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I N S E N A T E

January 24, 2012

Introduced by Sens. PERKINS, ESPAILLAT, HUNTLEY, OPPENHEIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the public authorities law, in relation to prohibiting the consumption of food in New York city subways

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

1 Section 1. The public authorities law is amended by adding a new
2 section 1277-b to read as follows:

3 S 1277-B. PROHIBITION OF THE CONSUMPTION OF FOOD ON SUBWAY TRAINS. 1.
4 NO PERSON SHALL CONSUME ANY FOOD WITHIN ANY SUBWAY. FOR PURPOSES OF THIS
5 SECTION, THE TERM "SUBWAY" SHALL MEAN ALL RAIL RAPID TRANSIT SYSTEMS
6 OPERATED BY THE NEW YORK CITY TRANSIT AUTHORITY INCLUDING BUT NOT LIMIT-
7 ED TO ALL TRAINS, RAIL CARS, PASSENGER STATIONS, PLATFORMS AND SHOPS
8 OPERATED BY SUCH AUTHORITY.

9 2. A VIOLATION OF THE PROVISION OF SUBDIVISION ONE OF THIS SECTION
10 SHALL BE PUNISHABLE BY A FINE NOT TO EXCEED TWO HUNDRED FIFTY DOLLARS
11 AND/OR A REQUIREMENT TO PERFORM SERVICES FOR A PUBLIC OR NOT-FOR-PROFIT
12 CORPORATION, ASSOCIATION, INSTITUTION OR AGENCY NOT TO EXCEED EIGHT
13 HOURS AND FOR ANY SECOND OR SUBSEQUENT VIOLATION BY A FINE NOT TO EXCEED
14 FIVE HUNDRED DOLLARS AND/OR A REQUIREMENT TO PERFORM SERVICES FOR A
15 PUBLIC OR NOT-FOR-PROFIT CORPORATION, ASSOCIATION, INSTITUTION OR AGENCY
16 NOT TO EXCEED EIGHT HOURS.

17 3. FINES COLLECTED PURSUANT TO SUBDIVISION TWO OF THIS SECTION SHALL
18 BE DEPOSITED TO THE CREDIT OF THE NEW YORK SUBWAY LITTERING PREVENTION
19 FUND ESTABLISHED PURSUANT TO SECTION NINETY-SEVEN-UUU OF THE STATE
20 FINANCE LAW, AND SHALL BE USED BY THE NEW YORK CITY TRANSIT AUTHORITY TO
21 POST SIGNS NOTIFYING THE PUBLIC OF THE MAXIMUM FINE FOR A VIOLATION OF
22 SUBDIVISION ONE OF THIS SECTION.

23 S 2. This act shall take effect on the sixtieth day after it shall
24 have become a law.

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

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