

# STATE OF NEW YORK

9468

## IN SENATE

May 31, 2022

Introduced by Sen. COMRIE -- 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 assaults upon certain employees of a transit agency or authority

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

1 Section 1. Subdivision 11 of section 120.05 of the penal law, as separately amended by chapters 268 and 281 of the laws of 2016, is amended to read as follows:

2 11. With intent to cause physical injury to a train operator, ticket  
3 inspector, conductor, signalperson, bus operator, station agent, station  
4 cleaner ~~[or]~~, terminal cleaner, station customer assistant; person whose  
5 official duties include the sale or collection of tickets, passes,  
6 vouchers, or other revenue payment media for use on a train or bus or  
7 the collection or handling of revenues therefrom; a person whose offi-  
8 cial duties include the maintenance, repair, inspection, troubleshoot-  
9 ing, testing or cleaning of buses, a transit signal system, elevated or  
10 underground subway tracks, transit station structure, including fare  
11 equipment, escalators, elevators and other equipment necessary to  
12 passenger service, commuter rail tracks or stations, train yard, revenue  
13 train in passenger service, or a train or bus station or terminal; or a  
14 supervisor of such personnel, employed by any transit or commuter rail  
15 agency, authority or company, public or private, whose operation is  
16 authorized by New York state or any of its political subdivisions, a  
17 city marshal, a school crossing guard appointed pursuant to section two  
18 hundred eight-a of the general municipal law, a traffic enforcement  
19 officer, traffic enforcement agent, prosecutor as defined in subdivision  
20 thirty-one of section 1.20 of the criminal procedure law, sanitation  
21 enforcement agent, New York city sanitation worker, public health sani-  
22 tarian, New York city public health sanitarian, registered nurse,  
23 licensed practical nurse, emergency medical service paramedic, or emer-  
24 gency medical service technician, he or she causes physical injury to  
25 such train operator, ticket inspector, conductor, signalperson, bus  
26 operator, station agent, station cleaner ~~[or]~~, terminal cleaner, station  
27  
28

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

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1 customer assistant; person whose official duties include the sale or  
2 collection of tickets, passes, vouchers or other revenue payment media  
3 for use on a train or bus or the collection or handling of revenues  
4 therefrom; a person whose official duties include the maintenance,  
5 repair, inspection, troubleshooting, testing or cleaning of buses, a  
6 transit signal system, elevated or underground subway tracks, transit  
7 station structure, including fare equipment, escalators, elevators and  
8 other equipment necessary to passenger service, commuter rail tracks or  
9 stations, train yard, revenue train in passenger service, or a train or  
10 bus station or terminal; or a supervisor of such personnel, city  
11 marshal, school crossing guard appointed pursuant to section two hundred  
12 eight-a of the general municipal law, traffic enforcement officer, traf-  
13 fic enforcement agent, prosecutor as defined in subdivision thirty-one  
14 of section 1.20 of the criminal procedure law, registered nurse,  
15 licensed practical nurse, public health sanitarian, New York city public  
16 health sanitarian, sanitation enforcement agent, New York city sanita-  
17 tion worker, emergency medical service paramedic, or emergency medical  
18 service technician, while such employee is performing an assigned duty  
19 on, or directly related to, the operation of a train or bus, [~~including~~  
20 ~~the~~] cleaning of a train or bus station or terminal, assisting custom-  
21 ers, the sale or collection of tickets, passes, vouchers, or other  
22 revenue media for use on a train or bus, or maintenance or cleaning of a  
23 train, a bus, or bus station or terminal, signal system, elevated or  
24 underground subway tracks, transit station structure, including fare  
25 equipment, escalators, elevators and other equipment necessary to  
26 passenger service, commuter rail tracks or stations, train yard or  
27 revenue train in passenger service, or such city marshal, school cross-  
28 ing guard, traffic enforcement officer, traffic enforcement agent,  
29 prosecutor as defined in subdivision thirty-one of section 1.20 of the  
30 criminal procedure law, registered nurse, licensed practical nurse,  
31 public health sanitarian, New York city public health sanitarian, sani-  
32 tation enforcement agent, New York city sanitation worker, emergency  
33 medical service paramedic, or emergency medical service technician is  
34 performing an assigned duty; or

35 § 2. This act shall take effect on the ninetieth day after it shall  
36 have become a law.