

6529

2009-2010 Regular Sessions

I N A S S E M B L Y

March 6, 2009

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

AN ACT to amend the vehicle and traffic law, in relation to illegally
parking in zones marked for handicapped persons

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

1 Section 1. Paragraph (a) of subdivision 2 of section 1203-c of the
2 vehicle and traffic law, as amended by chapter 199 of the laws of 2005,
3 is amended to read as follows:

4 (a) The parking spaces designated pursuant to the provisions of this
5 section shall be clearly identified for use by handicapped persons which
6 designation shall include conspicuous and permanently installed above
7 grade signs which display the international symbol of access and which
8 shall be positioned from the parking space surface at a height of not
9 less than five feet nor more than seven feet and may include the use of
10 blue painted lines or markings. Such parking spaces also [may] SHALL be
11 marked as tow-away zones AND CARS ILLEGALLY PARKED IN SUCH SPACES SHALL
12 BE TOWED AWAY AT THE CAR OWNER'S EXPENSE.

13 S 2. Subdivision 4 of section 1203-c of the vehicle and traffic law,
14 as amended by chapter 613 of the laws of 2003, is amended to read as
15 follows:

16 4. Except as otherwise provided by local law which imposes a larger
17 maximum fine, any person who stops, stands or parks in spaces clearly
18 marked for use by the handicapped in accordance with this section, with-
19 out a special vehicle identification parking permit, a special municipal
20 parking permit or whose motor vehicle is not registered in accordance
21 with section four hundred four-a of this chapter and being used for the
22 transportation of a handicapped person; or with such permit or registra-
23 tion and such person is not the one to whom the permit or registration
24 was issued or is not transporting the person issued the permit or regis-
25 tration; or any person who parks in a handicapped parking access aisle;

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

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1 shall be subject to a fine of [not less than fifty dollars nor more than
2 seventy-five dollars for the first offense and seventy-five to one
3 hundred fifty dollars for the second offense occurring within a period
4 of two years within the same municipality] TWO HUNDRED FIFTY DOLLARS.
5 The arresting or ticketing officer shall issue a summons to violators of
6 this section. A ticketing officer issuing a summons pursuant to this
7 section may provide for the removal and storage of a motor vehicle ille-
8 gally parked in a handicapped parking space, or a handicapped parking
9 access aisle.

10 S 3. This act shall take effect on the first of January next succeed-
11 ing the date on which it shall have become a law.