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

457

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. KRUGER -- 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 unlawful failure to provide name and address to injured party or to report incident to police involving a wheeled non-motorized means of conveyance

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 PROVIDE NAME AND ADDRESS TO INJURED PARTY OR TO REPORT INCIDENT TO POLICE INVOLVING A WHEELED NON-MOTORIZED MEANS OF CONVEYANCE.

1. A PERSON IS GUILTY OF UNLAWFUL FAILURE TO PROVIDE NAME AND ADDRESS TO INJURED PARTY OR TO REPORT INCIDENT TO POLICE INVOLVING A WHEELED NON-MOTORIZED MEANS OF CONVEYANCE WHEN HE OR SHE OPERATES A WHEELED NON-MOTORIZED MEANS OF CONVEYANCE AND IN THE COURSE OF SUCH OPERATION PHYSICAL INJURY TO ANOTHER PERSON RESULTS THEREFROM DUE TO THE CULPABILITY OF SUCH OPERATOR AND HE OR SHE FAILS TO PROVIDE HIS OR HER NAME AND ADDRESS TO THE INJURED PARTY, OR TO REPORT THE INCIDENT TO THE POLICE, OR BOTH.

2. FOR THE PURPOSES OF THIS SECTION, A "WHEELED NON-MOTORIZED MEANS OF CONVEYANCE" INCLUDES BUT IS NOT LIMITED TO BICYCLES, IN-LINE SKATES, ROLLER SKATES, SKATEBOARDS AND SCOOTERS.

UNLAWFUL FAILURE TO PROVIDE NAME AND ADDRESS TO INJURED PARTY OR TO REPORT INCIDENT TO POLICE INVOLVING A WHEELED NON-MOTORIZED MEANS OF CONVEYANCE IS A CLASS A 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 and shall apply only to incidents occurring on or after such effective date.

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

LBD03858-01-9