

6727--B

I N S E N A T E

March 14, 2012

Introduced by Sens. KLEIN, GOLDEN, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, 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.

LBD14586-07-2