

5572

2011-2012 Regular Sessions

I N   A S S E M B L Y

February 23, 2011

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Introduced by M. of A. MORELLE, CUSICK, CASTELLI, RAIA, JOHNS, CERETTO,  
P. RIVERA, MONTESANO, N. RIVERA, BURLING -- Multi-Sponsored by -- M.  
of A. ABBATE, BARCLAY, DUPREY, GIGLIO, McKEVITT, ORTIZ, STEVENSON,  
SWEENEY, THIELE -- read once and referred to the Committee on Trans-  
portation

AN ACT to amend the vehicle and traffic law, in relation to the fine for  
certain handicapped parking violations

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

1     Section 1. Subdivision 4 of section 1203-c of the vehicle and traffic  
2 law, as amended by chapter 613 of the laws of 2003, is amended to read  
3 as follows:  
4     4. Except as otherwise provided by local law which imposes a larger  
5 maximum fine, any person who stops, stands or parks in spaces clearly  
6 marked for use by the handicapped in accordance with this section, with-  
7 out a special vehicle identification parking permit, a special municipal  
8 parking permit or whose motor vehicle is not registered in accordance  
9 with section four hundred four-a of this chapter and being used for the  
10 transportation of a handicapped person; or with such permit or registra-  
11 tion and such person is not the one to whom the permit or registration  
12 was issued or is not transporting the person issued the permit or regis-  
13 tration; or any person who parks in a handicapped parking access aisle;  
14 shall be subject to a fine of not less than fifty dollars nor more than  
15 [seventy-five] ONE HUNDRED FIFTY dollars for the first offense and  
16 [seventy-five] ONE HUNDRED FIFTY to [one] TWO hundred fifty dollars for  
17 the second offense occurring within a period of two years within the  
18 same municipality; PROVIDED, HOWEVER, THAT IF A MOTORIST BEING ISSUED A  
19 SUMMONS PURSUANT TO THIS SECTION PROVIDES PROOF OF POSSESSING A SPECIAL  
20 VEHICLE IDENTIFICATION PARKING PERMIT OR A SPECIAL MUNICIPAL PARKING  
21 PERMIT TO THE MUNICIPALITY WHERE THE SUMMONS WAS ISSUED WITHIN TEN DAYS,  
22 THEY SHALL BE SUBJECT TO A FINE OF NO LESS THAN FIFTY DOLLARS AND NO

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

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1 MORE THAN SEVENTY-FIVE DOLLARS. The arresting or ticketing officer shall  
2 issue a summons to violators of this section. A ticketing officer issu-  
3 ing a summons pursuant to this section may provide for the removal and  
4 storage of a motor vehicle illegally parked in a handicapped parking  
5 space, or a handicapped parking access aisle.

6 S 2. This act shall take effect on the first of November next succeed-  
7 ing the date on which it shall have become a law.