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

495

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the calculation of penalties and additional penalties on parking violations returnable before a parking violations bureau or tribunal

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

Section 1. Subdivision 2 of section 235 of the vehicle and traffic law is amended by adding a new paragraph b-4 to read as follows:

B-4. ADDITIONAL PENALTY OR ALTERNATE ADDITIONAL PENALTY; PROHIBIT. (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, NO ADDITIONAL PENALTY OR ALTERNATE ADDITIONAL PENALTY AUTHORIZED PURSUANT TO PARAGRAPHS B, B-1 AND B-2 OF THIS SUBDIVISION SHALL BE IMPOSED OR ACCRUED (I) ON OR AFTER THE DATE THAT SUCH PERSON PAYS IN FULL THE FINE IMPOSED FOR A PARKING, STOPPING OR STANDING VIOLATION, (II) DURING SUCH TIME THAT A PERSON PAYS SUCH FINE IN COMPLIANCE WITH A SCHEDULE OF PAYMENTS THEREFOR AND/OR (III) FOR THE FAILURE TO PAY A PREVIOUSLY IMPOSED OR ACCRUED ADDITIONAL PENALTY OR ALTERNATE ADDITIONAL PENALTY IMPOSED PURSUANT TO PARAGRAPHS B, B-1 AND B-2 OF THIS SUBDIVISION.

(2) NOTHING CONTAINED IN THIS SUBDIVISION SHALL BE DEEMED TO PROHIBIT THE CHARGING OF INTEREST AS OTHERWISE AUTHORIZED BY LAW, CHARTER, LOCAL LAW, RULE OR REGULATION, ON THE AMOUNT OF THE ADDITIONAL PENALTY OR ALTERNATE ADDITIONAL PENALTY DUE BUT WHICH REMAINS UNPAID, UNTIL THE DATE OF PAYMENT OF SUCH ADDITIONAL PENALTY OR ALTERNATE ADDITIONAL PENALTY.

S 2. This act shall take effect on the forty-fifth day after it shall have become a law and shall apply to violations committed on or after such date; provided, however, that the amendments to section 235 of the vehicle and traffic law made by section one of this act shall not affect the expiration and reversion of such section as provided in subdivision (p) of section 406 of chapter 166 of the laws of 1991, as amended and shall be deemed to expire therewith.

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

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