



Governor's Traffic
Safety Committee

Proposed Rule Making: Changes to Point System and Licensing or Relicensing After Revocation Action

Sept. 2023

Proposed changes to 15 NYCRR Section 131.3



• Alcohol- and drug-related offenses

14 points

• Aggravated unlicensed operation of a motor vehicle

11 points

• Striking a bridge or structure
• Speeding in a work zone
• Exceeding the posted weight capacity & height clearance for a bridge

8 points

• Leaving the scene of a personal injury crash

3 points

Proposed changes to 15 NYCRR Section 131.3



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Increases the points for passing or overtaking a stopped school bus from 5 to 8.



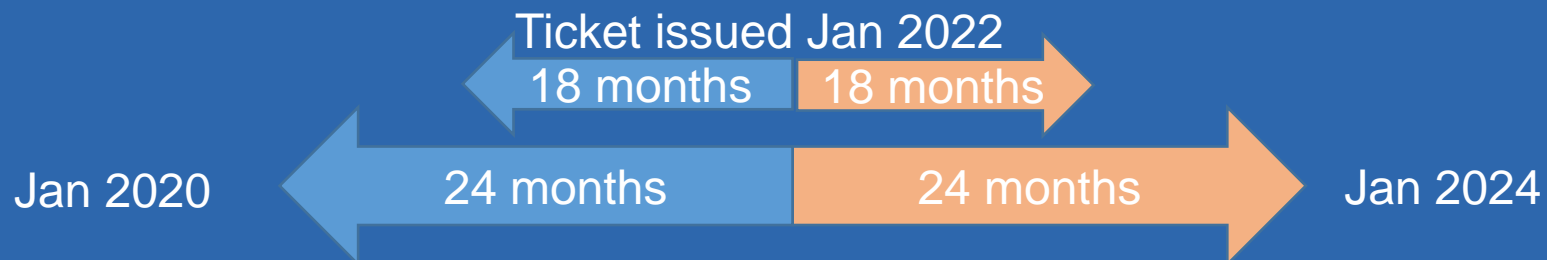
Current Rule

A driver who accumulates 11 or more points within an 18-month period is deemed a persistent violator and is subject to suspension or revocation.

Change

Decrease the threshold at which dangerous drivers are disqualified from holding a license.

Lengthens the time frame to 24 months where a driver can be deemed a persistent violator. By increasing the time frame, this allows the Department to sanction more drivers who commit persistent violations and ultimately modify driver behavior.



Current Rule

Regulations stipulate that an application for re-licensure be denied if a driver has five or more alcohol or drug related driving convictions.

Proposed Changes

Lowers number to four or more alcohol or drug-related convictions.

Allows for permanent license revocation after three alcohol or drug related driving convictions plus one or more other serious driving offenses.

Deny an application for re-licensure for five years if the applicant has three alcohol or drug-related driving convictions but no other serious driving offenses, if their license is currently revoked for an alcohol or drug-related driving conviction. If an applicant is not under a current revocation for an alcohol or drug-related driving conviction but has three alcohol or drug-related driving conviction and no other serious driving offenses, the application for re-licensure will be denied for at least two years.



Evaluating Requests for Re-Licensure

Current

The Department assigns *negative units* to evaluate requests for re-licensure after drivers have been convicted of multiple reckless driving and similar violations.

The Proposed Rule

Make it more difficult for drivers with many convictions to regain their driving privileges by increasing the negative units for following violations:

- A. Reckless driving
- B. Speed contests
- C. Passing a stopped school bus
- D. Alcohol and drug-related convictions
- E. Chemical test refusals
- F. Homicide
- G. Criminally negligent homicide
- H. Assault arising out of the operation of a motor vehicle
- I. Driving during a period of license suspension or revocation

Additional Negative Units Changes

The proposed rule would also expand the negative unit scheme to include violations of the following nature:

- A. The use of mobile telephone or portable electronic device
- B. Exceeding the posted weight capacity and height clearance for a bridge
- C. Striking a bridge or structure
- D. Speeding in a work zone.

Current

The Department looks at a driver's record going back three years from the re-licensure application date.

Proposed

During this evaluation process, change that allows consideration of an applicant's driving history going back four years from the date they applied for re-licensure. By doing so, the Department is strengthening the criteria for approval of an application for re-licensure.