

PART 1

CLASS 6 DRIVERS' LICENSES

(Statutory authority: VTL Sec. 215, 501-subd. 1, par. b)

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Section 1.1 Definitions. (Additional statutory authority: Vehicle and Traffic Law, Sec. 508, subd. (4)) For the purposes of this Part, the following terms shall have these meanings:

- (a) Place of business shall include any location or building which is maintained by the employer of the licensee.
- (b) School shall include any school, class or function, which is part of the regular school work as commonly understood, or for which scholastic credits are given, but shall not include extra-curricular activities or social events. "School" shall also include classes conducted by the National Guard or any other active reserve group of the U.S. Armed Forces for the purpose of instructing members of such groups, classes conducted or approved by the New York State Office of Fire Prevention and Control for the purpose of training volunteer firefighters, classes conducted by the New York State Department of Health for the purpose of training emergency medical technicians, advanced emergency medical technicians and paramedics, and classes conducted or approved by the New York State Department of Health for the purpose of providing training in any ancillary emergency medical services. (Amended 10/26/87)
- (c) One in a position of "loco parentis" to the licensee is a person who, in relation to the licensee, 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.

1.2 Application for license. Application for such licenses shall be made on a form prescribed by the Commissioner of Motor Vehicles, and must be accompanied by:

- (a) birth, baptismal, school certificate, or other proof of age satisfactory to the commissioner; and
- (b) a written consent of the applicant's parent or guardian to the issuance of such license.

1.2 Restrictions on operation. A class 6 or class 8 licensee may operate a motor vehicle within the State of New York subject to the following conditions:

- (a) New York City. A class 6 or class 8 licensee may not operate a motor vehicle in New York City except as provided in this subdivision. Such licensee may operate an appropriate class of limited use motorcycle: (Amended 10/24/83).
 - (1) from 5 a.m. to 9 p.m. without being accompanied by a parent, guardian, or one in a position of loco parentis to the licensee, or (Amended 10/24/83)
 - (2) from 9 p.m. to 5 a.m. when accompanied by a parent, guardian, or one in a position of loco parentis to the licensee. (Amended 10/24/83)
- (b) Nassau County. A class 6 or class 8 licensee may not operate a motor vehicle in Nassau County except as provided in this subdivision. Such licensee may operate an appropriate class vehicle. Such licensee may operate an appropriate class vehicle: (Amended 10/24/83)
 - (1) for the purpose of driving to and from a State-approved cooperative work-study educational program, or (Amended 10/24/83)
 - (2) if enrolled in an approved high school or college driver education course or within one year after successful completion of such course, from 5 a.m. to 9 p.m. when accompanied by a licensed parent, guardian, person in a position of loco parentis, driver education teacher, or driving school instructor, or (Amended 10/24/83)
 - (3) an appropriate limited use motorcycle from 5 a.m. to 9 p.m. without being accompanied by a parent, guardian, or one in a position of loco parentis to the licensee, or (Amended 10/24/83)

1.3 Operation to and from a place of business. (Additional statutory authority: Vehicle and Traffic Law Section 508, subd. (4)) (a) Regularly scheduled basis shall mean a licensee is employed by an employer at a place of business or places of businesses maintained by an employer at least once a week for a period of at least four consecutive weeks.

(b) If a licensee is employed on a regularly scheduled basis as set forth in subdivision (a) of this section he may drive unaccompanied to a place of business, as set forth in subdivision (a) of section 1.1 of this Part, provided that in addition to his driver's license he has in his possession a letter signed by his employer containing the date of the letter, the licensee's name, the motorist identification number and job description, the day or days of licensee's employment, the hours of employment, the location or locations of employment and the phone number, as well as, the address at which the employer may be contacted by a police officer or magistrate for verification.

Suggested forms of letters are set forth below:

(1)

January 1, 1977

To Whom It May Concern:

John R. Robert license identification number R15070 19146 312544-59 is employed by X Shipping Company as a dispatch clerk. Mr. Robert works every Monday and Tuesday night from 7:00 p.m. to 10:30 p.m. at our Brent Street warehouse located at 105 Brent Street, Hudson, New York.

I will verify the specific times that Mr. Robert was employed by X Shipping Company on Monday and Tuesday nights from 7:00 p.m. to 10:30 p.m. if contacted by a police officer or magistrate. I may be reached at 3 Brookwood Drive, Hudson, New York at 555-3415.

Yours,
Joseph E. Proprietor (Signature)
X Shipping Co. Manager

(2)

January 1, 1977

To Whom It May Concern:

Joan R. Robert license identification number R15070 19146 31244-56 is employed by Mr. And Mrs. Joseph Shore as a babysitter. Ms. Robert works at least one evening each week as a babysitter, and her hours of employment vary from week to week. Ms. Robert works at the home of Mr. and Mrs. Joseph Shore located at Building 1, Apt. 14, Roseview Court, Hudson, New York.

I will verify the specific times Ms. Robert worked for me if contacted by a police officer or magistrate at the above address at 555-3255.

Yours,
Joseph Shore (Signature)

- (c) The provision of the Vehicle and Traffic Law which permits a class 6 or class 8 licensee to drive to and from his place of employment between 9 p.m. and 5 a.m. does not permit such licensee to drive a motor vehicle in the course of his employer's business (e.g. delivery boy/girl) during those hours.

1.4 Conversion of a class 6 or class 8 driver's license to a class 5 or class 7 driver's license. (Additional statutory authority: Vehicle and Traffic Law, Section 508, subd. (4)) The foregoing provisions of this Part shall apply to a class 6 or class 8 licensee who is 17 years of age and who has successfully completed an approved high school or college driver education course and has not converted his class 6 or class 8 driver's license to class 5 or class 7 driver's license, by surrendering his blue card (MV-285) to a motor vehicle issuing office.