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I N   S E N A T E

May 14, 2014

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

AN ACT to amend the executive law, in relation to motorcycle profiling

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

1     Section 1. The executive law is amended by adding a new section 839-a  
2     to read as follows:

3     S 839-A. MOTORCYCLE PROFILING. 1. THE MUNICIPAL POLICE TRAINING COUN-  
4     CIL SHALL ENSURE THAT ISSUES RELATED TO MOTORCYCLE PROFILING ARE  
5     ADDRESSED IN BASIC LAW ENFORCEMENT TRAINING AND OFFERED TO IN-SERVICE  
6     LAW ENFORCEMENT OFFICERS IN CONJUNCTION WITH EXISTING TRAINING REGARDING  
7     PROFILING.

8     2. LOCAL LAW ENFORCEMENT AGENCIES SHALL ADD A STATEMENT CONDEMNING  
9     MOTORCYCLE PROFILING TO EXISTING POLICIES REGARDING PROFILING.

10    3. FOR THE PURPOSES OF THIS SECTION, "MOTORCYCLE PROFILING" MEANS THE  
11    ILLEGAL USE OF THE FACT THAT A PERSON RIDES A MOTORCYCLE OR WEARS MOTOR-  
12    CYCLE-RELATED PARAPHERNALIA AS A FACTOR IN DECIDING TO STOP AND QUES-  
13    TION, TAKE ENFORCEMENT ACTION, ARREST, OR SEARCH A PERSON OR VEHICLE  
14    WITH OR WITHOUT A LEGAL BASIS UNDER THE UNITED STATES CONSTITUTION OR  
15    NEW YORK STATE CONSTITUTION.

16    S 2. This act shall take effect on the thirtieth day after it shall  
17    have become a law; provided, however that effective immediately, the  
18    addition, amendment and/or repeal of any rules or regulations necessary  
19    for the implementation of the foregoing provisions of this act on its  
20    effective date is authorized and directed to be made and completed on or  
21    before such effective date.

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

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