

6127

2011-2012 Regular Sessions

I N A S S E M B L Y

March 8, 2011

Introduced by M. of A. MAGNARELLI -- read once and referred 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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The penal law is amended by adding a new section 270.40 to
2 read as follows:
3 S 270.40 UNLAWFUL FAILURE TO OBEY A POLICE OFFICER WHILE OPERATING A
4 MOTOR VEHICLE.
5 A PERSON IS GUILTY OF UNLAWFUL FAILURE TO OBEY A POLICE OFFICER WHILE
6 OPERATING A MOTOR VEHICLE WHEN HE OR SHE IS OPERATING A MOTOR VEHICLE
7 AND, HAVING BEEN DIRECTED TO STOP THE VEHICLE BY EITHER A UNIFORMED
8 POLICE OFFICER OR A MARKED POLICE VEHICLE BY THE ACTIVATION OF EITHER
9 THE LIGHTS OR THE LIGHTS AND SIREN OF SUCH VEHICLE, THEREAFTER FAILS TO
10 STOP THE VEHICLE IN THE AMOUNT OF TIME IT TAKES TO SAFELY STOP THE VEHI-
11 CLE AT THE SIDE OF THE ROAD.
12 UNLAWFUL FAILURE TO OBEY A POLICE OFFICER WHILE OPERATING A MOTOR
13 VEHICLE IS A CLASS B MISDEMEANOR.
14 S 2. This act shall take effect on the first of November next succeed-
15 ing 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.

LBD04154-01-1