

2009-2010 Regular Sessions

I N   S E N A T E

(PREFILED)

January 7, 2009

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Introduced by Sen. SAMPSON -- 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 penalty for leaving the scene of an incident resulting in a personal injury

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

1     Section 1. Paragraph c of subdivision 2 of section 600 of the vehicle  
2 and traffic law, as amended by chapter 49 of the laws of 2005, is  
3 amended to read as follows:  
4     c. [A] ANY violation of the provisions of paragraph a of this subdivi-  
5 sion resulting solely from the failure of an operator to exhibit his or  
6 her license and insurance identification card for the vehicle or  
7 exchange the information required in such paragraph shall constitute a  
8 class [B] A misdemeanor punishable by a fine of not less than [two] FIVE  
9 hundred [fifty] nor more than [five hundred] ONE THOUSAND dollars in  
10 addition to any other penalties provided by law. [Any subsequent such  
11 violation shall constitute a class A misdemeanor punishable by a fine of  
12 not less than five hundred nor more than one thousand dollars in addi-  
13 tion to any other penalties provided by law.] Any violation of the  
14 provisions of paragraph a of this subdivision, other than for the mere  
15 failure of an operator to exhibit his or her license and insurance iden-  
16 tification card for such vehicle or exchange the information required in  
17 such paragraph, shall constitute a class A misdemeanor, punishable by a  
18 fine of not less than five hundred dollars nor more than one thousand  
19 dollars in addition to any other penalties provided by law. Any such  
20 violation committed by a person after such person has previously been  
21 convicted of such a violation shall constitute a class E felony, punish-  
22 able by a fine of not less than one thousand nor more than two thousand  
23 five hundred dollars in addition to any other penalties provided by law.  
24 Any violation of the provisions of paragraph a of this subdivision,

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

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1 other than for the mere failure of an operator to exhibit his or her  
2 license and insurance identification card for such vehicle or exchange  
3 the information required in such paragraph, where the personal injury  
4 involved (i) results in serious physical injury, as defined in section  
5 10.00 of the penal law, shall constitute a class [E] C felony, punisha-  
6 ble by a fine of not less than one thousand nor more than five thousand  
7 dollars in addition to any other penalties provided by law, or (ii)  
8 results in death shall constitute a class D felony punishable by a fine  
9 of not less than two thousand nor more than five thousand dollars in  
10 addition to any other penalties provided by law.  
11 S 2. This act shall take effect on the first of November next succeed-  
12 ing the date on which it shall have become a law.