

6416

I N S E N A T E

February 7, 2012

Introduced by Sen. SQUADRON -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing police officers to arrest a driver of a motor vehicle without a warrant in certain circumstances when the officer has reasonable cause to believe that such person has failed to use due care in the operation of a motor vehicle

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

1 Section 1. Section 1146 of the vehicle and traffic law is amended by
2 adding a new subdivision (f) to read as follows:
3 (F) NOTWITHSTANDING THE PROVISIONS OF SECTION 140.10 OF THE CRIMINAL
4 PROCEDURE LAW, A POLICE OFFICER MAY, WITHOUT A WARRANT, ARREST A PERSON,
5 IN CASE OF A VIOLATION OF SUBDIVISION (B) OR (C) OF THIS SECTION, IF
6 SUCH VIOLATION IS COUPLED WITH AN ACCIDENT OR COLLISION IN WHICH SUCH
7 PERSON IS INVOLVED, WHICH IN FACT HAS BEEN COMMITTED, THOUGH NOT IN THE
8 POLICE OFFICER'S PRESENCE, WHEN THE OFFICER HAS REASONABLE CAUSE TO
9 BELIEVE THAT THE VIOLATION WAS COMMITTED BY SUCH PERSON.
10 S 2. This act shall take effect immediately.

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

LBD14324-01-2