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

3025

2009-2010 Regular Sessions

I N S E N A T E

March 9, 2009

Introduced by Sen. THOMPSON -- (at request of the Office of Parks, Recreation and Historic Preservation) -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to amend the navigation law, in relation to reporting policies and procedures regarding vessels involved in an accident

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

Section 1. Subdivision 2 of section 47-a of the navigation law, as added by chapter 587 of the laws of 2003, is amended to read as follows:

2. Every police officer, bay constable or judicial officer receiving information of an accident involving a vessel, including, but not limited to, rowboats and canoes, in which damage in excess of [one thousand dollars] TWO THOUSAND DOLLARS to the property of any person is sustained shall make a written memorandum of the information received, and such additional facts relating to the accident as may come to his or her knowledge, and mail the same within five days to the commissioner and keep a record thereof in his or her office.

S 2. Section 47-b of the navigation law, as added by chapter 587 of the laws of 2003, is amended to read as follows:

S 47-b. Report to the commissioner required upon accident. Every person operating a vessel, including, but not limited to, rowboats and canoes, upon the navigable waters of the state, or on any other waters within the boundaries of the state, which is in any manner involved in an accident, in which any person is killed, injured or disappears under the water, or in which damage to the property of any one person, including himself or herself, in excess of [one thousand dollars] TWO THOUSAND DOLLARS is sustained shall, within five days after such accident, report the matter in writing to the commissioner. If the owner is not involved in such accident or is incapacitated, the owner shall, within five days after learning of the facts of such accident, report the matter to the

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

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commissioner together with such information as may have come to the owner's knowledge relating to such accident. Every such operator of a vessel, or surviving participant in any such accident, or the owner of the vessel involved in any such accident, shall make such other and additional reports as the commissioner may require. A violation of this section shall constitute a violation punishable by a fine of not less than twenty-five nor more than one hundred dollars. Nothing contained in this section shall be deemed to supersede the provisions of section forty-seven of this [article] PART.

S 3. This act shall take effect on the first of April next succeeding the date on which it shall have become a law.