S T A T E O F N E W Y O R K

5572

2011-2012 Regular Sessions

I N A S S E M B L Y

February 23, 2011

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 Transportation

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 4 of section 1203-c of the vehicle and traffic law, as amended by chapter 613 of the laws of 2003, is amended to read as follows:

4. Except as otherwise provided by local law which imposes a larger maximum fine, any person who stops, stands or parks in spaces clearly marked for use by the handicapped in accordance with this section, without a special vehicle identification parking permit, a special municipal parking permit or whose motor vehicle is not registered in accordance with section four hundred four-a of this chapter and being used for the transportation of a handicapped person; or with such permit or registration and such person is not the one to whom the permit or registration was issued or is not transporting the person issued the permit or registration; or any person who parks in a handicapped parking access aisle; shall be subject to a fine of not less than fifty dollars nor more than [seventy-five] *ONE HUNDRED FIFTY* dollars for the first offense and [seventy-five] *ONE HUNDRED FIFTY* to [one] *TWO* hundred fifty dollars for the second offense occurring within a period of two years within the same municipality; *PROVIDED, HOWEVER, THAT IF A MOTORIST BEING ISSUED A SUMMONS PURSUANT TO THIS SECTION PROVIDES PROOF OF POSSESSING A SPECIAL VEHICLE IDENTIFICATION PARKING PERMIT OR A SPECIAL MUNICIPAL PARKING PERMIT TO THE MUNICIPALITY WHERE THE SUMMONS WAS ISSUED WITHIN TEN DAYS, 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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MORE THAN SEVENTY-FIVE DOLLARS. The arresting or ticketing officer shall issue a summons to violators of this section. A ticketing officer issuing a summons pursuant to this section may provide for the removal and storage of a motor vehicle illegally parked in a handicapped parking space, or a handicapped parking access aisle.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.