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

872

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DINOWITZ, DIAZ -- Multi-Sponsored by -- M. of A. COOK, HOOPER, McDONOUGH, ORTIZ, SCARBOROUGH -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to manipulation of traffic control signals

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

Section 1. Subdivision (a) of section 1110 of the vehicle and traffic law, as amended by chapter 259 of the laws of 1964, is amended to read as follows:

(a) Every person shall obey the instructions of any official traffic-control device applicable to him placed in accordance with the provisions of this chapter, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this title. IT SHALL BE AN AFFIRMATIVE DEFENSE TO ANY CHARGE OF FAILING TO OBEY A TRAFFIC CONTROL SIGNAL PURSUANT TO SECTION ELEVEN HUNDRED ELEVEN OF THIS ARTICLE THAT A POLICE OFFICER, PEACE OFFICER, OR OTHER PERSON AUTHORIZED TO ISSUE A SUMMONS OR APPEARANCE TICKET, MANIPULATED SUCH TRAFFIC CONTROL SIGNAL WITH THE PURPOSE OF ASSESSING A TICKET AGAINST AN INDIVIDUAL.

S 2. This act shall take effect immediately and shall apply to violations occurring on and after such date.

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

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