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

April 27, 2012

Introduced by M. of A. McDONOUGH -- read once and referred to the Committee on Transportation

AN ACT to amend the highway law, the public authorities law and the New York city charter, in relation to causing the closed circuit television system of cameras to record certain images in a certain manner

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

Section 1. Section 10 of the highway law is amended by adding a new subdivision 47 to read as follows:

47. CAUSE THE CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM OF CAMERAS INSTALLED ALONG CERTAIN STATE ROADWAYS AS PART OF ITS INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM TO RECORD THE IMAGES FILMED BY SUCH CAMERAS IN A MANNER THAT ALLOWS THE IDENTIFICATION OF THE LICENSE PLATE AS WELL AS THE MAKE AND MODEL OF THE MOTOR VEHICLES USING SUCH ROADWAYS. SUCH RECORDED IMAGES ARE TO BE AVAILABLE ONLY TO LAW ENFORCEMENT AGENCIES WITHIN THE STATE FOR PURPOSES OF IDENTIFYING MOTOR VEHICLES THAT HAVE BEEN DRIVEN IN SUCH MANNER AS TO HAVE CAUSED OR BEEN IN SOME PART RESPONSIBLE FOR AN ACCIDENT OR INCIDENT THAT HAS OCCURRED ON SUCH ROADWAYS.

IN CARRYING OUT THIS FUNCTION, THE COMMISSIONER SHALL AMEND ANY DEPARTMENTAL POLICIES GOVERNING THE CCTV SYSTEMS SO AS TO PROVIDE FOR THE RECORDING OF IMAGES AS DESCRIBED IN THIS SUBDIVISION.

S 2. Subdivision 1 of section 361 of the public authorities law is amended by adding a new paragraph (f) to read as follows:

(F) THE AUTHORITY SHALL CAUSE THE CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM OF CAMERAS INSTALLED ALONG THE THRUWAY TO RECORD THE IMAGES FILMED BY SUCH CAMERAS IN A MANNER THAT ALLOWS THE IDENTIFICATION OF THE LICENSE PLATE AS WELL AS THE MAKE AND MODEL OF THE MOTOR VEHICLES USING SUCH ROADWAYS. SUCH RECORDED IMAGES ARE TO BE AVAILABLE ONLY TO LAW ENFORCEMENT AGENCIES WITHIN THE STATE FOR PURPOSES OF IDENTIFYING MOTOR VEHICLES THAT HAVE BEEN DRIVEN IN SUCH MANNER AS TO HAVE CAUSED OR BEEN IN SOME PART RESPONSIBLE FOR AN ACCIDENT OR INCIDENT THAT HAS OCCURRED ON THE THRUWAY. IN CARRYING OUT THIS FUNCTION, THE AUTHORITY SHALL AMEND

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

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ANY POLICIES GOVERNING THE CCTV SYSTEMS SO AS TO PROVIDE FOR THE RECORDING OF IMAGES AS DESCRIBED IN THIS PARAGRAPH.

S 3. Subdivision a of section 2903 of the New York city charter is amended by adding a new paragraph 11-a to read as follows:

(11-A) CAUSE THE CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM OF CAMERAS INSTALLED ALONG CERTAIN ROADWAYS OF THE CITY AS PART OF ITS INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM TO RECORD THE IMAGES FILMED BY SUCH CAMERAS IN A MANNER THAT ALLOWS THE IDENTIFICATION OF THE LICENSE PLATE AS WELL AS THE MAKE AND MODEL OF THE MOTOR VEHICLES USING SUCH ROADWAYS. SUCH RECORDED IMAGES ARE TO BE AVAILABLE ONLY TO LAW ENFORCEMENT AGENCIES WITHIN THE CITY FOR PURPOSES OF IDENTIFYING MOTOR VEHICLES THAT HAVE BEEN DRIVEN IN SUCH MANNER AS TO HAVE CAUSED OR BEEN IN SOME PART RESPONSIBLE FOR AN ACCIDENT OR INCIDENT THAT HAS OCCURRED ON SUCH ROADWAYS.

IN CARRYING OUT THIS FUNCTION, THE COMMISSIONER SHALL AMEND ANY DEPARTMENTAL POLICIES GOVERNING THE CCTV SYSTEMS SO AS TO PROVIDE FOR THE RECORDING OF IMAGES AS DESCRIBED IN THIS SUBDIVISION.

S 4. This act shall take effect on the thirtieth day after it shall have become a law.