

2062

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. PEOPLES, SCHROEDER, GABRYSZAK, HOYT -- Multi-Sponsored by -- M. of A. BOYLAND, COLTON, MAYERSOHN, J. RIVERA -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to directing the city of Buffalo to adjudicate traffic infractions

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 229 to read as follows:

3 S 229. APPLICATION OF ARTICLE. THIS ARTICLE SHALL NOT APPLY TO THE
4 CITY OF BUFFALO. FOR PURPOSES OF THIS CHAPTER WITH REGARD TO THE ADJUDI-
5 CATION OF ANY VIOLATION OF THIS CHAPTER OR OF A LAW, ORDINANCE, ORDER,
6 RULE OR REGULATION RELATING TO TRAFFIC, WHICH IS CLASSIFIED AS A TRAFFIC
7 INFRACTION, THE CITY OF BUFFALO SHALL BE DEEMED TO BE A CITY HAVING A
8 POPULATION OF LESS THAN TWO HUNDRED THOUSAND. NOTWITHSTANDING ANY INCON-
9 SISTENT PROVISION OF A GENERAL, SPECIAL OR LOCAL LAW TO THE CONTRARY,
10 THE CITY OF BUFFALO SHALL PROVIDE BY LOCAL LAW FOR THE ADMINISTRATIVE
11 ADJUDICATION OF TRAFFIC INFRACTIONS. ANY PERSON CHARGED WITH A TRAFFIC
12 INFRACTION BY THE CITY OF BUFFALO SHALL HAVE ALL THE RIGHTS TO A HEAR-
13 ING, ADMINISTRATIVE ADJUDICATION AND JUDICIAL REVIEW PURSUANT TO THIS
14 CHAPTER AND ANY OTHER PROVISION OF LAW. THE CITY OF BUFFALO SHALL HAVE
15 ALL THE FUNCTIONS, POWERS AND DUTIES WITH RESPECT TO THE ADJUDICATION OF
16 TRAFFIC INFRACTIONS AS ARE GRANTED TO CITIES HAVING A POPULATION OF LESS
17 THAN TWO HUNDRED THOUSAND. TRAFFIC INFRACTIONS ADJUDICATED BY THE CITY
18 OF BUFFALO SHALL BE PUNISHABLE BY A CIVIL PENALTY. ALL MONEYS COLLECTED
19 FROM SUCH ADJUDICATIONS SHALL BE DISTRIBUTED PURSUANT TO SECTION EIGH-
20 TEEN HUNDRED THREE OF THIS CHAPTER.

21 S 2. This act shall take effect January 1, 2011. Effective immediate-
22 ly, the addition, amendment and/or repeal of any rule or regulation
23 necessary for the implementation of this act on its effective date are
24 authorized and directed to be made and completed on or before such
25 effective date.

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

LBD04670-01-9