S T A T E O F N E W Y O R K

9443

I N A S S E M B L Y

(PREFILED)

January 6, 2010

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

AN ACT to amend the vehicle and traffic law, in relation to increasing penalties for failing to stop at a red light where such failure caused an accident or injury or resulted in the death of another person

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

Section 1. Subdivision (b) of section 1800 of the vehicle and traffic law is amended by adding a new paragraph 3 to read as follows:

3. (I) A PERSON WHO VIOLATES PARAGRAPH ONE OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEVEN OF THIS CHAPTER AND SUCH VIOLATION RESULTED IN OR CAUSED AN ACCIDENT OR INJURY TO ANOTHER PERSON, SUCH VIOLATIVE PERSON SHALL BE PUNISHED BY IMPOSITION OF ONE OR MORE OF THE FOLLOWING: A FINE OF UP TO FIVE HUNDRED DOLLARS; OR A NINETY DAY SUSPENSION OF SUCH PERSON'S LICENSE OR PERMIT TO DRIVE; OR MANDATORY ATTENDANCE AT AN APPROPRIATE DRIVER EDUCATION COURSE; OR COMMUNITY SERVICE.

(II) A PERSON WHO VIOLATES PARAGRAPH ONE OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEVEN OF THIS CHAPTER AND SUCH VIOLATION RESULTED IN OR CAUSED AN ACCIDENT WHICH RESULTED IN THE DEATH OF ANOTHER PERSON, SUCH VIOLATIVE PERSON SHALL BE GUILTY OF A MISDEMEANOR AND UPON CONVICTION THEREOF SHALL BE PUNISHED BY IMPOSITION OF ALL OF THE FOLLOWING: A FINE OF UP TO ONE THOUSAND DOLLARS; A ONE HUNDRED EIGHTY DAY SUSPENSION OF SUCH PERSON'S LICENSE OR PERMIT TO DRIVE; IMPRISONMENT FOR NOT MORE THAN NINETY DAYS; MANDATORY ATTENDANCE AT AN APPROPRIATE DRIVER EDUCATION COURSE; AND COMMUNITY SERVICE.

(III) IN ANY CASE WHERE A DRIVER HAS BEEN CHARGED WITH A MISDEMEANOR PURSUANT TO THIS PARAGRAPH, NO DISPOSITION BY PLEA OF GUILTY TO ANY OTHER CHARGE IN SATISFACTION OF SUCH CHARGE SHALL BE AUTHORIZED.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply only to violations committed on or after its effective date.

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

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