

872--A

2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011

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Introduced by Sen. SQUADRON -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to authorizing police officers to arrest a driver of a motor vehicle in certain circumstances

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

1     Section 1. Section 1146 of the vehicle and traffic law is amended by  
2     adding a new subdivision (f) to read as follows:  
3     (F) NOTWITHSTANDING THE PROVISIONS OF SECTION 140.10 OF THE CRIMINAL  
4     PROCEDURE LAW, A POLICE OFFICER MAY, WITHOUT A WARRANT, ARREST A PERSON,  
5     IN CASE OF A VIOLATION OF SUBDIVISION (B) OR (C) OF THIS SECTION, IF  
6     SUCH VIOLATION IS COUPLED WITH AN ACCIDENT OR COLLISION IN WHICH SUCH  
7     PERSON IS INVOLVED, WHICH IN FACT HAS BEEN COMMITTED, THOUGH NOT IN THE  
8     POLICE OFFICER'S PRESENCE, WHEN THE OFFICER HAS REASONABLE CAUSE TO  
9     BELIEVE THAT THE VIOLATION WAS COMMITTED BY SUCH PERSON.  
10    S 2. This act shall take effect on the ninetieth day after it shall  
11    have become a law.

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

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