

1685

2011-2012 Regular Sessions

I N   S E N A T E

January 11, 2011

---

Introduced by Sen. SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to staging a motor vehicle accident

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. This act shall be known and may be cited as "Alice's Law".  
2     S 2. The penal law is amended by adding three new sections 176.75,  
3     176.80 and 176.85 to read as follows:

4     S 176.75 STAGING A MOTOR VEHICLE ACCIDENT IN THE THIRD DEGREE.

5     A PERSON IS GUILTY OF STAGING A MOTOR VEHICLE ACCIDENT IN THE THIRD  
6     DEGREE WHEN, WITH INTENT TO COMMIT A FRAUDULENT INSURANCE ACT, HE OR  
7     SHE:

8     (1) OPERATES A MOTOR VEHICLE AND INTENTIONALLY CAUSES OR ATTEMPTS TO  
9     CAUSE A COLLISION INVOLVING A MOTOR VEHICLE; OR

10    (2) SOLICITS, REQUESTS, COMMANDS, IMPORTUNES OR OTHERWISE ATTEMPTS TO  
11    CAUSE ANOTHER PERSON TO INTENTIONALLY CAUSE A COLLISION INVOLVING A  
12    MOTOR VEHICLE.

13    STAGING A MOTOR VEHICLE ACCIDENT IN THE THIRD DEGREE IS A CLASS D  
14    FELONY.

15    S 176.80 STAGING A MOTOR VEHICLE ACCIDENT IN THE SECOND DEGREE.

16    A PERSON IS GUILTY OF STAGING A MOTOR VEHICLE ACCIDENT IN THE SECOND  
17    DEGREE WHEN HE OR SHE COMMITS THE OFFENSE OF STAGING A MOTOR VEHICLE  
18    ACCIDENT IN THE THIRD DEGREE, AND HAS BEEN PREVIOUSLY CONVICTED WITHIN  
19    THE PRECEDING FIVE YEARS OF ANY CRIME DEFINED IN THIS ARTICLE.

20    STAGING A MOTOR VEHICLE ACCIDENT IN THE SECOND DEGREE IS A CLASS C  
21    FELONY.

22    S 176.85 STAGING A MOTOR VEHICLE ACCIDENT IN THE FIRST DEGREE.

23    A PERSON IS GUILTY OF STAGING A MOTOR VEHICLE ACCIDENT IN THE FIRST  
24    DEGREE WHEN HE OR SHE COMMITS THE OFFENSE OF STAGING A MOTOR VEHICLE

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD05841-01-1

1 ACCIDENT IN THE THIRD DEGREE AND CAUSES SERIOUS PERSONAL INJURY OR DEATH  
2 TO ANOTHER PERSON, OTHER THAN A PARTICIPANT IN SUCH OFFENSE.

3 STAGING A MOTOR VEHICLE ACCIDENT IN THE FIRST DEGREE IS A CLASS B  
4 FELONY.

5 S 3. This act shall take effect on the first of November next succeed-  
6 ing the date on which it shall have become a law.