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

2556

2009-2010 Regular Sessions

I N S E N A T E

February 24, 2009

Introduced by Sens. ADDABBO, DIAZ, HUNTLEY, KLEIN, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to granting police officer status to bridge and tunnel officers, sergeants and lieutenants of the Triborough bridge and tunnel authority; repealing subdivision 20 of section 2.10 of such law relating thereto; and to amend the public authorities law, in relation to providing certain powers to the Triborough bridge and tunnel authority

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

Section 1. Subdivision 34 of section 1.20 of the criminal procedure law is amended by adding a new paragraph (w) to read as follows:

(W) BRIDGE AND TUNNEL OFFICERS, SERGEANTS AND LIEUTENANTS OF THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY.

S 2. Subdivision 34-a of section 1.20 of the criminal procedure law is amended by adding a new paragraph (e) to read as follows:

(E) THE "GEOGRAPHICAL AREA OF EMPLOYMENT" FOR THE BRIDGE AND TUNNEL POLICE FORCE OF THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY SHALL BE ALL FACILITIES OPERATED BY THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY.

S 3. Subdivision 20 of section 2.10 of the criminal procedure law is REPEALED.

S 4. Section 553 of the public authorities law is amended by adding a new subdivision 7-b to read as follows:

7-B. IN ITS DISCRETION TO PROVIDE AND MAINTAIN A BRIDGE AND TUNNEL POLICE DEPARTMENT AND A UNIFORMED BRIDGE AND TUNNEL POLICE FORCE. SUCH DEPARTMENT AND FORCE SHALL HAVE THE POWER AND IT SHALL BE THEIR DUTY, IN AND ABOUT BRIDGE AND TUNNEL FACILITIES, TO PRESERVE THE PUBLIC PEACE, PREVENT CRIME, AND ARREST OFFENDERS, SUPPRESS RIOTS, MOBS AND INSURRECTIONS, DISPERSE UNLAWFUL OR DANGEROUS ASSEMBLAGES AND ASSEMBLAGES WHICH OBSTRUCT FREE PASSAGE; PROTECT THE RIGHTS OF PERSONS AND PROPERTY; GUARD

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

LBD05408-01-9

THE PUBLIC HEALTH; REGULATE, DIRECT, CONTROL AND RESTRICT PEDESTRIAN TRAFFIC; REMOVE ALL NUISANCES; ENFORCE AND PREVENT VIOLATION OF ALL LAWS AND ORDINANCES; AND FOR THESE PURPOSES TO ARREST ALL PERSONS GUILTY OF VIOLATING ANY LAW OR ORDINANCE. APPOINTMENTS TO SUCH BRIDGE AND TUNNEL POLICE FORCE SHALL BE MADE IN ACCORDANCE WITH APPLICABLE PROVISIONS OF THE CIVIL SERVICE LAW AND ONLY PERSONS WHO HAVE NEVER BEEN CONVICTED OF A FELONY, AND WHO ARE CITIZENS OF THE UNITED STATES SHALL BE APPOINTED BRIDGE AND TUNNEL PATROLMEN ON THE BRIDGE AND TUNNEL POLICE FORCE. EACH MEMBER OF SUCH FORCE SHALL BE A POLICE OFFICER AS DEFINED BY PARAGRAPH (W) OF SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW.

THE AUTHORITY MAY APPOINT A NON-CIVILIAN CHIEF AND A DEPUTY CHIEF OF THE BRIDGE AND TUNNEL POLICE DEPARTMENT WHO, IN THE DISCRETION OF THE AUTHORITY, MAY BE SELECTED FROM THE RANKS OF THE BRIDGE AND TUNNEL POLICE FORCE, AND ASSIGN POWERS AND DUTIES TO THEM AND FIX THEIR COMPENSATION. THE CHIEF SHALL BE THE HEAD OF SUCH DEPARTMENT. DURING THE ABSENCE OR DISABILITY OF THE CHIEF, THE DEPUTY CHIEF SHALL POSSESS ALL THE POWERS AND PERFORM ALL THE DUTIES OF THE CHIEF. THE BRIDGE AND TUNNEL POLICE FORCE SHALL CONSIST OF CAPTAINS, LIEUTENANTS, SERGEANTS, PATROLMEN AND POLICEWOMEN. THE AUTHORITY MAY DETAIL PERSONS IN THE RANK OF CAPTAIN OF THE BRIDGE AND TUNNEL POLICE FORCE TO SERVE IN HIGHER RANKS. A CAPTAIN WHEN SO DETAILED TO SERVE IN A HIGHER RANK MAY BE GRANTED AN INCREASE IN SALARY ABOVE THE GRADE ESTABLISHED FOR THE RANK OF CAPTAIN IN THE UNIFORMED FORCE.

S 5. This act shall take effect immediately.