

S T A T E   O F   N E W   Y O R K

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I N   A S S E M B L Y

February 22, 2012

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Introduced by M. of A. DINOWITZ, COLTON, BENEDETTO, COOK, MAISEL, ROBERTS, CRESPO, SCARBOROUGH, GALEF, McDONOUGH, MALLIOTAKIS, TITONE -- Multi-Sponsored by -- M. of A. GLICK, HOOPER, JACOBS, M. MILLER, MONTESANO, MOYA, P. RIVERA, SIMANOWITZ, STEVENSON -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to muni-meter receipts

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

1     Section 1. The vehicle and traffic law is amended by adding a new  
2     section 241-b to read as follows:  
3     S 241-B. MUNI-METER RECEIPTS; AFFIRMATIVE DEFENSE. IN ANY PROSECUTION  
4     OR PROCEEDING ALLEGING A MUNI-METER PARKING VIOLATION, IT SHALL BE AN  
5     AFFIRMATIVE DEFENSE TO SUCH VIOLATION, WITH THE BURDEN OF PROOF ON THE  
6     PERSON WHO RECEIVED THE SUMMONS, THAT HE OR SHE DID IN FACT PURCHASE A  
7     MUNI-METER TICKET PRIOR TO OR UP TO FIVE MINUTES THEREAFTER FROM THE  
8     ISSUANCE OF THE SUMMONS AND THAT THE RECEIPT IS VALID FOR USE AT THE  
9     TIME AND LOCATION WHERE SUCH SUMMONS WAS ISSUED. SUCH DEFENSE SHALL BE  
10    DEEMED ESTABLISHED IF SUCH PERSON PRODUCES THE ACTUAL MUNI-METER RECEIPT  
11    OR A COPY THEREOF AT SUCH PROSECUTION OR PROCEEDING. FOR THE PURPOSES OF  
12    THIS SECTION, "MUNI-METER" SHALL MEAN AN ELECTRONIC PARKING METER THAT  
13    DISPENSES TIMED RECEIPTS SHOWING THE AMOUNT OF PARKING TIME PURCHASED.  
14    S 2. This act shall take effect immediately.

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

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