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

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I N A S S E M B L Y

February 23, 2010

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

AN ACT to amend the vehicle and traffic law, in relation to emergency rule with respect to the removal of vehicles from public streets and highways

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

Section 1. Section 1602 of the vehicle and traffic law is amended by adding a new subdivision (e) to read as follows:

(E) A POLICE OFFICER OR OTHER PUBLIC OFFICER WHO HAS BEEN DESIGNATED BY THE STATE OR A POLITICAL SUBDIVISION THEREOF TO REGULATE TRAFFIC AT THE SCENE OF AN ACCIDENT OR SPECIAL EMERGENCY MAY, IN THE INTERESTS OF PUBLIC SAFETY AND CONVENIENCE, DIRECT THAT A VEHICLE AND ITS CONTENTS BE REMOVED FROM A PUBLIC STREET OR HIGHWAY. SUCH POLICE OFFICER OR OTHER PUBLIC OFFICER AND ANY PERSON ACTING PURSUANT TO HIS OR HER DIRECTION SHALL NOT BE LIABLE FOR ANY DAMAGE TO SUCH VEHICLE OR ITS CONTENTS UNLESS SUCH REMOVAL WAS CARRIED OUT IN A RECKLESS OR GROSSLY NEGLIGENT MANNER.

S 2. This act shall take effect immediately.

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

LBD11668-01-9