

# STATE OF NEW YORK

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4223

2021-2022 Regular Sessions

## IN ASSEMBLY

February 1, 2021

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Introduced by M. of A. TAGUE, MORINELLO, DeSTEFANO -- Multi-Sponsored by  
-- M. of A. TAYLOR -- read once and referred to the Committee on  
Transportation

AN ACT to amend the vehicle and traffic law, in relation to increasing  
the penalty for certain traffic violations when such violations arise  
out of the same incident as a conviction for failure to move over and  
when such violations occurred in a work zone

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Subdivision 4 of section 1225-c of the vehicle and traffic  
2 law, as amended by section 6 of part B of chapter 55 of the laws of  
3 2014, is amended to read as follows:

4 4. (a) A violation of subdivision two of this section shall be a traf-  
5 fic infraction and shall be punishable by a fine of not less than fifty  
6 dollars nor more than two hundred dollars upon conviction of a first  
7 violation; upon conviction of a second violation, both of which were  
8 committed within a period of eighteen months, such violation shall be  
9 punished by a fine of not less than fifty dollars nor more than two  
10 hundred fifty dollars; upon conviction of a third or subsequent  
11 violation, all of which were committed within a period of eighteen  
12 months, such violation shall be punished by a fine of not less than  
13 fifty dollars nor more than four hundred fifty dollars.

14 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-  
15 sion a violation of subdivision two of this section arising out of the  
16 same incident as a conviction for a violation of section eleven hundred  
17 forty-four-a of this title shall be a traffic infraction and shall be  
18 punishable by a fine of not less than one hundred dollars nor more than  
19 four hundred dollars upon conviction of a first violation; upon  
20 conviction of a second violation, both of which were committed within a  
21 period of eighteen months, such violation shall be punished by a fine of  
22 not less than one hundred dollars nor more than five hundred dollars;

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

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1 upon conviction of a third or subsequent violation, all of which were  
2 committed within a period of eighteen months, such violation shall be  
3 punished by a fine of not less than one hundred dollars nor more than  
4 nine hundred dollars.

5 (c) Notwithstanding the provisions of paragraph (a) of this subdivi-  
6 sion a violation of subdivision two of this section which occurred in a  
7 highway construction or maintenance work area shall be a traffic infrac-  
8 tion and shall be punishable by a fine of not less than one hundred  
9 dollars nor more than four hundred dollars upon conviction of a first  
10 violation; upon conviction of a second violation, both of which were  
11 committed within a period of eighteen months, such violation shall be  
12 punished by a fine of not less than one hundred dollars nor more than  
13 five hundred dollars; upon conviction of a third or subsequent  
14 violation, all of which were committed within a period of eighteen  
15 months, such violation shall be punished by a fine of not less than one  
16 hundred dollars nor more than nine hundred dollars.

17 § 2. Subdivision 6 of section 1225-d of the vehicle and traffic law,  
18 as amended by section 7 of part B of chapter 55 of the laws of 2014, is  
19 amended to read as follows:

20 6. (a) A violation of this section shall be a traffic infraction and  
21 shall be punishable by a fine of not less than fifty dollars nor more  
22 than two hundred dollars upon conviction of a first violation; upon  
23 conviction of a second violation, both of which were committed within a  
24 period of eighteen months, such violation shall be punished by a fine of  
25 not less than fifty dollars nor more than two hundred fifty dollars;  
26 upon conviction of a third or subsequent violation, all of which were  
27 committed within a period of eighteen months, such violation shall be  
28 punished by a fine of not less than fifty dollars nor more than four  
29 hundred fifty dollars.

30 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-  
31 sion a violation of this section arising out of the same incident as a  
32 conviction for a violation of section eleven hundred forty-four-a of  
33 this title shall be a traffic infraction and shall be punishable by a  
34 fine of not less than one hundred dollars nor more than four hundred  
35 dollars upon conviction of a first violation; upon conviction of a  
36 second violation, both of which were committed within a period of eigh-  
37 teen months, such violation shall be punished by a fine of not less than  
38 one hundred dollars nor more than five hundred dollars; upon conviction  
39 of a third or subsequent violation, all of which were committed within a  
40 period of eighteen months, such violation shall be punished by a fine of  
41 not less than one hundred dollars nor more than nine hundred dollars.

42 (c) Notwithstanding the provisions of paragraph (a) of this subdivi-  
43 sion a violation of subdivision two of this section which occurred in a  
44 highway construction or maintenance work area shall be a traffic infrac-  
45 tion and shall be punishable by a fine of not less than one hundred  
46 dollars nor more than four hundred dollars upon conviction of a first  
47 violation; upon conviction of a second violation, both of which were  
48 committed within a period of eighteen months, such violation shall be  
49 punished by a fine of not less than one hundred dollars nor more than  
50 five hundred dollars; upon conviction of a third or subsequent  
51 violation, all of which were committed within a period of eighteen  
52 months, such violation shall be punished by a fine of not less than one  
53 hundred dollars nor more than nine hundred dollars.

54 § 3. This act shall take effect on the ninetieth day after it shall  
55 have become a law.