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

555

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. ADAMS -- 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 increasing penalties and requiring imprisonment for leaving the scene of an accident

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

Section 1. Subdivision 1 of section 600 of the vehicle and traffic law, as amended by chapter 49 of the laws of 2005, is amended to read as follows:

1. Property damage. a. Any person operating a motor vehicle who, knowing or having cause to know that damage has been caused to the real property or to the personal property, not including animals, of another, due to an incident involving the motor vehicle operated by such person shall, before leaving the place where the damage occurred, stop, exhibit his or her license and insurance identification card for such vehicle, when such card is required pursuant to articles six and eight of this chapter, and give his or her name, residence, including street and number, insurance carrier and insurance identification information including but not limited to the number and effective dates of said individual's insurance policy, and license number to the party sustaining the damage, or in case the person sustaining the damage is not present at the place where the damage occurred then he or she shall report the same as soon as physically able to the nearest police station, or judicial officer.

b. It shall be the duty of any member of a law enforcement agency who is at the scene of the accident to request the said operator or operators of the motor vehicles, when physically capable of doing so, to exchange the information required hereinabove and such member of a law

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

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enforcement agency shall assist such operator or operators in making such exchange of information in a reasonable and harmonious manner.

A violation of the provisions of paragraph a of this subdivision shall constitute a [traffic infraction] CLASS A MISDEMEANOR punishable by a fine of [up to two hundred fifty dollars or a sentence of imprisonment for up to fifteen days or both such fine and imprisonment] NOT LESS THAN FIVE HUNDRED DOLLARS NOR MORE THAN ONE THOUSAND DOLLARS AND A SENTENCE OF IMPRISONMENT OF NOT LESS THAN ONE YEAR PURSUANT TO SUBDIVISION THREE OF SECTION 70.00 OF THE PENAL LAW, IN ADDITION TO ANY OTHER PENALTIES PROVIDED BY LAW.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.