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

775

2009-2010 Regular Sessions

I N S E N A T E

January 15, 2009

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

AN ACT to amend the penal law, in relation to establishing the crime of unlawful failure to obey a police officer while operating a motor vehicle

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

Section 1. The penal law is amended by adding a new section 270.40 to read as follows:

S 270.40 UNLAWFUL FAILURE TO OBEY A POLICE OFFICER WHILE OPERATING A MOTOR VEHICLE.

A PERSON IS GUILTY OF UNLAWFUL FAILURE TO OBEY A POLICE OFFICER WHILE OPERATING A MOTOR VEHICLE WHEN HE OR SHE IS OPERATING A MOTOR VEHICLE AND, HAVING BEEN DIRECTED TO STOP THE VEHICLE BY EITHER A UNIFORMED POLICE OFFICER OR A MARKED POLICE VEHICLE BY THE ACTIVATION OF EITHER THE LIGHTS OR THE LIGHTS AND SIREN OF SUCH VEHICLE, THEREAFTER FAILS TO STOP THE VEHICLE IN THE AMOUNT OF TIME IT TAKES TO SAFELY STOP THE VEHICLE AT THE SIDE OF THE ROAD.

UNLAWFUL FAILURE TO OBEY A POLICE OFFICER WHILE OPERATING A MOTOR VEHICLE IS A CLASS B MISDEMEANOR.

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

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

LBD01795-01-9