



State of New York

Executive Chamber

No. 65

EXECUTIVE ORDER

TEMPORARY SUSPENSION AND MODIFICATION OF STATUTORY PROVISIONS RELATING TO THE TRANSPORTATION OF SCHOOL CHILDREN IN THE CITY OF NEW YORK

WHEREAS, on October 26, 2012, I issued Executive Order Number 47, declaring a disaster emergency in all 62 counties in the State of New York; and

WHEREAS, Hurricane Sandy has forced the relocation of 18,000 students in kindergarten through grade 8 from their regular school locations to other school buildings, while also damaging a significant number of school buses needed to transport these students; and

WHEREAS, the New York City Department of Education must arrange alternative transportation to ensure that these students are able to continue attending school;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, hereby temporarily suspend and modify, as the case may be, for the period from the date of this Executive Order until further notice, the following:

Section 3623 of the Education Law, and regulations promulgated thereunder, to the extent that such school bus requirements shall not apply to motor vehicles operated on an emergency basis for the transportation of New York City pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities;

Section 3624 of the Education Law and Section 501 of the Vehicle and Traffic Law, and regulations promulgated thereunder, to the extent that motor vehicles operated on an emergency basis for the transportation of New York City pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities may be operated by drivers who do not meet these school bus driver qualifications but are otherwise qualified to operate such motor vehicles;

Section 140 of the Transportation Law and Sections 375 and 383 of the Vehicle and Traffic Law, and regulations promulgated thereunder, to the extent that provisions applicable only to school buses shall not apply to motor vehicles operated on an emergency basis for the transportation of New York City pupils,

children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.



GIVEN under my hand and the Privy Seal of the

State in the City of Albany this seventh
day of November in the year two
thousand twelve.

A handwritten signature in cursive script, appearing to read "James A. Schoenly".

BY THE GOVERNOR

James A. Schoenly
Secretary to the Governor