



NEW YORK STATE SENATOR

Simcha Felder

## Governor Cuomo Signs Two Felder Bills Into Law

SIMCHA FELDER August 6, 2013

| ISSUE: **EDUCATION, SPECIAL EDUCATION, DMV (DEPARTMENT OF MOTOR VEHICLES)**

| COMMITTEE: **NEW YORK CITY EDUCATION**



Senator Simcha Felder (D-Brooklyn), a first-term Senator and Chair of the Subcommittee on New York City Education, had two bills signed into law last Thursday by Governor Cuomo.

“It is extremely gratifying that Governor Cuomo saw the necessity for and value of these bills,” said Senator Felder. “I am thankful to my colleagues and to all those who worked behind the scenes to help make these bills a reality.”

The first of Senator Felder's bills, **S5730-2013**, excludes Saturdays from being considered a business day for purposes of responding to violations for defective motor vehicle equipment.

Previously, the law encouraged timely repairs by offering a full waiver of the fine if repairs were made within one business day, excluding Sundays and federal holidays. This meant that a Sabbath-observant individual who received a summons late Friday afternoon, and could not make the necessary repairs until Sunday, was unable to take advantage of the grace period. Senator Felder's measure remedies this oversight.

"This legislation levels the playing field and allows all New Yorkers to benefit equally from the grace period," Senator Felder said. "Sabbath-observant New Yorkers no longer have to choose between their religious observance and the dismissal of a ticket."

"Year in and year out, car owners are disenfranchised because of their religious obligation to keep Shabbos and unable to take advantage of the incentive to repair vehicles quickly and have tickets dismissed," said Assemblywoman Weinstein, who authored the legislation and sponsored it in the Assembly. "By signing this bill into law, we are acknowledging these obligations, avoiding costly fines, and most importantly not compromising safety in the process."

I am very appreciative and impressed by the rapid results achieved by State Senator Felder, Assemblywoman Weinstein, and Councilman Fidler, working in concert to prevent what happened to me from happening to other people," said Nachama Jacobovitz, a constituent who received a summons for defective motor vehicle equipment on a Friday afternoon. "The signing of this bill into law by the Governor maintains the safety intent of the law, while eliminating the unintended conflict with the religious practice of a significant population in this state."

Another bill, number **S4880A-2013**, will streamline the process for preschool special education students who require an Individualized Education Plan (IEP). Prior to the passage of Senator Felder's legislation, New York State law required the Committee on Preschool Special Education (CPSE) to have another parent of a learning disabled child present during the development and annual review of a child's IEP. The second parent, a volunteer from or near the school district, had no part in the development of the IEP.

Approximately 40,000 preschool IEP meetings are held annually by the New York City Department of Education. Because school districts had to rely on parent volunteers to attend meetings of the CPSE, the development of each child's IEP was significantly prolonged and became increasingly expensive. S4880A removes the requirement for an additional parent at a CPSE meeting unless requested in writing, at least 72 hours in advance by the child's parents or a member of the CPSE. This results in a yearly savings of \$42,000 to the Department of Education and eases the burden on parents of preschool special education children.

"This legislation is a perfect example of how Senator Felder has his hand on the pulse where it matters most: at ground level where the actual case-by-case decisions are being made to help students with special needs," said Mrs. Leah Steinberg, Director of PROJECT LEARN, Special Education Affairs Department for Agudath Israel of America. "Here, both districts and the students with special needs they serve will come out ahead. This new law is truly a win-win for all."

Legislation enacted last year by Senator Flanagan, Chair of the Education Committee, removed the additional parent member mandate for the K-12 Committees on Special Education.

The laws are currently in effect. For more information, please contact the Office of Senator Felder at 718-253-2015 or via e-mail at [felder@nysenate.gov](mailto:felder@nysenate.gov).