

4060

2013-2014 Regular Sessions

I N   S E N A T E

March 6, 2013

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Introduced by Sen. ADAMS -- 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 leaving the scene of a motor vehicle accident that resulted in physical injury or death of a person or persons

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

1     Section 1. Subdivisions 6 and 7 of section 125.14 of the penal law,  
2     subdivision 6 as amended and subdivision 7 as added by chapter 496 of  
3     the laws of 2009, are amended and a new subdivision 8 is added to read  
4     as follows:

5     (6) has previously been convicted of violating any provision of this  
6     article or article one hundred twenty of this title involving the opera-  
7     tion of a motor vehicle, or was convicted in any other state or juris-  
8     diction of an offense involving the operation of a motor vehicle which,  
9     if committed in this state, would constitute a violation of this article  
10    or article one hundred twenty of this title; [or]

11    (7) commits such crime while operating a motor vehicle while a child  
12    who is fifteen years of age or less is a passenger in such motor vehicle  
13    and causes the death of such child[.]; OR

14    (8) *COMMITTS SUCH CRIME AND THEN LEAVES THE SCENE OF THE ACCIDENT IN*  
15    *THE MANNER DEFINED IN SUBDIVISION TWO OF SECTION SIX HUNDRED OF THE*  
16    *VEHICLE AND TRAFFIC LAW.*

17    S 2. Subdivisions 5 and 6 of section 120.04-a of the penal law, subdi-  
18    vision 5 as amended and subdivision 6 as added by chapter 496 of the  
19    laws of 2009, are amended and a new subdivision 7 is added to read as  
20    follows:

21    (5) has previously been convicted of violating any provision of this  
22    article or article one hundred twenty-five of this title involving the  
23    operation of a motor vehicle, or was convicted in any other state or  
24    jurisdiction of an offense involving the operation of a motor vehicle

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

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1 which, if committed in this state, would constitute a violation of this  
2 article or article one hundred twenty-five of this title; [or]  
3 (6) commits such crime while operating a motor vehicle while a child  
4 who is fifteen years of age or less is a passenger in such motor vehicle  
5 and causes serious physical injury to such child[.]; OR  
6 (7) COMMITS SUCH CRIME AND THEN LEAVES THE SCENE OF THE ACCIDENT IN  
7 THE MANNER DEFINED IN SUBDIVISION TWO OF SECTION SIX HUNDRED OF THE  
8 VEHICLE AND TRAFFIC LAW.  
9 S 3. This act shall take effect on the one hundred twentieth day after  
10 it shall have become a law.