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

6337

2011-2012 Regular Sessions

I N A S S E M B L Y

March 15, 2011

Introduced by M. of A. BRENNAN, GIBSON, BENEDETTO, LANCMAN, TITONE, BARRON, SCARBOROUGH, REILLY -- Multi-Sponsored by -- M. of A. ABBATE, ABINANTI, COOK, CYMBROWITZ, GLICK, GOTTFRIED, JACOBS, MARKEY, M. MILLER, PHEFFER, N. RIVERA, SPANO, STEVENSON, THIELE, WEISENBERG -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to prohibiting fees and charges for motorist services provided by a fire or police department

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

Section 1. The general municipal law is amended by adding a new section 99-v to read as follows:

S 99-V. FEES AND CHARGES FOR MOTORIST SERVICES PROHIBITED. 1. FOR THE PURPOSES OF THIS SECTION THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) "MOTORIST" MEANS ANY PERSON WHO OPERATES A MOTOR VEHICLE, AS THAT TERM IS DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE OF THE VEHICLE AND TRAFFIC LAW, OR WHO IS AN OWNER OF SUCH VEHICLE, AS DEFINED IN SECTION ONE HUNDRED TWENTY-EIGHT OF THE VEHICLE AND TRAFFIC LAW.

(B) "MOTORIST SERVICES" MEANS ROADWAY AND ROADSIDE SERVICES PROVIDED TO MOTORISTS WHEN THEIR MOTOR VEHICLES ARE INVOLVED IN COLLISIONS OR OTHER MOTOR VEHICLE-RELATED INCIDENTS. SUCH SERVICES INCLUDE, BUT ARE NOT LIMITED TO: EXTINGUISHMENT OF MOTOR VEHICLE FIRES; SECURING THE ACCIDENT SCENE; STABILIZING AND SEARCHING THE MOTOR VEHICLE; EVALUATING MOTORISTS FOR INJURIES; PROVIDING FIRST AID AND ASSISTING AMBULANCE PERSONNEL; WRITING AN INCIDENT REPORT; AND WASHING OFF OR OTHERWISE REMOVING DEBRIS FROM THE ROADWAY.

2. NO CITY SHALL IMPOSE A CHARGE OR FEE FOR MOTORIST SERVICES PROVIDED BY A FIRE DEPARTMENT OR POLICE DEPARTMENT UNDER THE CONTROL OF SUCH CITY.

S 2. This act shall take effect immediately.

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

LBD09846-01-1