

STATE OF NEW YORK

6675

2021-2022 Regular Sessions

IN ASSEMBLY

March 25, 2021

Introduced by M. of A. FRONTUS -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing an affirmative duty for individuals to assist injured persons in a motor vehicle collision

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 "Jeanne's law".
2 § 2. Subdivision 2 of section 600 of the vehicle and traffic law, as
3 amended by section 4 of part AAA of chapter 59 of the laws of 2017, is
4 amended to read as follows:
5 2. Personal injury. a. Any person operating a motor vehicle who, know-
6 ing or having cause to know that personal injury has been caused to
7 another person, due to an incident involving the motor vehicle operated
8 by such person shall, before leaving the place where the said personal
9 injury occurred, stop, exhibit his or her license and insurance iden-
10 tification card for such vehicle, when such card is required pursuant to
11 articles six and eight of this chapter, and give his or her name, resi-
12 dence, including street and street number, insurance carrier and insur-
13 ance identification information including but not limited to the number
14 and effective dates of said individual's insurance policy and license
15 number, to the injured party, if practical, and also to a police offi-
16 cer, or in the event that no police officer is in the vicinity of the
17 place of said injury, then, he or she shall report said incident as soon
18 as physically able to the nearest police station or judicial officer. In
19 addition to the foregoing, any such person shall also: (i) produce the
20 proof of insurance coverage required pursuant to article forty-four-B of
21 this chapter if such person is a TNC driver operating a TNC vehicle at
22 the time of the incident who was (A) logged on to the TNC's digital
23 network but not engaged in a TNC prearranged trip or (B) was engaged in
24 a TNC prearranged trip; and (ii) disclose whether he or she, at the time

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

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1 such incident occurred, was (A) logged on to the TNC's digital network
2 but not engaged in a TNC prearranged trip or (B) was engaged in a TNC
3 prearranged trip. Any such person operating a motor vehicle shall also
4 have an affirmative duty to render to any person injured in a collision
5 reasonable assistance, including the carrying, or the making of arrange-
6 ments for the carrying of such person to a physician, surgeon or hospi-
7 tal for medical treatment if it is apparent that such treatment is
8 necessary or if such assistance is requested by the injured person.

9 b. It shall be the duty of any member of a law enforcement agency who
10 is at the scene of the [~~accident~~] collision to request the said operator
11 or operators of the motor vehicles, when physically capable of doing so,
12 to exchange the information required hereinabove and such member of a
13 law enforcement agency shall assist such operator or operators in making
14 such exchange of information in a reasonable and harmonious manner.

15 c. A violation of the provisions of paragraph a of this subdivision
16 resulting solely from the failure of an operator to exhibit his or her
17 license and insurance identification card for the vehicle or exchange
18 the information required in such paragraph shall constitute a class B
19 misdemeanor punishable by a fine of not less than two hundred fifty nor
20 more than five hundred dollars in addition to any other penalties
21 provided by law. Any subsequent such violation shall constitute a class
22 A misdemeanor punishable by a fine of not less than five hundred nor
23 more than one thousand dollars in addition to any other penalties
24 provided by law. A violation of the provisions of paragraph a of this
25 subdivision resulting solely from the failure of an operator to render
26 to any person injured in a collision reasonable assistance shall consti-
27 tute a civil violation and shall be punishable by fine. Any violation of
28 the provisions of paragraph a of this subdivision, other than for the
29 mere failure of an operator to exhibit his or her license and insurance
30 identification card for such vehicle or exchange the information
31 required in such paragraph or to render assistance to an injured person,
32 shall constitute a class A misdemeanor, punishable by a fine of not less
33 than five hundred dollars nor more than one thousand dollars in addition
34 to any other penalties provided by law. Any such violation committed by
35 a person after such person has previously been convicted of such a
36 violation shall constitute a class E felony, punishable by a fine of not
37 less than one thousand nor more than two thousand five hundred dollars
38 in addition to any other penalties provided by law. Any violation of the
39 provisions of paragraph a of this subdivision, other than for the mere
40 failure of an operator to exhibit his or her license and insurance iden-
41 tification card for such vehicle or exchange the information required in
42 such paragraph or to render assistance to an injured person, where the
43 personal injury involved (i) results in serious physical injury, as
44 defined in section 10.00 of the penal law, shall constitute a class E
45 felony, punishable by a fine of not less than one thousand nor more than
46 five thousand dollars in addition to any other penalties provided by
47 law, or (ii) results in death shall constitute a class D felony punisha-
48 ble by a fine of not less than two thousand nor more than five thousand
49 dollars in addition to any other penalties provided by law.

50 § 3. This act shall take effect immediately.