Hook your toe under the pedal and see if you can free it. If not, shift into neutral and use the brake to slow your vehicle and get off the road. Do not turn off the ignition if your vehicle has power steering or a steering wheel that has a locking column because, if you do, you will lose power steering or not be able to steer at all.

**RUNNING OFF THE PAVEMENT** - If your wheels drift off the pavement onto the shoulder of the road, do not yank the steering wheel back. Ease your foot off the gas pedal, and brake gently. When your vehicle has slowed down, check for traffic behind you, then steer gently back onto the pavement.



**VEHICLE APPROACHING HEAD-ON IN YOUR LANE** - Slow down, pull over to the right and sound your horn to alert the other driver. Do not swing over to the left lane. If you do, the other driver may suddenly recover and pull back into that lane, too, causing a head-on collision.

**STALLING ON RAILROAD TRACKS** - If a train is approaching, unfasten your seat belt, get out of the vehicle and get as far away as you can from the tracks. Run toward the general direction the train is coming from. If you run "down the track," in the same direction the train is heading, you may be hit with debris when the train strikes your vehicle. **Only if you are absolutely sure no trains are coming**, open your window to listen for an approaching train and try to start the engine. If that fails, shift your vehicle into neutral and push it off the tracks.

**GOING INTO WATER** - A vehicle will usually float for a while, and you should have time to get out before it starts sinking. Unfasten your seat belt and escape through a window. Opening a door would cause water to rush in, and the car could overturn on top of you.

If the vehicle sinks before you can get out, climb into the rear seat. An air pocket may form there as the weight of the engine pulls the vehicle down nose first. When the vehicle settles, take a breath and escape through a window. As you rise, air pressure will build in your lungs. Let it out in small breaths through your nose or lips as you surface. Do not hold your breath tightly or try to blow air out; just allow the air to escape naturally.

**FIRE** - If you see smoke come from under your vehicle's hood, pull off the road and park your vehicle. Turn off the ignition. Get away from the car and call the fire department. Trying to fight the fire yourself is dangerous.

**BLOCKED VISION** - If your vehicle's hood flies open suddenly, or your vision through the windshield becomes blocked by some other object or wipers that have failed, you should roll down the side window so you can see. Turn on your vehicle's four-way flashers and carefully pull your vehicle off the road and park it.

## QUESTIONS

Before going on to Chapter 11, make sure you can answer questions:

- What should you do if you miss an expressway exit?
- What are expressway entrance ramps used for?
- What should you do if an entrance ramp is very short?
- When should you signal that you are exiting an expressway?
- What should you check for after leaving an expressway?
- Why is expressway driving different from ordinary driving?
- What is the main reason night driving is more difficult than daytime driving?

- Driving within the range of your headlights means you should be able to stop your vehicle within about how many feet?
- What should you do if headlights on approaching vehicles make it hard for you to see?
- Is it best to keep your headlights on high beam or low beam in fog, rain and falling snow?
- Which way should you turn your steering wheel to get out of a skid?
- How should you use your brake pedal on a slippery road?
- What is the most important rule to remember in any driving emergency?
- What should you do if one of your tires blows out?
- What is the first thing you should do if your brakes fail?
- What should you do if your wheels drift off the pavement?

## Chapter 11 Sharing the Road

### Topics:

- [Pedestrians](#)
- [Bicyclists, In-Line Skaters, and Non-motorized Scooters](#)
- [Motorcyclists](#)
- [Moped Operators](#)
- [Large Vehicles](#)
- [Slow Moving Vehicles](#)
- [Horseback Riders](#)
- [\*\*Practice Quiz\*\*](#)

**Note:** Practice quizzes are available only for those sections of the manual covering rules of the road (Chapters 4 through 11 and Road Signs).

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You must learn to safely share the road with large vehicles, motorcycles, mopeds, pedestrians, bicyclists, in-line skaters, roller skaters, slow moving vehicles and horseback riders. These other highway users face special problems, and they pose special problems for car and truck drivers. You should know how to safely deal with these problems and understand the special rules that apply to other highway users.

## **PEDESTRIANS**

Pedestrians are the highway users most at risk in traffic. As a driver, you must use extra caution to avoid colliding with pedestrians. Regardless of the rules of the road or right-of-way, the law specifically requires you to exercise great care to avoid striking pedestrians.

Children are often the least predictable pedestrians and the most difficult to see. Take extra care to look out for children, especially near schools, bus stops, playgrounds, parks and frozen dessert vehicles such as ice cream trucks.

When backing your vehicle, remember to look through your rear window for pedestrians. Do not rely only on rearview mirrors. Before backing into, or out of, a driveway when children are near, get out of the vehicle and check behind it.

Pedestrians are supposed to walk on the side of the road facing traffic, so they should be on your right. Be especially watchful for pedestrians when you make a right turn.

Remember also that pedestrians legally crossing at intersections always have the right-of-way. Do not pull in front of or behind them or to "hurry them along" - wait until they are out of the intersection. Elderly and disabled pedestrians may require extra time to complete their crossings.

There is a special right-of-way law for blind pedestrians crossing the road with a guide dog or a white or metallic cane. You must always give them the right-of-way, even if the traffic signals or other right-of-way rules are not in their favor.

Remember to keep your eyes moving as you drive. Glance to either side every few seconds. This defensive driving rule will help you spot pedestrians near or approaching the roadway.

The law gives pedestrians some responsibilities too. They must:

- Obey traffic and pedestrian signals and traffic officers.
- Use sidewalks when available, or walk facing traffic, as far to the left as possible.
- Never stand in the road to hitchhike or conduct business with passing motorists.

## **BICYCLISTS, IN-LINE SKATERS, AND NON-MOTORIZED SCOOTERS**

Bicyclists, in-line skaters, and operators of non-motorized scooters have the right to share the road and travel in the same direction as motor vehicles. Like pedestrians,

these roadway users are often difficult to notice in traffic, and have little protection from a traffic crash. When driving a motor vehicle, be sure to check your vehicle's "blind spots" before you parallel park, or open a driver's side door, or leave a curb. Don't rely only on your rearview mirrors - turn your head to look for bicyclists and in-line skaters that may be alongside or approaching.

When driving, approach bicyclists, in-line skaters, and non-motorized scooters with extreme caution. Give them room and slow down as you pass them. Air pressure from a quickly passing vehicle can throw them off balance.

Be aware that the bicyclist, in-line skater or non-motorized scooter near or in front of you may react to road hazards just as a motorcyclist would and suddenly change speed, direction, or lane position.

The rules of the road and right-of-way apply to, and protect, bicyclists, in-line skaters, and non-motorized scooters. You must yield the right-of-way to them just as you would to another vehicle. Bicyclists and in-line skaters must obey the rules of the road, just as vehicle drivers do.

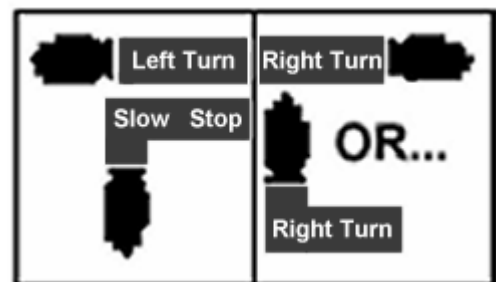
#### **Bicyclists and in-line skaters must:**

- Ride in a bicycle lane, if a usable one is available. Where there is none, the bicyclist must ride near the right curb or edge of the road, or on a usable right shoulder of the road, to avoid undue interference with other traffic. The rule of staying to the right does not apply when a bicyclist or in-line skater is preparing for a left turn or must move left to avoid hazards.
- Come to a full stop before entering a roadway from a driveway, alley or over a curb.
- Never travel with more than two abreast in a single lane.
- Never ride on a sidewalk if local laws prohibit it.

Bicyclists and non-motorized scooter operators, and their passengers, and in-line skaters must wear an approved helmet if age one through 13 years old and obey any local laws or regulations concerning helmet use for adults.

#### **Bicyclists also must:**

- Signal turns, lane changes and stops using the hand signals shown. A bicyclist may signal a right turn by extending the right arm straight out to the right, instead of using the standard signal for car drivers. Never carry an infant under a year old as a passenger. It is against the law. Child passengers one through four years old must ride in securely attached bicycle safety seats.



- Never carry a passenger unless the bicycle has a passenger seat.

- Keep at least one hand on the handlebars at all times, and not carry anything which interferes with proper control of the bicycle.
- Any bicycle crash that results in death or serious injury must be reported to DMV within 10 days of the incident. Bicycle accident report forms (MV104C) are available at any motor vehicle office.

A bicycle driven on public highways must be equipped with adequate brakes and a horn or bell that can be heard at least 100 feet (30 m) away. A bicycle used at night must have a headlight visible from at least 500 feet (150 m) ahead and a red taillight visible from at least 300 feet (90 m) behind. One of these lights must also be visible from at least 200 feet (60 m) away on each side. A bicycle sold by a dealer must have wide-angle, spoke-mounted reflectors or reflective tires, a wide-angle rear reflector and pedal reflectors.

For more information on bicycle and in-line skating regulations and safety, see the publication *Sharing the Road Safely (C-77)*, available at any motor vehicle office and by request from a DMV Call Center.

## MOTORCYCLISTS

Motorcycles travel as fast as automobiles, and motorcyclists must obey the same traffic laws. But motorcyclists also share problems faced by pedestrians, bicyclists, and in-line skaters: lower visibility, less stability, and less protection.

To improve their visibility, motorcyclists are required to keep their vehicle's headlights and taillights on at all times. For protection, motorcyclists are required to wear approved helmets, as defined by USDOT federal motor vehicle safety standards (FMVSS218), and goggles or a face shield.

It is often hard to judge how far away a motorcycle is or how fast it is approaching. Many motorcycle crashes that involve other vehicles occur when the driver of the other vehicle misjudges the motorcyclist's speed or distance, or fails to see the motorcycle at all, and then stops or turns left in front of the motorcyclist.

On most motorcycles, the directional signal does not go off automatically after a turn. Before stopping or turning in front of a motorcyclist signaling a turn, be sure the motorcyclist is actually going to turn.

A motorcyclist has the right to the full use of a lane, and motorcyclists are allowed to ride two abreast in a single lane. An experienced motorcyclist will often change position within a lane to get a clearer view of traffic, avoid hazards and be more visible to drivers. You may not pass or drive alongside a motorcycle in the same lane, and a motorcyclist may not share a lane with you.

Take care when passing a motorcyclist. Like bicycles, motorcycles can be affected by the air pressure of passing vehicles.

Because motorcyclists must take extra precautions when they come upon special highway surfaces, you should be aware of what a motorcyclist may do in certain situations:

- The motorcyclist may quickly change speed or lane position to avoid loose gravel, debris, seams or grooves in the pavement, sewer or access covers, or small animals.
- When approaching a railroad crossing, a motorcyclist may slow down and rise off the seat to cushion the rough crossing and change direction to cross the tracks at a right angle.
- On bridges with metal grates (often marked STEEL DECK BRIDGE), the motorcyclist may move to the center of the lane to compensate for the uneven surface. Stay well behind a motorcyclist in this situation.

## MOPED OPERATORS

Limited use motorcycles, often called mopeds, are low speed, two-wheeled vehicles intended for limited use on public highways. There are three different classes of mopeds based on maximum performance speed. The chart below outlines the requirements for moped operation.

Class B and C mopeds may be driven only in the right lane of traffic, as far to the right as possible. Class A mopeds are allowed to drive in any lane, and any portion of a lane. Mopeds are not permitted on expressways or other controlled access highways unless posted signs permit it.

When approaching a moped, use the same precautions and care you would when approaching a bicyclist.

GUIDE TO LIMITED USE MOTORCYCLE (MOPED) OPERATION			
CLASS	A	B	C
Top speed range mph (km/h)	Over 30 to 40 (Over 48 to 64)	Over 20 to 30 (32 to 48)	20 or less (32 or less)
Type of license or learner's permit required <sup>4</sup>	M	ANY CLASS <sup>4</sup>	ANY CLASS <sup>4</sup>
Registration required	YES (A Plate)	YES (B Plate)	YES (C Plate)
Headlight to be on when operating	YES	YES	YES
Helmet & eye protection required when operating <sup>5</sup>	YES	YES	Recommended
Where operation is permitted	Any Traffic Lane Only <sup>1</sup> & Shoulder	Right Hand Lane Only <sup>1</sup> & Shoulder	Right Hand Lane
Mandatory insurance required	YES	YES	Recommended <sup>2</sup>
Safety responsibility <sup>3</sup>	YES	YES	YES

applies			
Annual inspection required	YES	Recommended	Recommended
Title required	NO	NO	NO

<sup>1</sup>Except when making a left hand turn.

<sup>2</sup>If a Class C limited use motorcycle is used in a rental business, insurance is mandatory.

<sup>3</sup>Safety responsibility is the requirement to pay for or post security for damage or personal injury you may cause in traffic crash.

<sup>4</sup>Usual learner's permit and junior license restrictions apply.

<sup>5</sup>Motorcyclists must wear approved motorcycle helmets, as defined by USDOT federal motor vehicle safety standards (FMVSS 218). To improve the motorcyclist's visibility, the DMV recommends that helmets have at least four square inches of reflective material on both sides. Motorcyclists must also wear approved eye protection, even if the motorcycle is equipped with a windshield. Prescription or made-to-order safety glasses may be used if the user can present written certification that they meet DMV standards. The eye protection must be manufactured in conformity with the regulations issued by the Vehicle Equipment Safety Commission (VESC-8).

## LARGE VEHICLES

In more than 60 percent of all fatal crashes involving cars and big trucks, police report that the car driver, rather than the truck driver, contributed to the cause of the traffic crash.

Because these trucks are much bigger and heavier than cars, the driver of the car, not the truck, is killed in a fatal car-truck traffic crash four out of five times. However, many of these crashes could be avoided if motorists know about truck (and bus) limitations and how to steer clear of unsafe situations involving large vehicles.

Remember: Large trucks, recreational vehicles, and buses are not simply big cars. The bigger they are:

- The bigger their blind spots,
- The longer it takes them to stop,
- The more room they need to maneuver,
- The longer it takes an auto to pass them.

### Blind Spots

Unlike cars, large vehicles have deep blind spots directly behind them. They also have much larger blind spots on both sides than cars do. Tractors with long hoods may also have a blind spot of up to 20 feet directly in front of the vehicle. You should stay out of these "no zones."

### Side Blind Spots

Large vehicles have much larger blind spots on both sides than cars do. If you drive in these blind spots for any length of time, you cannot be seen by the vehicle's driver. Even if the vehicle's driver knows you are there, remaining alongside a large vehicle may hamper the driver's ability to evade a dangerous situation.

### Rear Blind Spots

If you stay in the rear blind spot of a large vehicle, you increase the possibility of a traffic crash. The other driver cannot see your auto, and your view of the traffic will be cut off.

### Stopping Distance

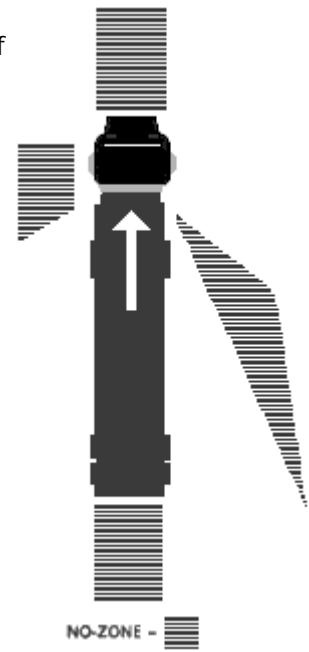
Large vehicles - especially tractor trailers - take considerably longer to stop than a car traveling at the same speed. The difference comes primarily from brake lag, which is unique to trucks. Air brakes which transmit braking power from the tractor to the trailer are subject to a lag that can add many feet to stopping distance. A good strategy is to leave plenty of space between your car and the truck. If you are driving in front of a truck, indicate your intention to turn or change lanes early. Avoid sudden moves.

### Maneuverability

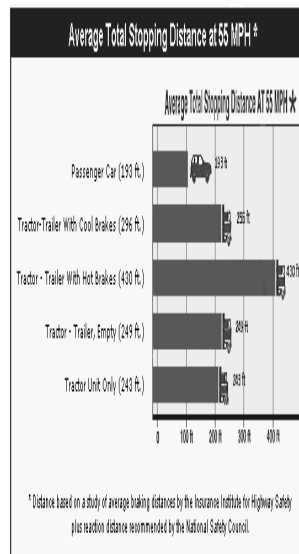
Large vehicles are not designed to be as maneuverable as cars. They take longer to stop and to accelerate, and because of their size, they often need to swing wide to make their turns.

You can reduce the likelihood of a collision with a large vehicle if you:

- Do not cut abruptly in front of the large vehicle; if exiting, take a few extra seconds to slow down and exit behind it, and if passing, do not pull in front of the vehicle unless you can see the whole front of the vehicle in your rear view mirror.
- Pay close attention to the large vehicle's turn signals. Because trucks make wide right turns, they need to swing to the left before turning right-make sure you know which way the vehicle is turning by observing turn signals.
- Do not linger beside a large vehicle, because you may not be visible to the driver in the wide area the truck needs for maneuvering a turn.







## Passing

Passing a large vehicle, especially a tractor-trailer or other combination vehicle, takes a longer time and requires more space than passing a car. On a two-way road, leave yourself more time and space when passing a large vehicle. Make sure you can see the whole front of the vehicle before returning to its lane after passing. Remember that on an upgrade or steep hill, a large vehicle usually loses speed. Look far ahead when driving. In case you will need to pass a large vehicle ahead of you, be prepared by knowing in advance when you are approaching an incline that may cause the other vehicle to slow down. Also, as your own vehicle begins a downgrade, remember that the speed of the other vehicle is likely to increase significantly as it also travels downhill. This would require your vehicle to take more time to pass.

## Backing up

Never pass close behind a large vehicle that is backing up. Often a truck driver has no choice but to temporarily block a road to back into a loading area. Be patient!

It is far better to wait until the large vehicle has completed its backing maneuver than to try to pass. If you try to pass in this situation, it is likely that you will enter one of the vehicle's blind spots, thus making you invisible to the driver and increasing the chance of a traffic crash.

## Approaching A Truck

Do not underestimate the size and speed of an approaching tractor-trailer or other large vehicle. Its larger size will often make it appear to be traveling at a slower speed than it really is. Also, from a distance it may not appear to be as large as it really is. Even so, the other vehicle will often reach you sooner than you expect! When driving on an undivided highway, it is often better to move as far to the right as possible, as soon as possible, to make sure your vehicle will not be sideswiped by an approaching tractor-trailer or other large vehicle.

## Stopping Behind A Truck

Always leave space when you stop behind a truck or bus at a traffic light or stop sign, especially when facing uphill. The truck or bus could stall or roll backward slightly when starting. If you leave enough room between your vehicle and the vehicle ahead, you may be able to pull out from behind and go around it.

## **SLOW MOVING VEHICLES**

The "slow moving vehicle" emblem, a fluorescent or reflective orange triangle, must be displayed on the rear of vehicles drawn by animals, and most farm vehicles and construction equipment. The United States Postal Service also requires these orange safety-triangles to be displayed on all rural mail delivery vehicles. Use caution when approaching a slow moving vehicle and be sure it is safe before you pass.

## **HORSEBACK RIDERS**

Horseback riders are subject to, and protected by, the rules of the road. They also must ride single file near the right curb or road edge, or on a usable right shoulder, lane or path.

The law requires you to exercise due care when approaching a horse being ridden or led along a road. You must drive at a reasonable speed, and at a reasonable distance away from the horse. It is illegal to sound your horn when approaching or passing a horse.

## **QUESTIONS**

Before going on to Chapter 12, make sure you can answer these questions:

- How do the blind spots surrounding a large commercial vehicle differ from the blind spots surrounding a car?
- How does the stopping distance of a large vehicle with air brakes compare with the stopping distance of a car?
- After passing a large vehicle, what should you be sure of before returning to the lane in which the large vehicle is traveling?
- What is the best strategy to follow when approaching a large vehicle that is backing up into a loading area?
- When children are nearby, what should you do before backing out of a driveway?
- How can you identify a blind pedestrian to whom you must yield the right-of-way?

- Where must a pedestrian walk when there are no sidewalks?
- How should you approach a bicyclist?
- Must a bicyclist obey traffic laws and signs?
- Where there is no bicycle lane, on what portion of the road must a bicyclist ride?
- What extra equipment must a bicycle have when used at night?
- May motorcyclists ride three abreast in a single lane?
- What does a slow moving vehicle emblem look like?

## Chapter 12 If You Are in a Traffic Crash

### Topics:

- At the Scene
- Emergency First-Aid
- Reports to DMV

**Note:** Practice quizzes are available only for those sections of the manual covering rules of the road (Chapters 4 through 11 and Road Signs).

There are more than 300,000 traffic crashes in New York State each year. If you obey the law and follow the advice in this manual, you have a good chance of avoiding crashes. Still, even the most careful drivers are involved in crashes caused by unexpected events or the mistakes of other drivers. If you are involved in a traffic crash, you must be ready to react responsibly at the scene and obey the law in reporting the incident.

You may choose to carry a basic emergency kit in your vehicle, containing flares and first aid supplies. Emergency road-kits often are available in automotive or department stores.

### AT THE SCENE

If you are involved in a crash you must stop, regardless of the extent of damage. It is a traffic violation to leave the scene of an incident, such as a traffic crash involving property damage. It is a criminal violation to leave the scene of an incident involving a fatality or personal injury. Even if the crash involves only property damage, you must exchange information with other drivers involved. Give your name, address,

the motorist identification (ID) number from your license, and vehicle registration and insurance information, including the insurance policy number and effective date, to the other drivers and police on the scene. If a parked vehicle or property other than a vehicle is damaged, or if a domestic animal is injured, you must try to locate the owner or notify the police.

If any person is injured or killed, the police must be notified, immediately, and you should make sure an ambulance or rescue squad has been called.

If possible, move your vehicle off the road. Protect the scene with reflectors or flares, but be alert for leaking fuel. Be sure to protect yourself and others from oncoming traffic.

## **EMERGENCY FIRST AID**

Do not stop at a crash scene unless you are involved or emergency help has not yet arrived. Otherwise, keep your attention on driving and the directions given by traffic officers.

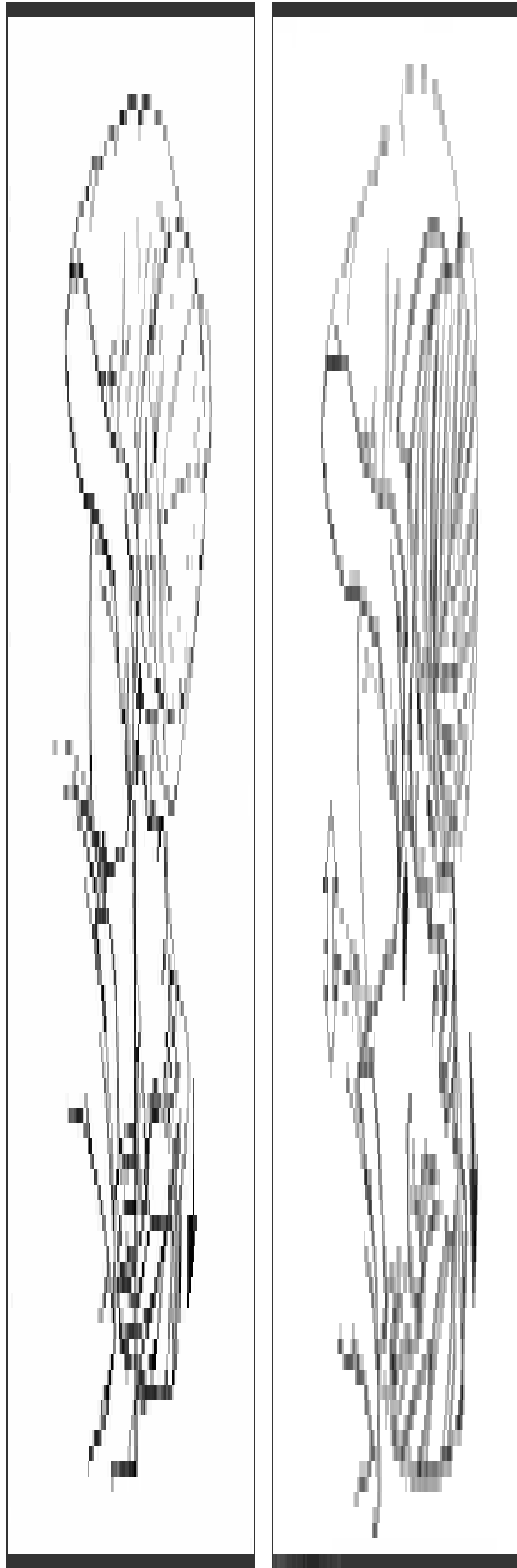
Follow these basic first-aid tips if help is not immediately available:

- Do not move an injured person unless it is absolutely necessary because of fire or another life threatening danger. If you must move an injured person, keep the back and neck as straight as possible by putting your arms under the back, and gently support the neck with your upper arms. Take hold of clothing with your hands, and pull the victim headfirst away from danger.
- If there are wires down, do not go near them. If wires are touching the vehicle or lying near it, warn occupants to stay inside until help arrives.
- Check to see if the injured person is breathing. If the person is not breathing and you are trained in cardiopulmonary resuscitation (CPR), begin administering CPR or mouth-to-mouth breathing as shown below.

### **CPR (Cardiopulmonary Resuscitation)**

If necessary, carefully position the victim on his or her back, then open the airway as shown. Listen for breathing, look for the chest to rise and fall and feel for flow of air. If the victim is not breathing, begin rescue breathing.

To rescue-breathe, seal your lips over the victim's mouth, pinch the nose closed and give two full breaths, watching for the chest to rise. Remove your mouth to allow air to escape. If the chest does not rise, carefully reposition the victim's head to open the airway. Check to see if the victim is breathing. If he or she is not breathing, give one breath every five seconds, pausing every few minutes to see if the victim is breathing without assistance. If the victim is breathing, stop rescue-breathing.



Illustrations courtesy of American Medical Association. Used by permission.

**REPORTS TO DMV**

If you are involved in a traffic crash involving a fatality or personal injury, you must report it to DMV. You must also report any traffic incident or crash involving \$1000 or more in damage to any one person's property. The form Report of Motor Vehicle Accident (MV-104) is available at any motor vehicle office, from most insurance agents, by request from a DMV Call Center, and from the DMV Internet Office.

Reporting a crash or incident to your insurance company *does not* fulfill your legal obligation. **You** must file a report with DMV within 10 days of the event. Your license may be suspended if you don't.

If the driver is injured and unable to complete the report, a passenger or the vehicle owner may do so.

## DMV Consumer Directory

### IMPORTANT DMV ADDRESSES & TELEPHONE NUMBERS

**Office of Traffic Violations**

6 Empire State Plaza  
Albany, NY 12228  
1 - (518) 474-0941

**Driver Improvement Bureau**

6 Empire State Plaza  
Albany, NY 12228  
1 - (518) 474-0774

**Insurance Services Bureau**

6 Empire State Plaza  
Albany, NY 12228  
1 - (518) 474-0700

**Bureau of Consumer & Facility Services**

PO Box 2700-ESP  
Albany, NY 12220-0700

**Complaints about a repair shop/dealership/inspection station:**

1 - (518) 474-8943

**Application for a dealership/inspection station/dismantler/repair shop:**

1 - (518) 474-0919

**Custom Plates Unit**

6 Empire State Plaza  
Albany, NY 12228  
(See DMV [Call Centers](#))

**Title Services Bureau**

6 Empire State Plaza  
Albany, NY 12228  
(See DMV [Call Centers](#))

